

Hills Showground Station Concept Plan

State Significant Development Assessment
SSD 9653

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Glossary

Abbreviation	Definition
ADG	Apartment Design Guide
Applicant	Landcom
CIV	Capital Investment Value
Consent	Development Consent
Council	The Hills Shire Council
CSSI	Critical State Significant Infrastructure
DES	Design Excellence Strategy
Department	Department of Planning, Industry and Environment
DRP	Design Review Panel
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Reg	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
FSR	Floor Space Ratio
GA NSW	Government Architect NSW
GFA	Gross Floor Area
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
NRAR	Natural Resources Access Regulator, DPIE
Planning Secretary	Secretary of the Department of Planning, Industry and Environment

SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSD	State Significant Development
SSI	State Significant Infrastructure
TfNSW	Transport for NSW
THDCP	The Hills Development Control Plan 2012
THLEP	The Hills Local Environmental Plan 2012
VIA	Visual and View Impact Assessment

Executive Summary

This report provides an assessment of the State significant development (SSD) application seeking approval for the staged development of the Hills Showground Station Precinct (SSD 9653) adjacent to the Hills Showground Sydney Metro station, Castle Hill.

The Concept Development Application has been lodged by Landcom (Applicant) on behalf of Sydney Metro. The proposal seeks concept approval for three precincts, comprising:

- building envelopes for residential and mixed-use development,
- building heights ranging between three and 21 storeys,
- new public open spaces,
- subdivision
- a new road
- supporting infrastructure.

No building or construction works are proposed to be undertaken as part of the concept proposal. All future development would be subject to separate applications.

The Hills Showground Station forms part of the Sydney Metro North West (SMNW) stage (SSI 5414) of the overall Sydney Metro project, which delivered the first eight Metro stations between Tallawong and Epping. The site is located centrally within the Showground Station Precinct which was rezoned in December 2017. The rezoning permitted additional commercial and high-density residential development to take advantage of the new transport capacity of the North West Metro Line.

The site is located within The Hills local government area (LGA). The Capital Investment Value (CIV) of the development is \$995.6 Million and it would generate 1,920 construction jobs and 674 operational jobs. The Minister for Planning and Public Spaces is the consent authority for the application as the Applicant is a public authority.

Engagement

The Department of Planning, Industry and Environment (Department) publicly exhibited the Environmental Impact Statement (EIS) between 13 November to 10 December 2019 (28 days) and received a total of 27 submissions, comprising:

- 12 submissions from Government agencies
- a submission from Council
- 14 public submissions (9 objecting, four providing comments and one in support).

Council raised concerns over the proposed density (dwelling numbers), housing typology, building separation, setbacks, Urban Design Guidelines, local infrastructure, residential amenity, canopy cover, Design Excellence Strategy, relationship with the adjoining Castel Hill Showground, traffic and parking, flooding and stormwater management.

The key issues raised in the public submissions included traffic impacts, parking, bulk and scale, character, public infrastructure and heritage impacts.

The Applicant's Response to Submissions (RtS) responded to the issues raised by Council, public agencies and public submissions (see **Appendix A**). The RtS included amended building envelopes,

Urban Design Guidelines, Design Excellence Strategy, parking rates and a reduction in the proposed maximum dwelling numbers from 1,900 to 1,620.

Council did not object to the proposal but it maintained its concerns over the proposed density, building separation, open space, setbacks, parking, stormwater, local infrastructure and approval pathways for future development applications.

Government agencies provided further comments and advice which informed the Department's recommended conditions in **Appendix D**.

Assessment

The Department has considered the merits of the proposal in accordance with relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the objects of the EP&A Act and the issues raised in all submissions, as well as the Applicant's response to those submissions.

The Department considers the proposal is acceptable for the following reasons:

- it is consistent with the strategic planning framework for the Showground Station Precinct, which seeks to deliver additional housing and employment opportunities to take advantage of the new transport capacity of the North West Metro Line
- the proposal would play an important role in establishing a new local centre next to the new station as envisaged by the strategic plan. The proposal accommodates up to 13,490 m² of commercial floor space to provide retail and services for commuters and future residents
- the proposal complies with floor space ratios and building height standards in the THLEP and the total number of dwellings in the precinct would remain below the maximum 5,000 dwelling cap set under the THLEP, ensuring existing and planned infrastructure keeps pace with the demand generated by the planned housing and population growth in the area.
- while the proposal would result in some minor variations to the minimum lot size development standard in the THLEP, the Department is satisfied the proposed variations would not result in the fragmentation of land or isolation of sites. The proposed lot sizes are a result of the existing roads and other infrastructure relating to the station being subdivided from the respective lots.
- the proposal was also amended in response to advice received from the State Design Review Panel by reducing the number of dwellings proposed from 1,900 to 1,620 dwellings and the size of the building envelopes (gross floor area was reduced by 9,310 m²) to deliver better residential amenity and urban design outcomes. The amended proposal is also supported by a revised Urban Design Guidelines, which include provisions to:
 - manage bulk and scale of future buildings
 - ensure adequate building separation, setbacks and building articulation
 - support good quality open space, landscaping and a 40% tree canopy cover
- the Department is satisfied the proposal is capable of achieving Design Excellence, subject to the submitted Urban Design Guidelines and Design Excellence Strategy, which requires future applications to be reviewed by either the State Design Review Panel or the Hills Shire Council's Design Excellence Panel

- the Department's independent traffic consultant found traffic generation from the proposal alone would not unreasonably affect the operation of the existing road network. However, the Department recommends that future development applications must include consultation and agreement with the relevant road authority on the responsibility, scope and timing for any required road works to cater for cumulative traffic impacts due to increase in background and development traffic in the area.
- the Department notes that the Applicant has provided evidence demonstrating that two intersection upgrades at Showground Road / Carrington Road and Showground Road / De Clambe Drive, Castle Hill would be funded jointly by the Australian Government and NSW Governments to improve both bus services and ease congestion at the locality.
- the Department has set a maximum residential car parking cap (consistent with TfNSW advice) to actively encourage a shift in travel modes from private car usage to public transport at this highly accessible location. The Department has also recommended amendments to the car parking rates contained in the Urban Design Guidelines and requirement for future applications to be accompanied by a Parking Strategy.
- the proposal would deliver several public benefits including the provision of at least 5 % of the proposed dwellings as affordable housing for a minimum of ten years, 4,900 m² of new public open space and 500 m² of community facilities.

Conclusion

Following its detailed assessment, the Department supports the proposal as it is responsive to the context of the site and is consistent with the objectives of the North West Rail Link Corridor Strategy, Showground Station Precinct Plan and the Hills Local Environmental Plan. The proposal would also deliver a mix of additional housing and other land uses to service the local community in proximity to a modern and efficient public transport service.

The Department is also satisfied that the additional information provided in the RtS with respect to the amended building envelopes, Urban Design Guidelines and Design Excellence Strategy, together with the recommended conditions of approval, would appropriately address the remaining concerns raised in submissions.

The Department's assessment therefore concludes the proposal is in the public interest and recommends that the application be approved subject to the conditions of consent.

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1 Introduction

This report provides an assessment of the State significant development (SSD) application for the staged development of the Hills Showground Station Precinct (SSD 9653) adjacent to the Hills Showground Sydney Metro station, Castle Hill.

Landcom (Applicant), on behalf of Sydney Metro, seeks concept approval for:

- three development blocks (Precinct West, Doran Drive Precinct and Precinct East)
- building envelopes of varying heights between three to 21 storeys (12 m to 68 m)
- a maximum total GFA of 166,486 m², consisting:
 - a maximum residential GFA of 152,546 m²
 - a maximum non-residential GFA of 13,940 m²
- a maximum of 1,620 dwellings (including a minimum 5% affordable housing)
- a maximum of 1,957 car and 705 bicycle spaces
- public domain improvements, public open space and a new road
- establishment of Urban Design Guidelines and a Design Excellence Strategy
- concept subdivision of Lot 56 DP 1253217 (Precinct East)

If the concept development application is approved, detailed development applications will be submitted for the design and construction of the proposal.

1.1 Sydney Metro North West

The Hills Showground Metro station forms part of the Sydney Metro North West (SMNW) corridor (**Figure 1**), which delivered eight new metro stations between Tallawong and Epping under the critical State significant infrastructure (SSI) approval SSI 5414.

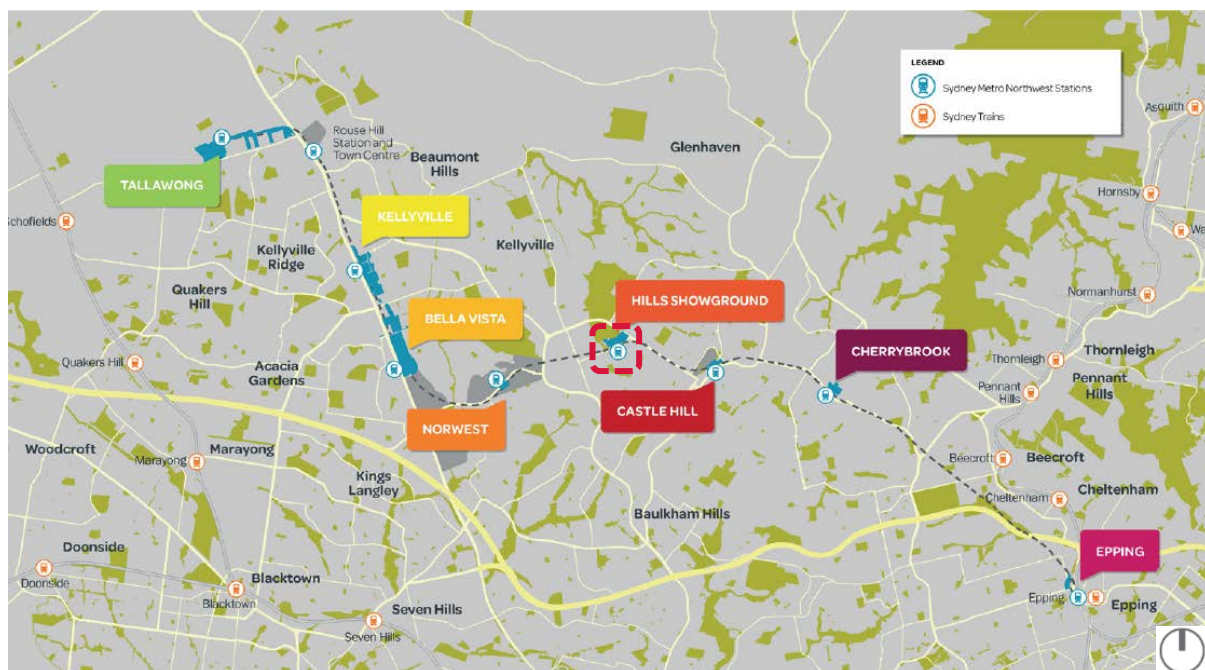


Figure 1 | Sydney Metro North West corridor (Source: EIS)

The completed SMNW corridor forms part of a longer-term metro project that will connect Tallawong in the northwest to Bankstown in the southwest via Chatswood, Sydney CBD and Sydenham.

The Department of Planning, Infrastructure & Environment (Department) and Transport for NSW (TfNSW) developed the North West Rail Link Corridor Strategy (Corridor Strategy) to guide future planning and development along the corridor, which included precinct structure plans for each of the eight new Metro stations.

The Showground Station Precinct was identified for state significant development under the State Environmental Planning Policy (State and Regional Development) 2011 and subsequently rezoned in December 2017. The rezoning permitted additional commercial and high-density residential development, including increased building heights and floor space ratios. The Hills Showground Station Precinct (site) is located within the Showground Station Precinct (see **Figure 2**). 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.



Figure 2 | Hills Showground Precinct (Source: EIS)

1.2 Site description

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 irregular in shape and bound by De Clambe Drive, Showground Road, and Carrington Road.

As part of the SMNW critical SSI approval (SSI 5414), the project included the following precinct works:

- construction of the underground station complex, including platforms
- construction of the station entry, forecourt and plaza and associated landscaping
- provision of a 600-space commuter car park and bicycle
- transport interchanges, park-and-ride facilities, kiss-and-ride, bus stops, taxi ranks and bicycle facilities

- construction of the roads and streets servicing the commuter car park, development lots and the station (De Clambe Drive, Doran Drive, Mandala Parade, and Andalusian Way)
- precinct utility works (excluding sewer) including construction of a drainage reserve and substation.

Sydney Metro subsequently subdivided the precinct into three development blocks (Precinct East, Doran Drive Precinct and Precinct West) with a total area of 83,974 m².

Precinct East currently contains the former Hills Council (Council) administration building and associated parking, which is approved to be demolished under a separate development consent (304/2020/LA) (see **Figure 3**). Doran Drive Precinct and Precinct West were cleared as part of the SSI approval.



Figure 3 | Aerial photograph of site showing existing development (Source: Nearmap with annotation added)

1.3 Surrounding development

The surrounding area is generally characterised by low-scale residential development, with commercial and light industrial development to the west of Cattai Creek.

The site is bordered on the northeast by Showground Road and the area beyond is characterised by low-scale residential development. Immediately to the northeast of the site is 128-132 Showground Road, which is identified as a location heritage item (I69) under the THLEP. The western boundary of the site adjoins De Clambe Drive and Cattai Creek (see **Figures 4 and 5**). Further west is an existing commercial / light industrial business park.

To the south is the entrance to the Sydney Metro station and Carrington Road. On the opposite side of Carrington Road and beyond consists of low-scale residential development (**Figure 6**). Several of these sites recently received approved or have development applications under assessment by Council for high density residential development of up to 13 storeys.

To the north of the site is De Clambe Drive and the Castle Hill Showground and its associated buildings and structures (**Figure 7**).



Figure 4 | Intersection of Showground Road and Carrington Road, including residential development to the east



Figure 5 | Interface between Cattai Creek and commuter carpark viewed from Carrington Road



Figure 6 | Existing residential development to the south along Carrington Road



Figure 7 | Showground viewed from De Clambe Drive

2 Project

The proposal seeks concept approval for 13 building envelopes within three development blocks for residential and mixed-use development, including the provision of public open space. The proposal will set the vision for the Hills Showground Station Precinct and establish the planning and development framework that will form the basis for the assessment of future development applications for the site.

The key components and features of the proposal (as amended) are summarised at **Table 1**. A link to the application is provided at **Appendix A**.

Table 1 | Main Components of the Project

Aspect	Description
Built form	<ul style="list-style-type: none"> 13 building envelopes ranging in height between three to 21 storeys (12 m to 68 m) establishing primary and secondary built form setbacks establishing minimum building separation
Gross floor area (GFA)	<ul style="list-style-type: none"> total GFA of 166,486 m² comprising a maximum: <ul style="list-style-type: none"> residential GFA of 152,546 m² non-residential GFA of 13,940 m² allocation of maximum GFA across each development lot: <ul style="list-style-type: none"> Precinct East: 86,275 m² Doran Drive Precinct: 51,065 m² Precinct West: 29,146 m²
Public open space	<ul style="list-style-type: none"> Doran Drive Plaza – minimum of 1,400 m² Precinct East Park – minimum of 3,500 m²
Land use	<ul style="list-style-type: none"> residential, commercial and community uses a maximum of 1,620 residential dwellings: <ul style="list-style-type: none"> Precinct East: 873 Doran Drive Precinct: 440 Precinct West: 307 establishing a minimum provision of 5% affordable housing
Parking	<ul style="list-style-type: none"> establishing parking rates, resulting in: <ul style="list-style-type: none"> maximum 1,957 car parking spaces 705 bicycle spaces (depending on final dwelling numbers)

Subdivision	<ul style="list-style-type: none"> concept subdivision of Lot 56 DP 1253217 (Precinct East) into future development lots, public domain and a new road
Jobs	<ul style="list-style-type: none"> 1,920 site-based jobs over the construction period (for varying durations) 674 operation jobs
CIV	<ul style="list-style-type: none"> \$995,550,839

2.1 Physical layout and design

The proposal involves a master plan and urban design framework for the Hills Showground Station Precinct that will establish the structure and layout of the future development blocks. These development blocks include Precinct West, Doran Drive Precinct and Precinct East.

Precinct East is zoned R1 General Residential and is envisaged to be high density residential development between 12 m to 52 m in height. This includes the provision of townhouse and residential flat development. Precinct East will also contain the new Precinct East Park.

Doran Drive Precinct and Precinct West are zoned B2 Mixed Use and will contain shop top housing development up to 68 m in height (see **Figure 8**). Doran Drive Precinct will also deliver the new Doran Drive Plaza.

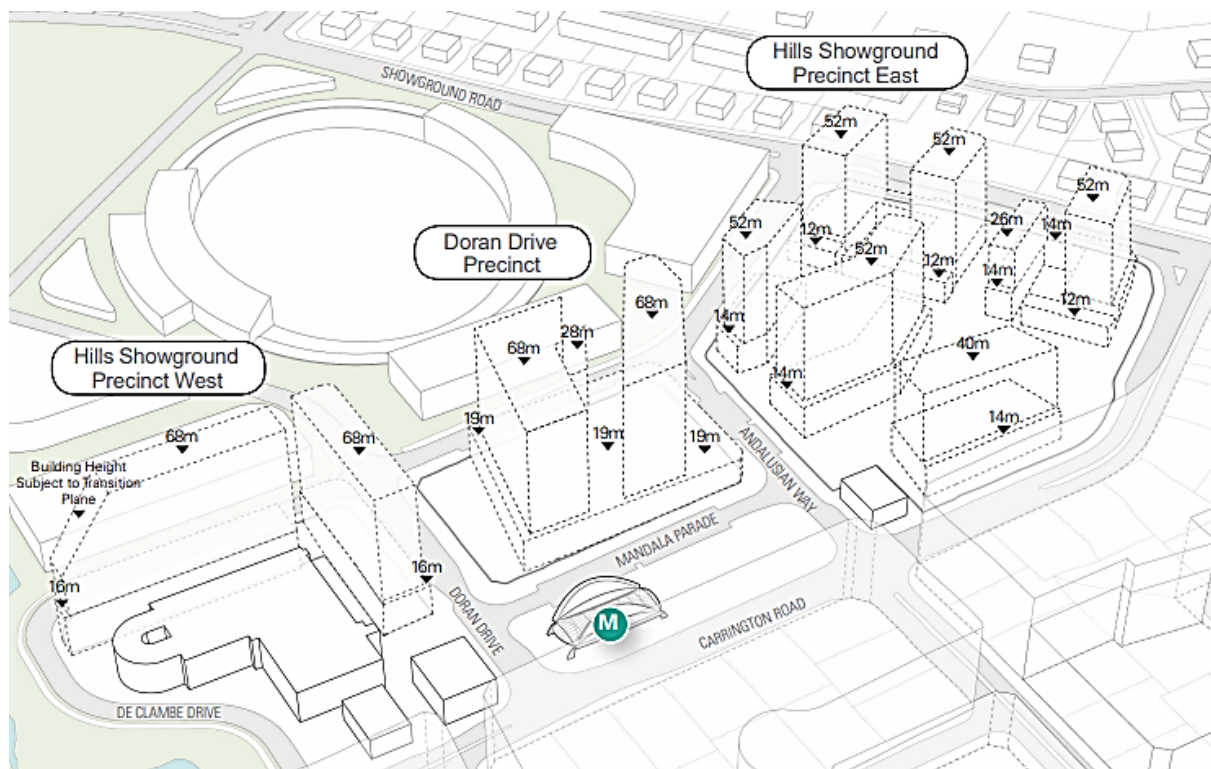


Figure 8 | Building envelopes and heights (Source: RtS)

2.2 Uses and activities

The concept proposal identifies the proposed allocation, quantum and location of land uses across the three development blocks (see **Figures 9 & 10**). Precinct East will consist of high-density

residential development, while Precinct West and Doran Drive Precinct will consist of shop top housing development.

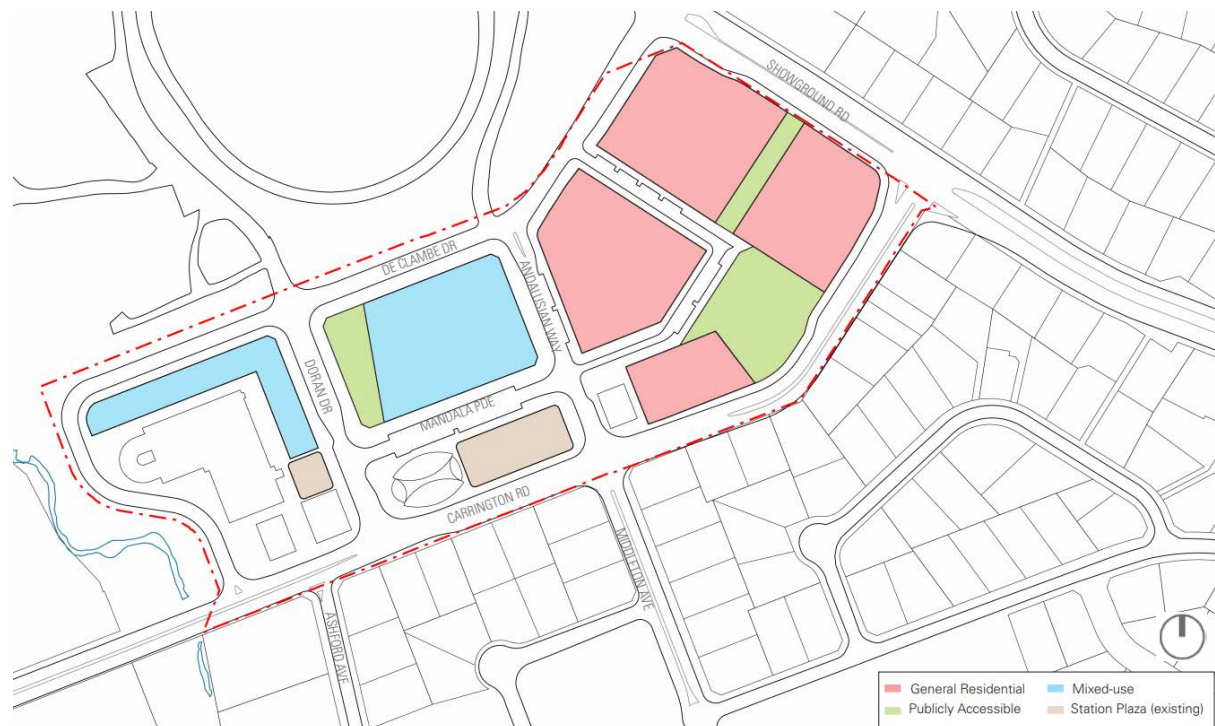


Figure 9 | Proposed layout and land uses (Source: Applicant's RtS)

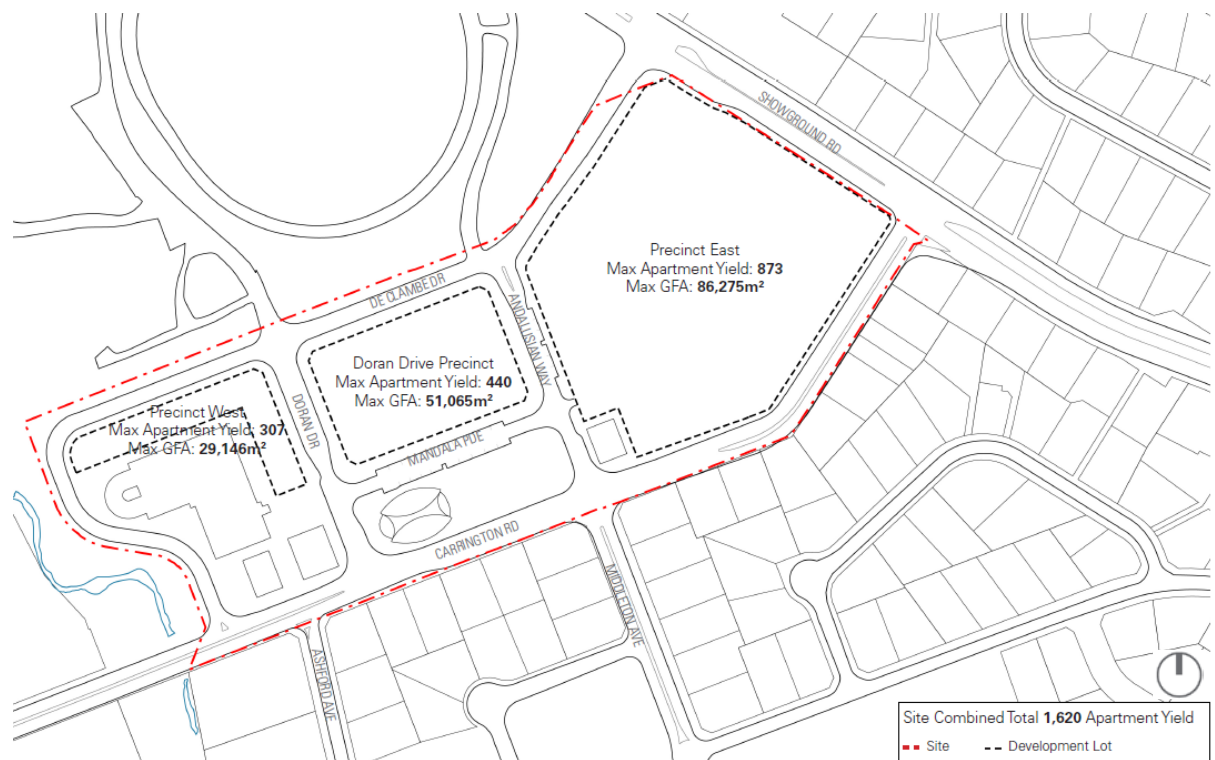


Figure 10 | Proposed dwelling and GFA yield for each precinct (Source: Applicant's RtS)

2.3 Timing

The Concept Proposal does not seek approval for construction works. Should the application be approved, future applications would be lodged for the detailed design and construction of the proposal.

The Applicant has provided the following indicative staging plan (see **Figure 11**).

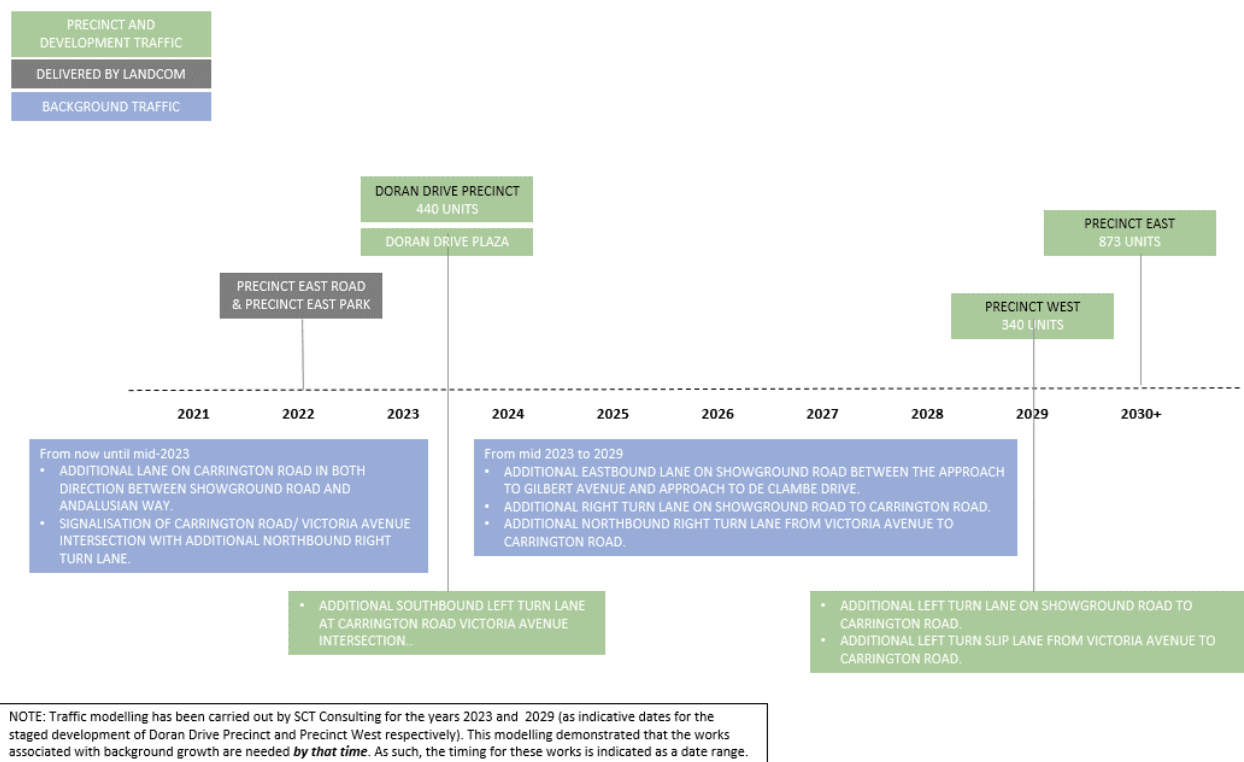


Figure 11 | Indicative staging plan (Source: RtS)

2.4 Related development

Sydney Metro North West Railway

On 8 May 2013, the Minister for Planning and Infrastructure approved critical SSI application (SSI 5414) for the construction and operation of the SMNW. Construction of the SMNW, including works associated with Hills Showground Station, was completed and opened for operation on 26 May 2019.

Precinct Subdivision

In August 2019, Sydney Metro submitted an application directly to Land Registry Services to subdivide Lot 140 DP 1180973 to create roads and a number of lots in DP 1253217. The subdivision plan was registered on 29 August 2019 and includes:

- Lot 51 Drainage reserve and basin (includes land adjacent to Cattai Creek Corridor)
- Lot 52 Sydney Metro commuter carpark and plaza
- Lot 53 Development lot – Precinct West
- Lot 55 Development lot – Doran Drive Precinct
- Lot 56 Development lot – Precinct East
- Lot 54 and Lot 50 Sydney Metro – Hills Showground Station Box and service facility boxes
- Lot 57 existing carpark around the Showground Oval

- De Clambe Drive, Doran Drive, Mandala Parade, and Andalusian Way.

Ownership of the roads, drainage reserve and basin (Lot 51) were automatically transferred from Sydney Metro's to Council during the registration of the subdivision plan.

Demolition of former Council administration building

On 5 November 2019, Council granted development consent (304/2020/LA) for the:

- demolition of the former Council administration building
- removal of external elements such as car parking surfaces and associated kerbing and guttering, concrete and paved pathways, signage structures, lighting elements, brick blade walls, brick planters and concrete and paved forecourt area located on the Showground Road frontage
- removal of any materials on site remaining from the adjacent station development
- removal of 58 trees from a total of 105 trees.

Precinct Interim Activation

On 25 February 2020, Council granted development consent (1617/2019/HA) for early activation works, comprising:

- the use of the space as a 'recreation area' for a maximum five years
- approval for extended trading of mobile food and drink vehicles from one location on private land
- the construction of one shade structure.

3 Strategic context

3.1 Greater Sydney Regional Plan and Central City District Plan

The Greater Sydney Commission's (GSC) role is to coordinate and align planning to shape the future of Metropolitan Sydney. In March 2018, the GSC published the Greater Sydney Region Plan: A Metropolis of Three Cities. The NSW Government's vision, is for Sydney to be "...a metropolis of three cities where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places." These cities are the Western Parkland City, the Central River City and the Eastern Harbour City.

The Greater Sydney Region Plan outlines how Greater Sydney will manage growth and change and guide infrastructure delivery. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The site is located within the Central City District. The Central City District Plan sets a 20-year vision for the Parramatta, Blacktown, Cumberland and Hills local government areas to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of the Plan.

Castle Hill is identified as a Strategic Centre with a focus on investment in transport projects and private sector investment, business opportunities and jobs. A target of 16,000 to 19,500 jobs is established for Castle Hill for 2036. Hills Showground is similarly identified as being within an area that can promote transit-oriented development with opportunities to also achieve the following objectives of the Plan:

- deliver transit-oriented development and co-locate facilities and social infrastructure
- provide, increase or improve local infrastructure and open space
- improve walking, cycling and public transport connections, including through the Greater Sydney Green Grid
- protect or expand retail and/or commercial floor space
- protect or expand employment opportunities
- provide parking that is adaptable to future uses and takes account of access to public transport, walking and cycling connections.

The proposal is consistent with the relevant key priorities of the Central City District Plan as it would:

- provide new development supported by infrastructure
- increase the supply and choice of housing in the area
- provide new open space and deliver new pedestrian and road connections
- provide additional employment opportunities.

3.2 Future Transport Strategy 2056

The Future Transport Strategy 2056 is an update of the NSW Long Term Transport Master Plan 2012 and 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 good mix of uses; including retail/commercial uses and residential uses (Outcome 1: Successful Places)
- provides direct pedestrian links between the proposal and the station (Outcome 5: Accessible services)
- encourages the use of public transport by providing residential and commercial uses in close proximity to a transport node (Outcome 6: Sustainability).

3.3 Sydney Metro North West Corridor Strategy

Landcom and Sydney Metro are working together on long-term planning and development of government owned land surrounding the new Sydney Metro North West stations. The program, called Sydney Metro Northwest Places, focuses on creating diverse, well-designed precincts for current and future communities. The program will provide:

- a range of housing choices
- spaces for businesses, workplaces and community facilities
- walkable places with access to transport
- sustainable places for current and future communities.

3.4 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 (SRD SEPP) and The Hills Local Environmental Plan 2012 (THLEP), to:

- identify the Showground Station Precinct for which specified development was declared to be State significant development in Schedule 2 of the SRD SEPP
- rezone the Precinct under THLEP with new statutory controls, including a 5,000 cap on the maximum number of residential dwellings on land identified in the Showground Station Precinct.

4 Statutory Context

4.1 State Significant Development

The proposal is SSD under Section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it seeks approval for the layout of a principal subdivision and the creation of a new roadway in accordance with clause 14 of Schedule 2 of SRD SEPP.

In addition, the proposal has a CIV in excess of \$30 million (\$995.6 million) and is for the purpose of commercial premises and residential accommodation within a rail corridor in accordance with clause 19(2) in Schedule 1 of SRD SEPP.

In accordance with the Minister's delegation the Executive Director, Key Sites and Regions may determine the application as:

- Council has not made an objection
- there are less than 50 public submissions by way of objection
- a political disclosure statement has not been made.

4.2 Permissibility

The site is located within the B2 Local Centre (Precinct West and Doran Drive Precinct) and R1 General Residential (Precinct East) zones under THLEP. The proposal is permissible with consent.

4.3 Mandatory Matters for Consideration

Environmental planning instruments

Under section 4.15 of the EP&A Act, the Planning Secretary's assessment report is required to include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been considered in the assessment of the proposal. The following EPI's apply to the proposal:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- The Hills Local Environmental Plan (THLEP) 2012.

The Department has undertaken an assessment of these EPIs in **Appendix C** and is satisfied the application is consistent with the requirements or provisions of these EPIs.

Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the Objects as set out in section 1.3 of that Act. A response to the Objects of the EP&A Act is provided within **Appendix C**.

Ecologically sustainable development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the Protection of the Environment Administration Act 1991. Section 6(2) of the Protection of the

Environment Administration Act 1991 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 development proposes ESD initiatives and sustainability measures in accordance with Landcom's 'Sustainable Places Strategy.' This includes targeting improved sustainability performance standards, 5-star Green Star Design and As Built certification and providing shared Electric Vehicle (EV) charging points or fast-charge stations.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-Generational Equity Principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the project. Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Environmental Planning and Assessment Regulation 2000 (EP&A Reg) cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

Planning Secretary's Environmental Assessment Requirements

On 26 October 2018 (amended 9 October 2019), the Department notified the Applicant of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the SSD application. The Department is satisfied that the EIS and RtS adequately addresses compliance with the SEARs to enable the assessment and determination of the application.

4.4 Biodiversity Development Assessment Report

Under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act), SSD applications are "*to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values*".

The Applicant submitted a BDAR, prepared by WSP, in accordance with the NSW Biodiversity Assessment Method established under the BC Act. The BDAR concluded that no remnant native vegetation or associated Plant Community Types (PCTs) were recorded in the Hills Showground Station Precinct and no threatened flora species, ecological communities or their habitat, listed under the BC Act, would be affected by the proposal.

The BDAR was referred to the Environment, Energy and Science Group (EESG), who acknowledged the proposal will not impact any remnant native vegetation, however, sought further clarification on several issues. Refer to **Section 6.7** for further discussion.

5 Engagement

5.1 Department's engagement

In accordance with clause 10 of Schedule 1 to the EP&A Act and clause 118 of the EP&A Reg, the Department exhibited the application from 13 November to 10 December 2019 (28 days):

- on the Department's website
- at NSW Service Centres
- at The Hills Shire Council office

The Department placed a public exhibition notice in the Hills Shire Times on 12 November 2019 and notified adjoining landowners and relevant Government agencies in writing.

The Department inspected the site and its surrounds on 3 December 2019. The Department also met with Council and the Applicant during the Response to Submissions period (on 18 February 2020) to gain a better understanding of Council's concern and to facilitate resolution.

5.2 Summary of submissions

The Department received a total of 27 submissions, comprising:

- 12 submissions from Government agencies and utility providers providing comments
- A submission from Council
- 14 submissions from the public (9 objecting, four providing comments and one in support).

A copy of the submissions may be viewed at **Appendix A**.

5.3 Key Issues – Government agencies

A summary of the issues raised in the Government agencies submissions is provided at **Table 2** below and copies of the submissions may be viewed at **Appendix A**.

Table 2 | Summary of Government agencies submissions

WaterNSW

- EIS**
- WaterNSW has no comments or requirements regarding the proposal as it is not located near any WaterNSW land, assets or infrastructure

EPA

- EIS**
- EPA advise the proposal will not require an Environment Protection Licence.
 - Future development proposals are to incorporate requirements for acceptable vibration and ground-borne noise limits for spaces within the development drawn from the EPA's *Rail Infrastructure Noise Guideline* (EPA, 2013) and *Assessing Vibration: a technical guideline* (DECC, 2006).

Fire and Rescue NSW

- EIS**
- It is deemed that the proposal has limited scope and application in regard to fire and life safety, and as such FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation.
 - It is requested that the Applicant undertake consultation with FRNSW should more detailed information regarding the fire and life safety aspects of the development (Hills Showground Station Precinct) becomes available.

Heritage NSW

- EIS**
- A review of the site shows that there are no State Heritage Register (SHR) items on or near the site and no potential for historical archaeology as defined under the Heritage Act 1977 which would be impacted by the proposed works.
 - Accordingly, as long as the recommendations regarding heritage as outlined in Section 8.5.3 of the EIS are included as conditions of consent, Heritage NSW does not require to be included in any future correspondence regarding this SSD.

- RtS**
- Noted the Applicant's RtS. No further comments.

DPIE Environment, Energy and Science Group

- EIS**
- EES has reviewed the Biodiversity Development Assessment Report (BDAR) and acknowledges that the proposal will not impact any remnant native vegetation. However, EES notes that BDAR contains a number of errors or omissions. Although these are inconsequential given the small scale of impact, feedback on the errors is provided to improve any future BDARs that are prepared by the applicant's consultant.
 - The proposal adjoins the riparian area of Cattai Creek. The BDAR states that impacts on the creek line will only be "minor" and "mitigation measures will be implemented to reduce the potential impacts". To avoid impacts to threatened fauna and their habitats along Cattai Creek, EES recommends these mitigation measures are required as conditions of consent.
 - The relevant flood risk management report for the Concept Plan is adequate and identifies no outstanding flood risk management issues. The Concept Plan therefore is supported, with no additional requirements needed regarding flooding.

- RtS**
- EES has reviewed the updated BDAR and RtS and considers all matters raised previously have been satisfactorily addressed.

Transport for NSW

- EIS**
- TfNSW had no comments.

Department of Education

- EIS**
- The increase in population for the area will generate demand for additional public education facilities and, when considered in conjunction with other planned growth in the broader Castle Hill context, there is potential cumulative demand for additional school sites.
 - School Infrastructure NSW is yet to identify suitable land for future school sites that may be required to meet this demand. Therefore, as part of the consideration of the current proposal, it requested the assessment include a more detailed response to the education needs generated by this development and in the wider context.

Department of Primary Industries

- EIS**
- The Department of Primary Industries has reviewed this proposal and has no comment.

Roads and Maritime Services (TfNSW)

- EIS**
- TfNSW is currently working with The Hills Shire Council on Traffic and Transport Planning Studies which will examine the cumulative impacts of the full development uplift associated with the North West Rail Link - Showground Road Station Structure Plan.
 - The proposed setbacks should comply with the Building Setbacks identified within The Hills DCP, particularly along Showground Road and De Clambe Drive.
 - The residential parking rates are considered generous and will subsequently work against the purposes of encouraging greater public and active transport usage for development located along the Sydney Metro NW Corridor.
 - Further network modelling should be undertaken and the raw SIDRA modelling files are to be included for review. In addition, the Gilbert Road intersection should be included in the network modelling.
 - As the upgrade of Showground Road/Carrington Road is not included in TfNSW's current programs and no funding is allocated, the Applicant needs to assess the impact of their development against the current situation/intersection capacity and determine any appropriate contribution mechanism for the delivery of any required upgrades to the surrounding road network.
 - It is recommended that an assessment is undertaken according to the proposed staging of development to inform any intermediate mitigation that would be required prior to the full development. This is integral to ensure that the network will function satisfactorily during the interim period.
 - The development at 1-5 Carrington Road must be able to retain stormwater on site as part of any approved on-site detention system and the outflow of any stormwater must not be greater than existing flows. The Applicant should also contribute to the upgrade of the council stormwater easements between Showground Road and Kathleen Avenue.

- RtS**
- RMS provided a consolidated response with TfNSW, providing the following comments:
- TfNSW recommends that a capped upper limit of 1,663 car spaces be applied for the residential development, based on the application of the residential / visitor

parking rates published within the Castle Hill North Planning Proposal Finalisation Report.

- TfNSW recommends that at least 119 of the 162 visitor parking spaces be used under a shared parking arrangement with the non-residential parking spaces outside of normal weekday business hours.

Sydney Metro

- EIS**
- Future Development Applications must demonstrate compliance with the Sydney Metro Underground Corridor Protection Technical Guidelines and Sydney Metro at Grade and Elevated Sections Corridor Protection Guidelines.

- RtS**
- Reiterated its previous comment.

Water and the Natural Resources Access Regulator

- EIS**
- NRAR has reviewed the Hills Showground Station Precinct EIS and has no further comments.

Endeavour Energy

- EIS**
- There are pad mount substations, switch stations, underground power cables and underground pilot cables within and adjoining the site, as well as easements over the site benefitting Endeavour Energy.
 - The Applicant should note the requirements of Endeavour Energy's 'Property Tenure Guidelines, Provision of Network Connection Services'
 - Where the subdivision result in the incorporation of Endeavour Energy's easement into different and/or multiple lots, the easements, rights and restrictions, covenants etc. must be retained over the effected lots and in accordance with the requirements of NSW Land Registry Services (LRS).
 - The Applicant will need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined.
 - Any required pad mount or indoor substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy.
 - Endeavour Energy's preference has been for the utilisation of pad mount substations for supply to urban multi residential load (UML) developments unless the installation of pad mount substations is not practicably possible.
 - Subject to the foregoing and the following recommendations and comments, Endeavour Energy has no objection to the Development Application.

- RtS**
- Reiterated its previous comments.
-

5.4 Key Issues – Council

A summary of the issues raised in Council's submission is provided at **Table 3** below and a copy of the submission may be viewed at **Appendix A**.

Table 3 | Summary of Council submission

The Hills Shire Council (Council)

- EIS** Council did not object to the proposal, however provided the following comments:
- The proposed scale of development (1,900 dwellings) is beyond the 1,500 dwellings envisaged under the applicable strategic framework prepared by the Department as part of the Priority Precinct exhibition.
 - The bulk and scale of the proposal building envelopes requires further modulation of heights, greater building separations and setbacks from street frontages.
 - The proposal should provide unimpeded solar access to proposed public open spaces for two hours on 21 June.
 - Consideration should be given to an additional through-site link within the Doran Drive Precinct to break-up the built form and provide greater connectivity between the station area and the Castle Hill Showground.
 - Compliance should be achieved with The Hills Development Control Plan 2012 (THDCP) with respect to site coverage, setbacks, communal open space, active street frontages, etc.
 - A number of apartments noted as meeting natural cross-ventilation are not in compliance with the acceptable design criteria of the Apartment Design Guide (ADG).
 - The urban tree canopy proposed is insufficient and will not attain 40% coverage targets set by the GSC and GA NSW.
 - Wind controls to be included in the Urban Design Guidelines to require buildings of eight or more storeys to be subject to wind tunnel testing at the development application stage.
 - Greater diversity is suggested for the building colours and finishes shown in the Urban Design Guidelines.
 - Concern is raised regarding the Design Excellence Strategy (DES) and consistency of built form outcomes if different consent authorities and Design Review Panels (DRP) are utilised.
 - Further consideration needs to be given to how the development will address social infrastructure requirements to ensure that the future residents are adequately serviced with parks, community facilities, schools etc.
 - Precinct East Park should comprise an area of at least 0.5 ha consistent with the minimum area for a local urban park as per Council's adopted Recreation Strategy.
 - No mechanism has been proposed by Landcom to facilitate delivery of all infrastructure required to support the proposed development or dedication to Council (if proposed) of Doran Drive Plaza or the new Precinct East park.
 - Future development will need to give strong consideration to the relationship between the subject site and the Castle Hill Showground.

- The SSD does not include any details with respect to the revitalisation and embellishment of the portion of the Cattai Creek Corridor adjoining the site (Lot 51 DP 1253217).
- The proposed waste collection arrangement and stormwater designs are not satisfactory.

RtS Council maintained the following concerns:

- The revised scale of development (1,620 dwellings) is still beyond the 1,500 dwellings envisaged under the applicable strategic framework prepared by the Department as part of the Priority Precinct exhibition.
- The bulk and scale of the concept proposal remains excessive.
- Building separation of less than 24 m between towers is considered to be inadequate.
- Any approval should provide sufficient certainty that future developers provide the proposed publicly accessible open spaces as part of their development.
- The Showground will be a destination with potential for large crowds, especially during major events. A cross site link through the Doran Drive Precinct would help mitigate pedestrian congestion along Doran Drive.
- Upper level setbacks within Doran Drive Precinct and Precinct East to be increased from 3 m to 5 m. All balconies above four storeys should not protrude into the upper level setbacks.
- Building lengths of more than 50 m in Precinct East should be discouraged.
- Apartment mix and sizes recommended to comply with Council's Housing Diversity requirements in THLEP.
- Parking rates for residential flat buildings are recommended to be consistent with Council's Housing Diversity requirements in THLEP.
- The RtS does not appropriately address Council's previous comment that flows draining from the eastern portion of the site to the intersection of Showground Road and Carrington Road are to consider the Transport for NSW (formerly RMS) proposed stormwater network upgrades in the immediate locality.

5.5 Key Issues – Community and public interest groups

The Department received a total of 11 submissions from the community and three from public interest groups, comprising 9 objections, four providing comments and one in support.

A summary of the issues raised in submissions is provided at **Table 5** below and copies of the submissions may be viewed at **Appendix A**.

Table 5 | Summary of special interest group submissions to the proposal

Computer Pals for Seniors - The Hills

- Object to the size, the number of new dwellings and scale of the project
- The very high building heights are out of character to the area.

- Too many units concentrated in too small an area.
- Traffic congestion - Issues with commuting to and from work as well as during weekends with events at the Showground. There is existing congestion at peak commuting times.
- Overshadowing of parks and recreation areas due to the heights of the proposed towers.
- Some of the land could be better used for community public buildings, such as libraries, schools, joint use for not for profit clubs, and additional car parking at the station.
- Community safety, health, wellbeing of the existing Showground users, and potential vandalism may be impacted due to a high concentration as well as density of units.
- The existing service infrastructure is already at high demand, and this proposed project may exasperate the situation.
- A project of this size and scale will cause major disruptions to the existing neighbourhood during construction.

Body Corporate SP19470

- Land to the west of the station is still zoned as a deferred matter under Council's LEP.
- Requested the Department to defer this application until the zoning of all surrounding land is finalised.

Merc Capital

- Supports the zoning and mixed-use precinct proposed at the Landcom Hills Showgrounds station site, including the land uses and densities that are proposed for the site.

5.6 Public Submissions

A summary of the issues raised in the public submissions is provided at **Table 6** below and copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of Submissions

Issue	% of Submissions
Traffic impacts	82%
Residential density / over-development	73%
Excessive building height	64%
Not in keeping with local character	55%
Need for community/public infrastructure	45%
Heritage impacts – Castle Hill Showground	45%
Impact on development potential of properties in surrounding area	27%
Solar access / overshadowing	27%

Lack of commuter / commercial car parking spaces	27%
Amenity or visual impacts	27%
Impact on existing services/utilities	18%
Construction impacts	18%
LEP non-compliance	18%
Site suitability	9%
Design does not respond to climate change	9%

5.7 Response to submissions

Following the exhibition period, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

The Applicant provided a Response to Submissions (RtS) report on 16 September 2020. The RtS included the following amendments to the proposal:

- reduction in dwelling yield from 1,900 to 1,620
- changes to the non-residential GFA from a range of 6,700 m² to 13,600 m² to having a maximum of 13,940 m²
- revised building envelopes allowing for increased building separation and setbacks
- reduction in maximum car parking spaces from 2,293 to 1,957
- subsequent amendments to the Urban Design Guidelines and Design Excellence Strategy

The RtS was made publicly available on the Department's website and was referred to relevant Government agencies. An additional seven submissions were received from public agencies, including two from Council.

6 Assessment

The Department has undertaken a comprehensive assessment of the merits of the proposal. After reviewing the Applicant's EIS, the issues raised in submissions and the Applicant's RtS and additional information, the Department considers the key assessment issues associated with the proposal are:

- density
- building envelopes
- amenity
- design excellence
- parking and traffic.

All other issues associated with the proposal have been considered in **Section 6.7**.

6.1 Density

The proposal seeks approval for a maximum GFA of 166,486 m² and 1,620 dwellings, comprising of up to 152,546 m² of residential and 13,940 m² of non-residential floor space.

Concerns were raised in public submissions that the proposal represents an overdevelopment of the site and is out of scale with character of the area. Concerns were also raised about the proposal departing from the minimum lots size requirement in THLEP.

Council raised concerns that the proposed density is beyond the scale of development envisaged under the strategic framework. Council contends the envisaged density for the site is approximately 1,500 dwellings.

In response, the Applicant reduced the 1,900 dwelling yield to 1,620, revised the building envelope layout and reduced the overall GFA by 9,310 m². The Applicant noted the Hills Corridor Strategy estimated the 6.2 hectare Showground Station Precinct site would accommodate up to 300 dwellings per hectare. The reduced yield of 1,620 dwellings equates to 261 dwellings per hectare over the same area.

As summarised at **Section 1.1**, the Showground Station Precinct was rezoned in December 2017. The rezoning permitted additional commercial and high-density residential development, including increased building heights and floor space ratios to take advantage of the new transport capacity of the North West Metro Line. The Department has assessed the proposed density against the development controls in the THLEP and the potential impacts of the proposal below.

6.1.1 Floor Space Ratio

The Department notes the proposal complies with the maximum floor space ratio (FSR) under the THLEP (and under The Hills Local Environmental Plan 2019), noting a separate FSR applies to each precinct as summarised at **Table 7**.

Table 7 | Summary of FSR

Precinct	Site Area	Proposed GFA	Proposed FSR	THLEP FSR
Precinct West	7,396 m ²	29,146 m ²	3.9:1	5:1
Doran Drive Precinct	15,856 m ²	51,065 m ²	3.2:1	4:1
Precinct East	31,886 m ²	86,275 m ²	2.7:1	3:1

Further, the proposal results in an overall FSR of 3:1, which still complies with the lowest of the three FSR development standard when considered as a single development.

The Department is therefore satisfied the proposal fully complies with the FSR controls contained in THLEP.

6.1.2 Dwelling cap

Clause 9.8 of THLEP limits the number of dwellings allowed within the Showground Station Precinct to 5,000. The Department notes the dwelling cap was adopted as part of the rezoning for the Precinct, to ensure existing and planned supporting infrastructure meets the demand generated by the planned housing and population growth.

The Department notes Council has already approved 1,226 new dwellings and together with the proposed 1,620 dwellings, would result in a total of 2,846 dwellings. The Department also notes Council is currently assessing another four applications that could result in an additional 1,437 dwellings within the Showground Station Precinct. This would bring the total number of additional dwellings (assuming all are approved as currently proposed) to 4,283 dwellings, which remains below the 5,000 dwelling cap provision in THLEP.

The proposal would also provide 4,900 m² of additional public open space, 500 m² of community facilities, a new road, public domain upgrades, and associated utilities to support the additional population generated by the development.

The Department is therefore satisfied the proposal would not exceed the maximum dwelling cap provision specified in THLEP.

6.1.3 Minimum lot size

Clause 9.1 of THLEP specifies a minimum lot size of 3,600 m² for development involving a residential flat building or shop top housing development over 11 m in height within the Showground Station Precinct. The proposal results in two lots having an area less than 3,600 m² (**Figure 12**) as follows:

- Precinct West – 3,293 m²
- future lot within Precinct East – 2,286 m²



Figure 12 | Minimum lot sizes (Source: RtS)

The proposal seeks to vary the minimum lot size development standard in the THLEP for Precinct West and Precinct East. The Department has considered the Applicant's clause 4.6 request to vary the development standard in detail at **Appendix B**.

In summary, the Department supports the proposed variation to the minimum lot size development standard because:

- the proposal would not result in the fragmentation of land or the isolation of sites. The proposed lot sizes are the result of the constructed road and other infrastructure relating to the approved station being subdivided from the respective lots. Noting:
 - the development lot for Precinct West is bounded by the commuter car park.
 - Precinct East's variation to the minimum lot size is attributed to the proposed road and public park dedication.
- the proposed development lots form part of a cohesive masterplan with a total area of 83,974m² (**Figure 12**). The masterplan accommodates the proposed development layout, open space and supporting infrastructure for the Metro Station in a coordinated approach to ensure orderly development outcomes
- the proposal is consistent with density envisaged for the site and it complies with the FSR and the dwelling cap as discussed in **Section 6.1.1** and **6.1.2**.
- the proposal, subject to the submitted Urban Design Guidelines is capable of achieving an acceptable level of amenity as discussed in **Section 6.4**.

The Department is therefore satisfied the proposal meets the objective of the development standard, to ensure orderly development of the site, despite the departure with the minimum lot size development standard.

6.1.4 Density

The Department has considered the appropriateness of the proposed density having regard to the built form and the potential impacts on traffic generation, amenity and demand on existing/future infrastructure.

The Department considers the proposed density is appropriate because the proposal:

- complies with the maximum permissible height of buildings, FSR and dwelling cap development standards contained in THLEP
- is consistent with the strategic vision of the site being a new local town centre for the precinct
- is supported by the additional transport capacity of the Metro station and other planned infrastructure
- amenity impacts on adjoining residential properties have been minimised (**Section 6.3**)
- traffic generation is reasonable and would have limited impact on the road network, subject to the identified network upgrades (**Section 6.6.1**)
- the proposal would not unreasonably overshadow public open space or public domain (**Section 6.7.2**), noting the submitted Urban Design Guidelines requires the public open spaces within the site maintain 2 hours of solar access in mid-winter.

6.1.5 Conclusion

The Department considers the provision of higher density development at this location is consistent with strategic plan for the Showground Station Precinct, creating a new town centre that will accommodate additional housing and employment opportunities with excellent access to the new Hills Showground Station.

The Department has also considered the appropriateness of the proposed density having regard to the built form and the potential impacts on traffic generation, amenity and demand on existing/future infrastructure and is satisfied the proposal would not result in any significant adverse impacts.

6.2 Building envelopes

The proposal seeks concept approval for 13 building envelopes (height, GFA and dwelling numbers) surrounding the Hills Showground Metro station, as summarised at **Table 1**. While the proposal does not seek approval for detailed building design, the Applicant has provided a proof of concept scheme for illustrative purposes.

Having carefully considered the location, scale and form of the proposed building envelopes the Department considers the key issues of consideration are:

- height
- setbacks
- bulk and scale

6.2.1 Height

The proposal seeks to establish building heights in accordance with the maximum building height controls in the THLEP for each envelope ranging between three (12 m) to 21 storeys (68 m) (see **Figure 13**).

Council raised concerns the proposal results in a relatively bulky built form with minimal modulation or variation in height across the site and suggested more variety in height and form should be considered. In addition, public submissions raised concerns the proposal is excessive in height, is out of character with the surrounding area and results in an overdevelopment.

In response, the Applicant revised the proposed layout and heights of the building envelopes, resulting in:

- a reduction of heights of several building envelopes between 4 m to 36 m
- an overall reduction in GFA by 9,310 m²
- a reduction in the maximum dwelling cap from 1,900 to 1,620 dwellings
- increased building separation and setbacks
- increased modulation of building envelopes

The Applicant also revised the Urban Design Guidelines to include additional objectives and controls to deliver a varied skyline across the entire Precinct, consider the future development of adjoining sites and ensure towers are of a slender design to reduce the perceived bulk and scale of the development.

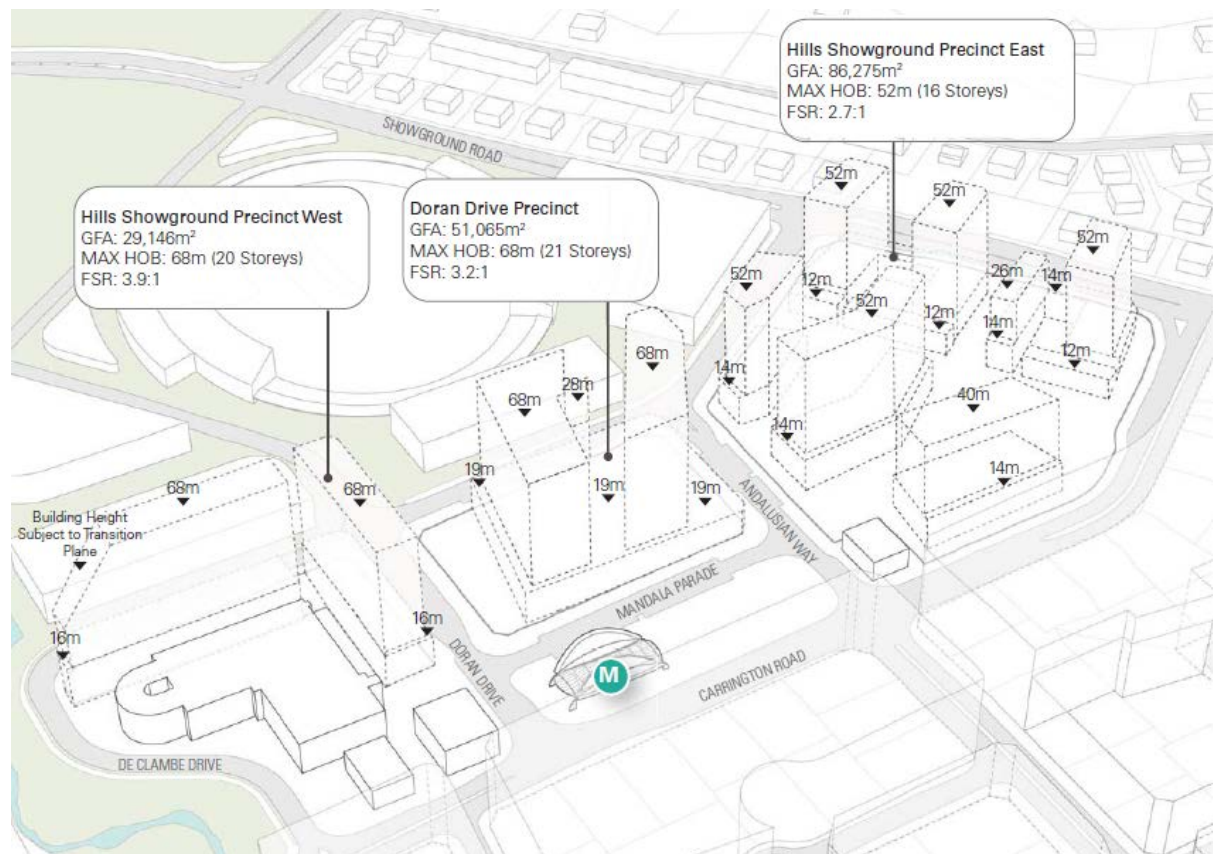


Figure 13 | Proposed envelope heights, GFA and FSR (Source: RtS)

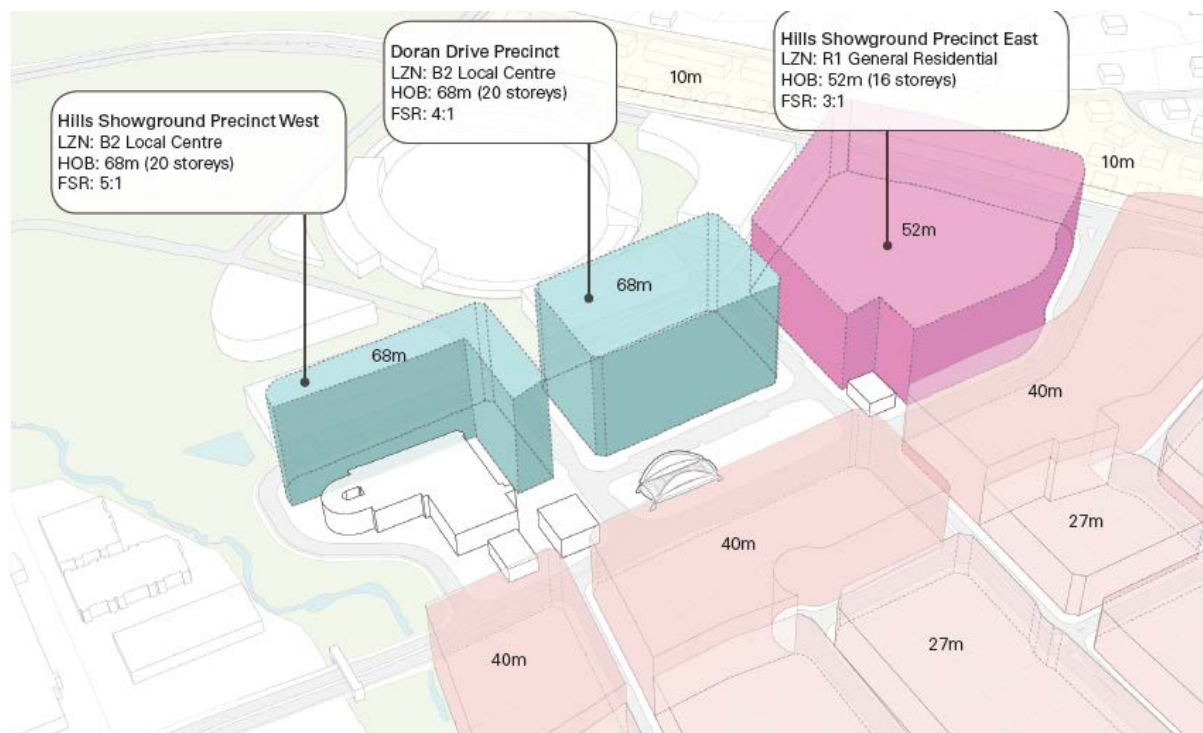


Figure 14 | Applicable zoning, height of buildings (m) and FSR development standards applying to the site and maximum height of buildings for adjoining development (Source: RtS)

The Department accepts the proposed building envelopes comply with the maximum height of building development standard contained within THLEP (see **Figures 13 & 14**).

The Department acknowledges existing development within the Showground Station Precinct is generally characterised by low-rise buildings, predominately detached dwelling houses. However, the Showground Station Precinct is undergoing urban renewal, which will result in significant changes to the existing built environment. The Department also notes Council has recently approved several developments on the southern side of Carrington Road (opposite the site) of up to eight storeys in height and is currently assessing two development applications directly opposite the site of up to 13 storeys (approximately 43 m).

The Department considers the proposed taller buildings up to 68 m (approximately 20-21 storeys) proposed in the Doran Drive Precinct and Precinct West are appropriate to establish the urban character for the new Hills Showground station and the new local centre envisaged by the strategic plan for the precinct. The Department notes the taller towers are setback at least 60 m away from Carrington Road to the south and is separated from other properties by open space to the north and to the west to ensure their height and scale would not result in unacceptable visual and streetscape impacts from surrounding residences.

The Department considers the amended proposal also provides a greater variety of building heights in the larger residential Precinct East. The Department notes lower scale buildings envelopes of 12 m (3 storeys) are proposed to potentially accommodate other building typologies such as terrace housing or townhouse and also improves the proposal's relationship with the adjacent new road, pedestrian link and open spaces. The Department also supports the amendments that reduced the proposed building envelope adjacent to Carrington Road from 44 m to 40 m to match the maximum building height of sites to on the opposite side of the road (see **Figure 14**).

Overall, the Department considers the proposed building heights are acceptable for the following reasons:

- the proposal is consistent with, and contributes to, the envisaged character of the Showground Station Precinct (as established by the Sydney Metro North West Corridor Strategy, the THLEP and recent planning approvals)
- the proposed building heights fully comply with the maximum permissible heights established by THLEP
- the built form appropriately responds to the surrounding area and envisaged future development
- the proposal would not result in unreasonable amenity impacts on the surrounding locality in terms of solar access, outlook views and privacy.

6.2.2 Setbacks

The proposal seeks to establish primary setbacks (street / podium setbacks) and secondary setbacks (tower setback from podium) for the building envelopes as shown in **Figure 15**.

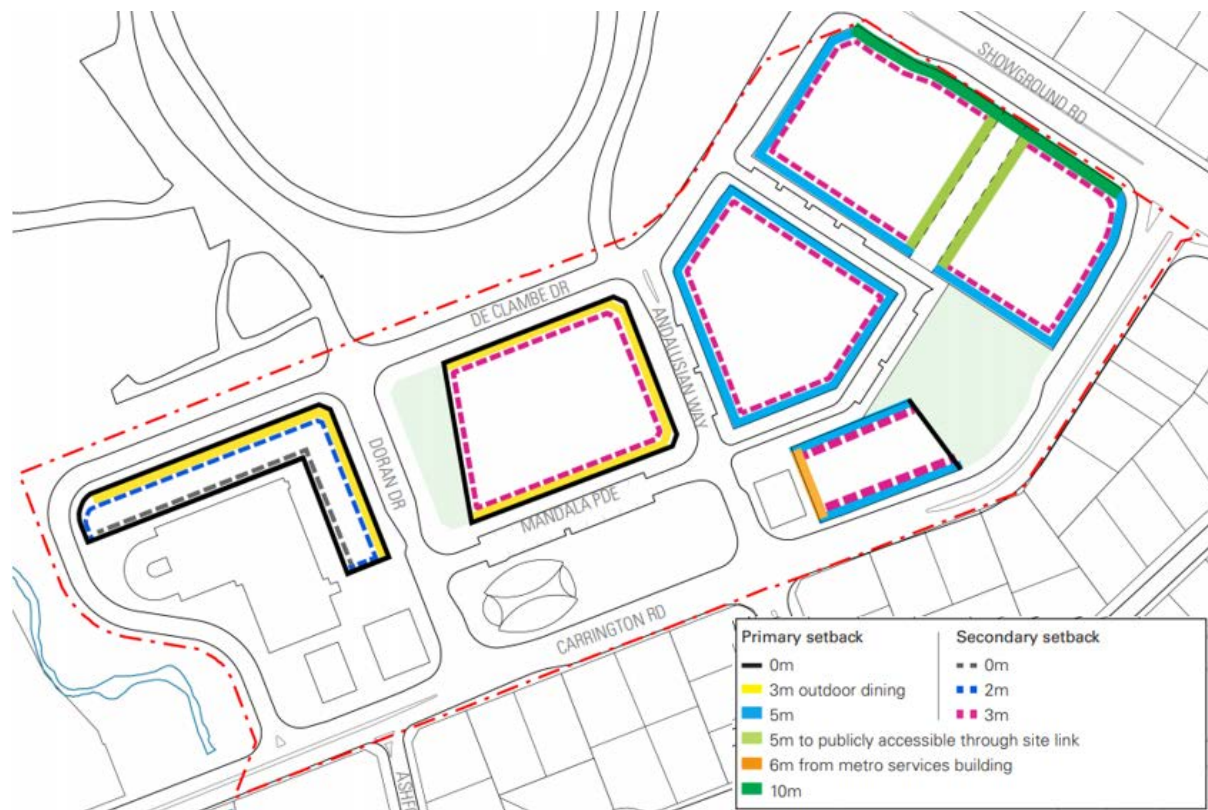


Figure 15 | Proposed primary and secondary building setbacks (Source: RtS)

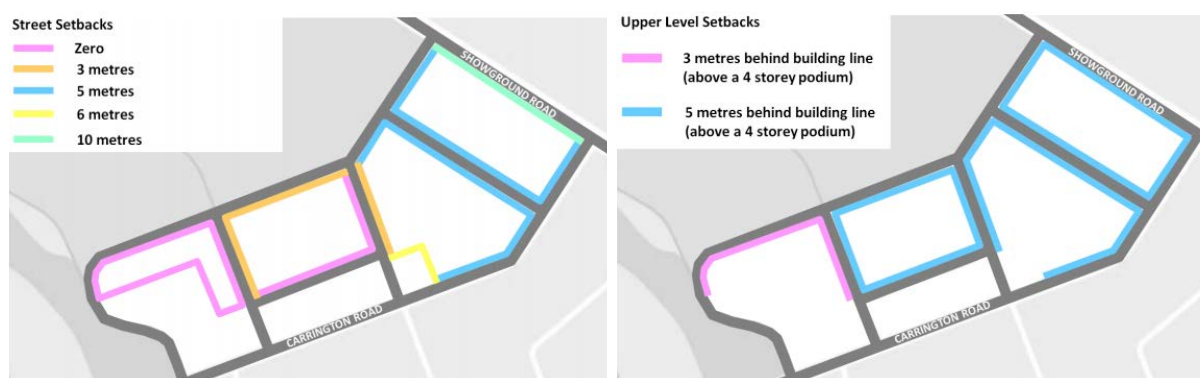


Figure 16 | Council's building setback controls (Source: THDCP – Part D Section 19 Showground Station Precinct)

Council raised concerns over the proposed variation to the minimum building setbacks established within THLEP and THDCP (see **Table 8**), noting that these controls were the result of detailed precinct planning completed by the NSW Government specifically for the site. Council stated the variations would result in the bulk and mass of buildings being inconsistent with the emerging character of the surrounding area. Council also noted the Showground controls already vary from Council's typical setback requirements for residential flat development.

The THDCP contains site specific setback controls for the proposal from respective street frontages. However, the Department notes DCP's do not apply to SSD. Notwithstanding, the Department acknowledges Council's concerns and considers the objectives for THDCP controls with respect to mitigating bulk and scale of development and protection of public domain should still be met by the proposal.

The proposed setbacks with respect to THLEP and THDCP requirements are summarised below:

Table 8 | Summary of setbacks (red numbers indicate a proposed variation to the THDCP controls)

Precinct	Location	THDCP Primary	Proposed Primary	THDCP Secondary	Proposed Secondary
Precinct West	De Clambe Drive	nil	nil	3 m	2 m
	Doran Drive	nil	nil	3 m	2 m
Doran Drive	De Clambe Drive	3 m	nil	5 m	3 m
	Andalusian Way	nil	nil	5 m	3 m
	Mandala Parade	nil	nil	5 m	3 m
	Doran Drive	3 m	12.7 m to 26.8 m	5 m	3 m
Precinct East	De Clambe Drive	5 m	5 m	5 m	3 m
	Showground Road	10 m	10 m	5 m	3 m
	Carrington Road	5 m*	5 m	5 m	3 m

New internal road	5 m*	5 m	5 m	3 m
Andalusian Way	3 m	5 m	5 m	3 m
Metro service box	6 m	6 m	5 m	3 m

* THLEP development standard

Primary Setbacks

The Department considers the key objectives of the primary setbacks, being the setback between the podium and street boundary, are to provide a strong definition between public and private domain, create consistent streetscapes, accommodate landscaping and facilitate pedestrian movement.

In response to the concerns raised about the primary setbacks, the Applicant amended the primary setbacks to comply with the THLEP and align with THDCP.

The Department accepts the amended proposal now complies with the primary setback development standard in THLEP, noting the increased setback:

- from 3 m to 10 m along Showground Road
- from 3 m to 5 m along the new internal road
- from 4.5 m to 5 m along Carrington Road.

As noted in **Table 8** above, the proposal provides primary setback consistent with the THDCP except for the proposed 3 m setback along De Clambe Drive for the Doran Drive Precinct.

The Department notes the De Clambe Drive frontage is still capable of accommodating large street trees and providing a strong definition to the public domain. Further, a nil setback is consistent with the other active frontages within the Hills Showground Precinct.

The Department supports the revised Urban Design Guidelines which requires a 3 m setback where future development envisages outdoor dining, to ensure pedestrian movement is not affected (see **Figure 17**). This includes specific criteria to ensure these areas are consolidated and appropriately designed to achieve usable and attractive spaces.

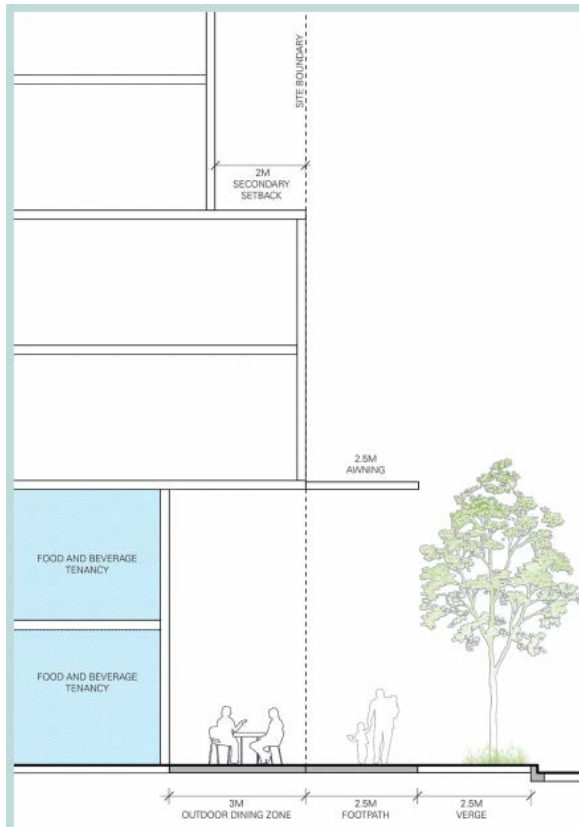


Figure 103: Outdoor dining located within a 3m primary setback applied to a 2-storey colonnade and associated 2-storey high awning over the existing 2.5m footpath. The 2m secondary setback remains for any storeys above the 4-storey podium above the podium.

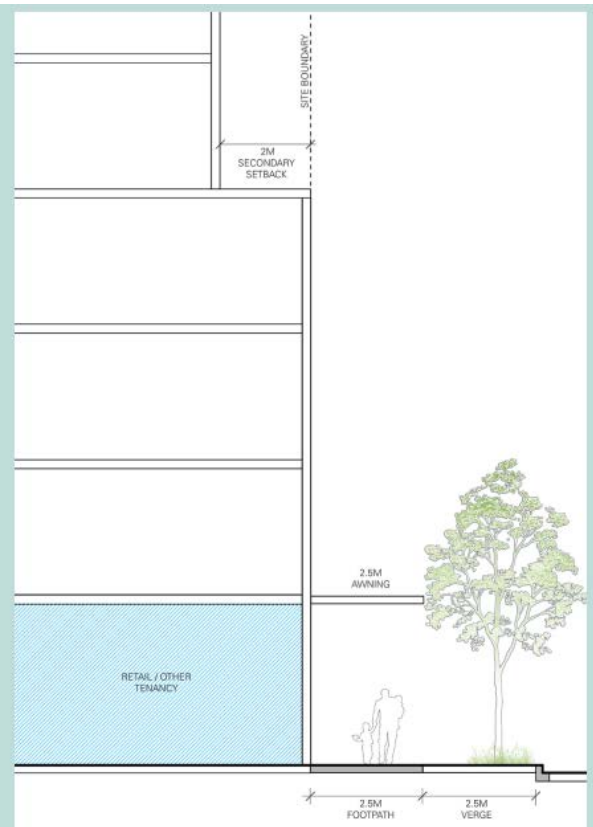


Figure 104: Retail and commercial tenancies, where not located within an outdoor dining zone are required to directly address the public domain. Minimum 2.5m wide awnings may be provided at a single storey above ground where transition from outdoor dining areas is facilitated by vertical articulation elements, building entries or carpark entries.

Figure 17 | Urban Design Guidelines – outdoor seating requirements (Source: RtS)

The Department therefore considers the proposed primary setbacks, including the proposed nil primary setback along De Clambe Drive is appropriate and would support good urban design and public domain outcomes subject to the revised Urban Design Guidelines.

Secondary Setbacks

The Department considers the key objectives of secondary setback, being the setback of a tower above a podium, are to mitigate building bulk as viewed from the streetscape and to provide sufficient building separation as buildings increase in height.

Whilst the proposed secondary setbacks are less than those envisaged in THDCP, the Department considers the proposal would still achieve these objectives because separation distance between the towers exceed that envisaged under the THDCP setback controls (**Figure 18**). This is due to:

- the THDCP setback controls envisaged a secondary setback from Doran Drive without taking into account the location of the proposed Doran Drive Plaza that will provide a building separation of 46 m to 60 m between towers facing Doran Drive
- the proposed tallest towers (up to 68 m tall) in the Doran Drive Precinct are angled from the street alignment and orientated away from their street frontage
- the proposed 3 storey building envelopes in Precinct East would provide additional separation between the proposed 16 storey buildings.

The Department also notes the proposed secondary setbacks still achieve the desired built form outcome of having a tower setback behind a podium, providing a distinctive visual separation between the two building elements. In addition, the revised Urban Design Guidelines include parameters to minimise visual bulk and scale, while seeking to maximise sky views and sunlight to the public domain.

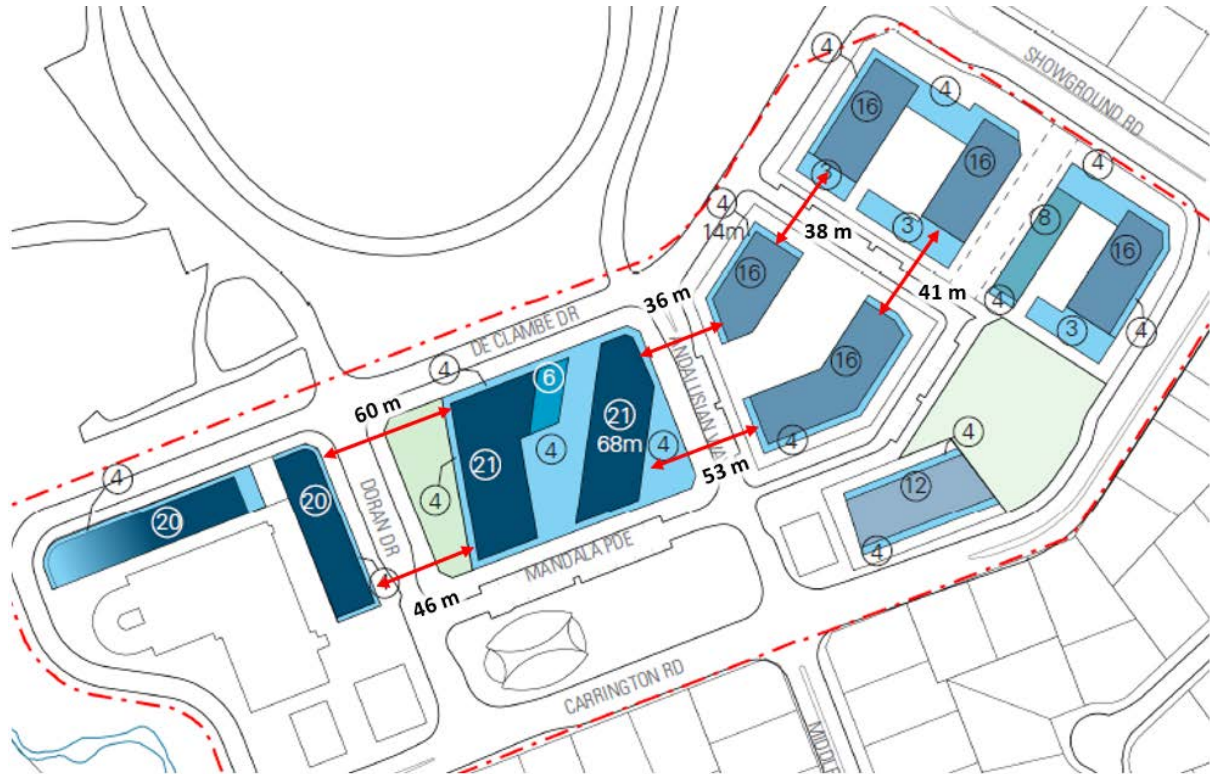


Figure 18 | Building separation between the three precincts (Base source: RtS)

The Department therefore concludes the proposed setbacks are acceptable given the proposal:

- is consistent with the setback standards contained in the THLEP
- appropriately respond to the attributes of the site, including street layout and open space
- is capable of supporting good urban design outcomes and public domain including provisions for pedestrian amenity and outdoor dining
- maintains or increase building separation than those envisaged by THDCP
- still accommodates podium and tower built form envisaged by the DCP
- would be supported by the revised Urban Design Guidelines, which include provisions to provide visual relief and minimise bulk and scale through articulation, setting maximum building lengths and the use of different materials and finishes (see **Section 6.2.3**).

6.2.3 Bulk and scale

Council raised concerns the proposal seeks to maximise development potential at the expense of providing an attractive, varied and interesting built form. Further, the Urban Design Guidelines will not provide for a 'fine grained' street frontage and recommended additional controls to limit facade widths.

Public submission raised concerns the bulk and scale of the development is excessive and would impact on the surrounding area.

In response, the Applicant revised the Urban Design Guidelines to include additional parameters for how future development will be aesthetically pleasing, encourage creativity and diversity in design, and incorporate architectural relief and modulate facades to avoid a bulky or monotonous appearance.

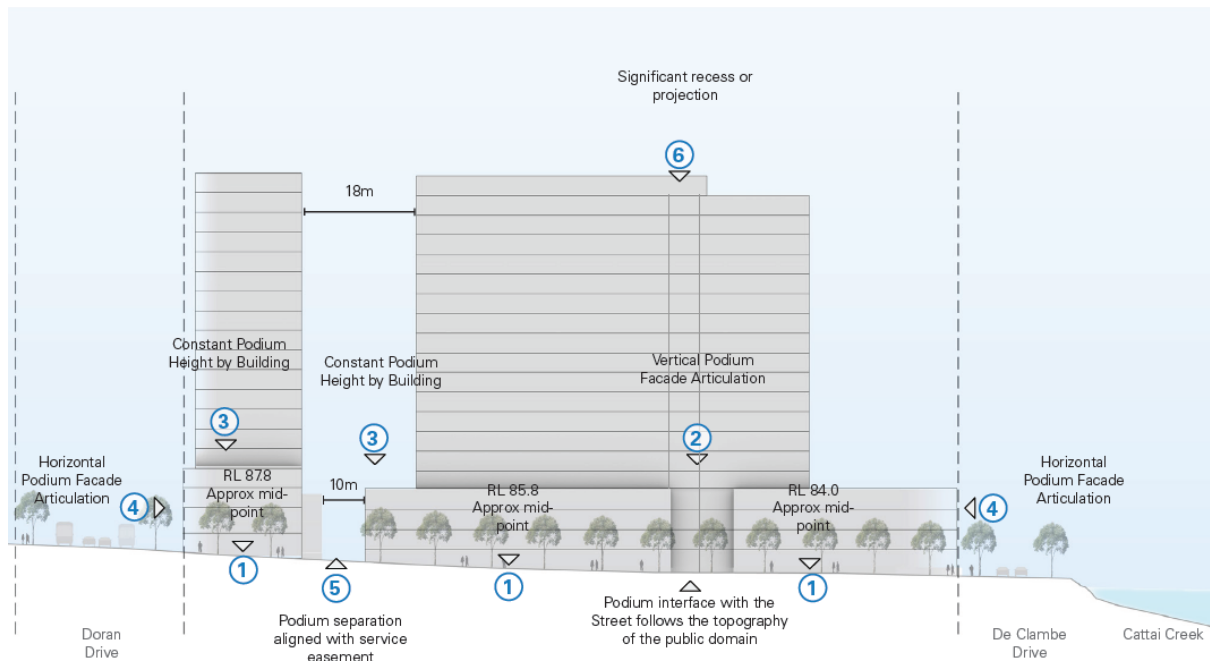


Figure 19 | Precinct West design guidance diagram (Source: RtS)

To prevent long uniform building facades, the Department notes the revised Urban Design Guidelines include additional controls generally in line with the existing controls in THDCP. These controls include:

- vertical articulation at regular intervals
- varied designs and articulation to promote visual interest
- maximum tower lengths of 65 m, 50 m and 40 m for Precinct West, Precinct East and Doran Drive Precinct respectively

The Department notes the only exception to the maximum tower length control is a single building envelope within Precinct East, which consists of two tower elements that are joined (being 32 m and 40 m). In this regard, the Department accepts the proposed guidelines include specific requirements for the future built form within this envelope to be:

- designed to address different orientations and heights
- articulated both horizontally and vertically to read as two separate buildings
- articulated through a minimum 3 m wide and deep recess and treated with different materials and finishes.

The revised Urban Design Guidelines also provide precinct specific design objectives and controls, which respond to the different character and constraints of each of the three precincts. Each precinct includes a design guidance diagram (see **Figure 19**) which sets parameters for the built form for each precinct.

The Department supports the proposed parameters which include:

- defining the podium with horizontal articulation to clearly delineate between non-residential and residential uses and provide a human scale at ground level
- incorporating vertical articulation on the towers to accentuate building entrances and improve the sense of scale and massing from the street
- the use of different materials and finishes to break up facades to read as two separate buildings and promote visual interest
- built form controls that respond to site attributes and open space such as Cattai Creek and Doran Drive
- ground floor street zone controls to provide fine grain frontages and ensure buildings appropriately address street activation and support good amenity for the public domain.

Subject to the recommended changes to the Design Guidelines, the Department concludes the bulk and scale of the proposal can be appropriately managed / mitigated through the detailed design of the future built form.

6.3 Overshadowing impacts to neighbouring residential properties

The proposed building envelopes up to 21 storeys (68 m) will overshadow residential properties to the south of the site, on the opposite side of Carrington Road.

Concerns were raised in public submissions the proposal is excessive in height and would have unreasonable overshadowing impacts on the existing and future residential developments to the south of the site.

The Applicant stated the proposed orientation of building envelopes, together with the building heights, shape and form limits overshadowing of adjacent properties. This included locating the taller buildings to the western side of the site, which are over 60 m from the properties to the south and incorporating lower scale envelopes within Precinct East to appropriately transition to the adjoining sites.

The Applicant also submitted shadow diagrams illustrating the overshadowing impacts on the adjoining sites to the south of Carrington Road (see **Figure 20**). The Department notes the shadow diagrams illustrate the impact on indicative future residential flat development that is envisaged under the THLEP. The shadow diagrams demonstrate the majority of the shadows cast would fall within the site itself or the commuter carpark during midwinter (21 June) and the adjoining development would maintain adequate solar access. The diagram demonstrates that any future redevelopment of the sites to the south of Carrington Road are still capable of being designed to achieve compliance with the ADG solar access requirements.



Figure 20 | Building envelope overshadowing of adjoining properties on 21 June (Source: RtS)

The Department accepts the submitted shadow diagrams identified the majority of the overshadowing will fall within the subject site itself or over the Metro commuter carpark complex and will have limited impact to the adjoining properties to the south of Carrington Road before 12 pm at mid-winter, ensuring the existing and future residential development is capable of achieving the minimum two hours of solar access between 9 am and 3 pm, during midwinter.

The Department notes the existing developments along Carrington Road are single dwelling where private open space are located away from the road and are largely unaffected by the overshadowing impacts from the proposed developments before midday. These properties are also identified to be development sites due to rezoning of the precinct from low to medium and high-density residential developments, including a number of planning applications currently under assessed for 30-36 Carrington Road and 4-10 Carrington Road.

The Department considers the proposal has been appropriately designed to avoid unreasonable shadow impacts to surrounding properties. The Department notes the tallest buildings, located within Precinct West and Doran Drive Precinct, are setback over 60 m from the adjoining properties to the south of Carrington Road, which significantly reduced their overshadowing impacts to the properties to the south. With respect to Precinct East, the Department notes only two building envelopes located on either side of the proposed new park and closest to Carrington Road.

The Department also notes the submitted shadow diagrams have also considered the shadow impacts of the proposal to future developments. The submitted shadow diagrams illustrates the shadow impacts of the proposed development are limited to the lower levels of any future developments along Carrington Road before noon at mid-winter, allowing these future developments to achieve high levels of solar access throughout the afternoon.

Further, the submitted shadow diagrams illustrate that throughout the rest of the year these properties remain largely unaffected by the proposal, noting that between September and March the proposal does not overshadow adjoining sites until after 2 pm. The Department is therefore satisfied the overshadowing impacts from the proposed Doran Drive and Precinct West building envelopes are acceptable.

The Department is therefore satisfied the existing and future development to the south of Carrington Road is capable of achieving adequate solar access during midwinter with respect to the requirements of the ADG.

In addition, the Department notes the proposed Urban Design Guidelines require future development to protect and maximise solar access to public and private areas. The Department has recommended a condition requiring future detailed development applications to include overshadowing analysis and demonstrate that overshadowing impacts on neighbouring residential properties have been minimised.

The Department's assessment therefore concludes the proposal will not result in any unreasonable overshadowing impacts on the adjoining sites, which are still capable of complying with the requirements of the ADG.

6.4 Future residential amenity

The proposal will accommodate up to 1,620 dwellings and is supported by Urban Design Guidelines, which set out parameters for the future detailed design of buildings.

Council raised concern about compliance with the ADG. In particular, Council raised concerns over the density and building separation.

In response, the Applicant revised the building envelope layout, reduced the maximum number of dwellings from 1,900 to 1,620 and reduced the total GFA by 9,310 m². The revised layout and reduction in GFA allowed for greater building separation and improved amenity (see **Figure 19**).

The amended proposal has increased building separation by:

- replacing one of the 16 storey building envelopes adjacent to Showground Road in Precinct East with a smaller eight storey building envelope
- replacing the 13 storey building envelopes along Showground Road with four storey building envelopes

- increasing the tower separation in Precinct East by including three storey envelopes along the new internal road and public park
- reorientating the two building envelopes in Precinct East opposite Doran Drive Precinct to improve internal separation
- removing the 14 storey building envelopes adjacent to De Clambe Drive in the Doran Drive Precinct and replacing with a six storey envelope
- increasing the building separation between the two building envelopes in Precinct West.

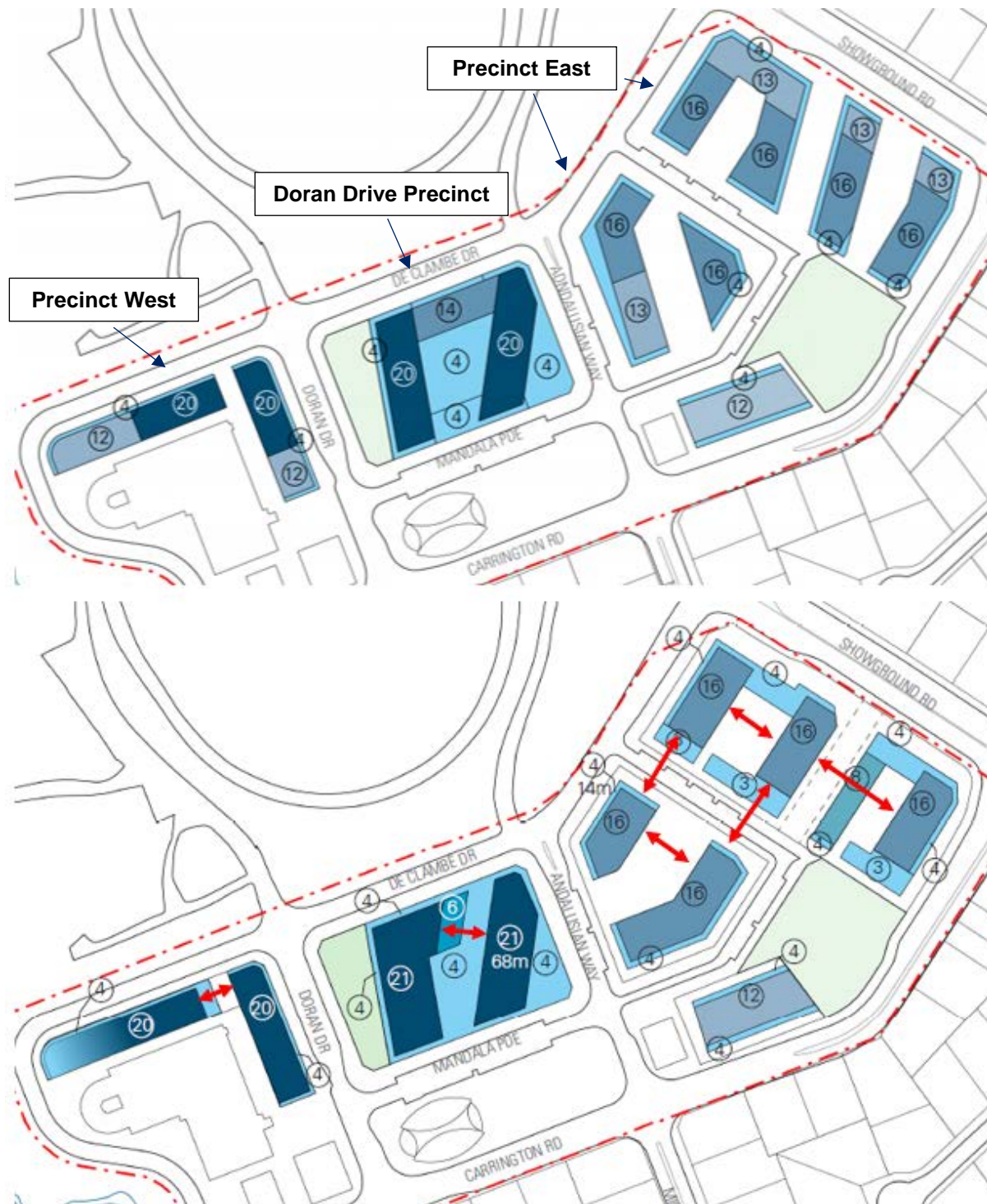


Figure 21 | Comparison between EIS (top) and RtS (bottom) proposed building envelopes (red arrows indicate increased tower separation) (Base source: EIS & RtS)

The Applicant has stated the revised proposal ensures future buildings are capable of complying with the requirements of the ADG. In addition, the revised Urban Design Guidelines provided additional objectives and controls for future detailed design to comply with the ADG, including requirements for building separation, private and communal open space, landscaping, solar access and natural cross-ventilation.

The Department is satisfied the revised building envelope layouts and increased building separation improves visual privacy, outlook and views, solar access to private and public/communal areas and reduces the visual bulk and scale of the proposal. The Department also accepts the submitted proof of concept drawings demonstrate future development is capable of providing:

- building separation that achieves or exceeds ADG requirements
- 70% of dwellings receiving 2 hours or more solar access between 9 am – 3 pm, 21 June
- 60% of dwellings being naturally cross-ventilated
- ADG minimum communal open space requirements (25% of the total site area)
- ADG minimum deep soil landscaping.

The Department notes the exception to the above is that Precinct West will not be able to provide a minimum of 7% deep soil landscaping as required by the ADG. However, the Department considers this is acceptable due to Precinct West being constrained by the adjoining commuter car park, resulting in the developable area of Precinct West being narrow and small.

The Department has considered the proposal against the aims and objectives of SEPP 65 and ADG at **Appendix C**. The Department concludes future developments are capable of achieving an appropriate standard of residential amenity.

6.5 Design excellence

Clause 9.5 of THLEP outlines the requirements for design excellence, including instances where a Design Review Panel (DRP) must review the development or when an architectural design competition must be held. To ensure design excellence is achieved, the Applicant has prepared a Design Excellence Strategy (DES) and Urban Design Guidelines to guide the design of the future development.

The DES seeks to achieve design excellence for future development applications through a competitive tender process and an expert DRP. The DES also seeks a waiver from the requirement for an architectural design competition in accordance with clause 9.5(6) of THLEP. Instead, future development applications will be reviewed by a DRP approved by the Government Architect NSW (GA NSW).

6.5.1 Design Competition

Clause 9.5(5)(b) of the THLEP requires a building that is, or will be, higher than 66 m or 20 storeys (or both) to be subject to an architectural design competition unless the GA NSW certifies in writing that an architectural design competition need not be held but that a DRP should instead review the development.

The proposal includes four building envelopes with maximum height up to 68 m, which may accommodate buildings up to 21 storeys. The Applicant seeks an exemption from an architectural design competition.

The Department consulted with GA NSW regarding the exemption. GA NSW considers that a waiver is acceptable given that the competition height trigger and the proposed maximum height vary by only 2 m. The GA NSW also advised that the waiver be subject to the following terms:

- the waiver is limited to a building with a height of between 66 m and 68 m and up to 20 storeys, and not applicable to any building above 68 m or 20 storeys
- future applications being reviewed by the DRP in accordance with the endorsed in the DES
- demonstration of no additional impact to amenity of public and communal open space, public domain and private open space and living areas arising from any building height above 66m
- the Department's final assessment and approval of the Urban Design Guidelines, and GA NSW endorsement of DES
- developments subject to this waiver to be designed by architects with a demonstrated capacity to deliver design excellence, for example through the award of peer reviewed prizes
- demonstration of commitment to design diversity for larger sites with multiple buildings subject to this waiver, for example through the use of two or more appropriately qualified architects

The Department notes the GA NSW's advice and waiver of the competition requirement for the proposal and recommends conditions to reflect the terms of waiver as issued by GA NSW.

6.5.2 Design Review Panel

In addition to the abovementioned DRP requirement (in lieu of an architectural design competition) clause 9.5(5)(a) of the THLEP requires buildings that are, or will be, higher than 21 metres or 6 storeys (or both) but not higher than 66 metres or 20 storeys (or both) to be reviewed by a DRP.

The Applicant proposes the DRP requirement be met by future applications through the use of State DRP and Council's existing DRP. The Applicant noted future development applications subject to any concept approval are SSD unless the consent authority delegates the responsibility to Council under section 4.37 of the EP&A Act. In this regard, the Applicant proposes future applications with a capital investment value of less than \$30 million be delegated to Council and consequently reflected in the proposed DES.

Council raised concerns over the consistency of built form outcomes if different consent authorities and DRPs are utilised. Council noted its DRP comprises of members with suitable local knowledge and expertise and should have a role in assessing all future built form applications.

GA NSW reviewed the submitted DES and supported the strategy subject to amendments to:

- include any conditions and requirements of the GA NSW architectural design competition waiver
- clarify future development applications are required to be presented to the DRP prior to lodgement
- amend the triggers for a DRP review to provide the following:
 - buildings that are less than 21 metres or 6 storeys to be reviewed by the relevant DRP at the discretion of the consent authority
 - buildings that are greater than 21 metres or 6 storeys are to be reviewed by the relevant DRP
 - the discretion for the consent authority to require modification applications to be reviewed by the relevant DRP
- reference to SSD thresholds to be consistent with any concept approval

- reference to members of the State DRP to consistent of a nominee from The Hills Shire Council, Landcom, Sydney Metro and chaired by GA NSW (or nominee).

The Department acknowledges Council's concerns and the importance of consistency in advice and the need of adequate expertise.

To ensure consistency of advice the Department recommends members of the State DRP are also common members of the Landcom Design Advisory Panel (DAP) and Council's Design Excellence Panel (DEP) to review future detail development applications. The composition is considered to add both local expertise and the strategic planning and infrastructure knowledge of Landcom in delivering station precincts on the behalf of Sydney Metro.

The Department notes that the current Concept proposal was reviewed by the State DRP three times prior to the lodgement of the current amended proposal. In this regard, the Department considers it is appropriate for the State DRP that has been reviewing the proposal to have an ongoing role for future applications for buildings over \$30 Million in CIV.

The Department acknowledges the vital role of Council in the design review process and recommends that State DRP for future applications retain the same composition of panellists which include both Council and Landcom nominees that are also common panellists for the State Design Review Panel.

The Department also considers the proposed threshold of \$30 Million is appropriate because:

- it is consistent with the exhibited amendments to the SRD SEPP
- it would avoid introducing a third consent authority (in addition to the Minister and Council), being the Sydney Central City Planning Panel, which would otherwise become the consent authority for developments over \$30 Million in CIV
- developments under \$30 Million in CIV are unlikely to significantly affect strategic planning and infrastructure management objectives for the SMNW Corridor
- the Department will continue to consult Council on the assessment of future applications.

The Department therefore concludes the submitted DES satisfies the requirements of the THLEP subject to conditions to incorporate GA NSW's advice, including amendments to rectify inconsistencies and typographic errors.

6.5.3 Design Excellence

Clause 9.5 of the THLEP outlines the provisions for achieving design excellence. The Department notes the objective of the clause is to deliver the highest standard of architectural, urban and landscape design. Further, development consent cannot be granted to a development involving the erection of a new building unless the development is considered to exhibit design excellence.

The State DRP commended the amended building envelope options and analysis undertaken for Precinct East and encourage the design team to undertake a similar analysis and refinement for Precinct West and Doran Drive Precinct. The State DRP advised variation and modulation in the built form and precinct layouts which open up views and sky vistas are strongly supported and as a general principle, the primary focus of any analysis should be spatial quality and resident and visitor amenity, including public open space.

Following its final review, the State DRP also made a number of recommendations for further improving the design and amenity of the precinct including:

- improving the relationship of the development to the Castle Hill Showground and Cattai Creek
- how the spirit of 'Garden Shire' could inform the place strategy
- resolving the heart of the precinct, along Doran Drive and around Station Plaza
- meaningful response to and integration of Indigenous cultural history
- public space strategy, explaining open space provision, use and hierarchy
- landscape strategy, explaining principles and green grid connections beyond the site.

Following advice from the State DRP, the Applicant submitted the amended proposal with amendments to building envelopes to reduce bulk and to increase building separation, improving the visual and acoustic privacy, outlook and sky views. The Applicant also considers the revised Urban Design Guidelines also seeks to address the additional recommendations raised by the State DRP which provides guidance on how future built form address site attributes and local character.

The Department is satisfied the amended proposal responded to the State DRP advice and considers the revised Design Guidelines suitably addressed the State DRP's recommendations, in particularly:

- the inclusion of precinct-based controls and character statement
- reference to Indigenous cultural history will be integrated into the scheme in a meaningful way
- clarification of the design objectives and criteria for each of the proposed open space and their connection to the wider open space network
- additional controls addressing the street interfaces, including street interface along De Cambe Drive fronting the Hills Showground (**Section 6.2.2**) and street activation along Mandala Parade
- building height plane controls for Precinct West which is designed to address the relationship between future built form in Precinct West and Cattai Creek
- guidelines to ensure the concept proposal continues to complement the draft Castle Hill Showground Master Plan.

The Department is satisfied the Applicant has appropriately responded to the recommendations of the State DRP. The Department is also satisfied that the proposal is capable of achieving a high standard of architectural and urban design outcome for the site subject to the revised Design Guidelines (as also discussed in **Section 6.2 Built Form**).

The Department's detailed consideration of the proposal against the matters with respect to Design Excellence as specified in clause 9.5(4) of THLEP such as built form, façade design, integration with the public domain and amenity is include in **Appendix C**.

6.5.4 Conclusion

The Department's assessment concludes the proposal satisfies the Design Excellence requirements of the THELP, noting:

- future development applications must demonstrate the development exhibits design excellence in accordance with clause 9.5(4) of THLEP
- the Design Excellence Strategy requires future development to be reviewed by the relevant DRP
- the GA NSW supports a waiver for a competitive design process, subject to requirements as set out in the waiver

- the revised Design Guideline setting out objectives and design criteria would ensure future development would be appropriate in character, form and of high architectural and urban design qualities.

6.6 Traffic and parking

The proposal is supported by a Traffic and Transport Assessment (TTA), prepared by SCT Consulting, which assessed the proposed car parking requirements and traffic impacts on the surrounding road network.

The Department also engaged a traffic consultant to undertake an independent peer review of the proposal to assist the Department in its the assessment of the transport impacts which are further discussed under the relevant issues below.

6.6.1 Traffic generation

Traffic generation and the potential impact on the surrounding road network were key concerns raised in public submissions.

The Applicant's TTA noted the proposal would generate 702 and 964 peak hour vehicular trips during the AM and PM peak hours, respectively, and identified the following infrastructure upgrades which would be required to cater for background traffic growth and the development traffic by 2023:

- additional lane on Carrington Road in both directions between Showground Road and Andalusian Way
- signalisation of Carrington Road / Victoria Avenue intersection with additional turning lanes.

And the following upgrades by 2029:

- additional eastbound lane on Showground Road between the approach to Gilbert Avenue and the approach to De Clambe Drive.
- additional turning lanes from Showground Road to Carrington Road.
- additional left-turn slip lane from Carrington Road to Showground Road.
- additional northbound right-turn lane from Victoria Avenue to Carrington Road.

The TTA concludes the location of the site directly adjacent to Hills Showground Station will provide future residents and employees with improved access to high frequency public transport services, which will provide an alternative to private vehicle use. Further, appropriate footpath and pedestrian crossing facilities are provided around the site to support safe and convenient walk to / from Hills Showground Station. Finally, the additional vehicle trips generated by the proposal will not have any significant adverse traffic implications on the public road network.

The Department's independent traffic consultant reviewed the TTA and found the assessment used an appropriate methodology and agreed some road network improvements would be required to facilitate development traffic and background traffic congestion. However, it noted the proposal alone does not trigger any additional infrastructure as the additional vehicle trips generated will not have any significant adverse traffic implications on the public road network.

The Department notes the Showground Station Precinct Contributions Plan No. 19 (Contribution Plan) already identified the need for the signalisation of Carrington Road and Victoria Avenue to meet future demand.

The Applicant provided additional information that the Australian and NSW Governments are jointly funding two intersection upgrades at Showground Road and Carrington Road and Showground Road and De Clambe Drive, Castle Hill to improve the reliability and efficiency of bus services, while easing congestion and improving safety for all road users (see **Figure 23**). The upgrades are part of a \$240 million investment by the Australian and NSW Governments to fast-track 11 projects as part of the plan to stimulate the economy as it recovers from COVID-19.



Figure 23 | Showground Road intersection improvements (Source: TfNSW)

The Department is therefore satisfied the proposal will not result in any significant traffic impacts, subject to the following recommended requirements for future applications:

- the development of Green Travel Plans
- submission of construction and pedestrian traffic management plans
- consultation and agreement with the relevant road authority on the responsibility, scope and timing for any required road works to cater for cumulative impacts due to increase in background and development traffic in the area
- independent road safety audits to be undertaken for all stages of further development applications. Any issues identified by these audits will need to be closed out to the satisfaction of the relevant road authority.

6.6.2 Car parking

The Applicant initially sought parking rates which would result in a maximum of 2,273 car parking spaces, comprising between 1,703 to 2,165 residential spaces and 50 to 197 commercial spaces.

The Applicant reduced the maximum car parking spaces from 2,273 to 1,957 and amended the parking rates in response to TfNSW's concerns that the proposed residential parking rates were too high for a development located along the SMNW Corridor.

TfNSW considered the amended proposal and recommended further consideration be given further reducing the residential car parking to a maximum of 1,663 spaces. TfNSW recommended that the reduced car parking cap could be achieved by allowing non-residential (retail / commercial) parking spaces to be shared by visitors outside of normal weekday business hours, reducing the number of dedicated visitor spaces.

Council and public submissions raised concerns the proposed car parking rates were insufficient and would result in additional demand for on-street parking. Council recommended the proposed residential parking rates be consistent with Council's housing diversity provision (1 space per apartment and 1 visitor space per 5 apartments) and the commercial parking rates be more in line with THDCP requirements (1 space per 40 m² for commercial uses and 1 space per 18.5 m² for retail uses).

The proposed car parking rates are summarised below:

Table 9 | Summary of car parking rates

Land use		Minimum rate	Maximum rate
Market housing	1 Bed	0.4 space per dwelling	Average of 1 space per market housing dwelling (as an overall cap)
	2 Bed	0.7 space per dwelling	
	3 Bed	1.0 space per dwelling	
	Visitor	0.1 space per dwelling	
Affordable housing	1 Bed	0.4 space per dwelling	
	2 Bed	0.5 space per dwelling	
	3 Bed	1.0 space per dwelling	
	Visitor	0.1 space per dwelling	
Retail		1 space per 130 m ²	1 space per 60 m ²
Office / commercial		1 space per 145 m ²	1 space per 100 m ²
Car share		1 space per 150 residential car spaces 1 space per 80 commercial car spaces	

The Department's independent traffic consultant noted the proposed parking rates, for both residential and non-residential uses, were largely based on a range for similar transit orientated development sites

and use approximately 50% lower rates than relevant DCPs. Parking was further reduced in the RtS to reflect the public transport services in the area as well as the improved walking and cycling facilities.

The Department's independent traffic consultant supported TfNSW's recommended to allow non-residential (retail / commercial) parking spaces (104 to 203 spaces) to be used under a shared parking arrangement for visitor spaces outside of normal weekday business hours. The Department's independent traffic consultant considered this is a prudent approach given the high-quality public transport services, including the high frequency metro service available to the subject development.

The Department considers a reduction in residential car parking is appropriate for this highly accessible site and supports TfNSW's recommended maximum cap parking cap of 1,663 residential car spaces. The Department notes this can be achieved through more efficient arrangement for residential visitor car spaces as recommended by TfNSW and is supported by the Department's independent traffic consultant.

Based on the proposed maximum of 1,620 dwellings and the proposed car parking limited to a maximum of 1 per dwelling, the proposal can achieve TfNSW recommended maximum residential car spaces cap of 1,663 by reducing the residential visitor car parking spaces for the Precinct East by 50% (from 87 to 43) and no residential visitor car spaces be provided for Doran Drive Precinct and Precinct West as outlined in **Table 10** below.

Table 10 | Summary of car parking rates

	East	Doran	West	Overall	Total residential car spaces
Residential Visitor spaces	87	44	31	162	1,782
Residential Visitor spaces (recommended reduction)	43	0	0	43	1,663 (-119)

The Department considers a shared arrangement for residential visitors for Doran Drive Precinct and Precinct West is appropriate noting:

- Doran Drive Precinct and Precinct West have a maximum of 232 non-residential car spaces based on the proposed 13,940 m² of non-residential GFA
- Precinct West directly adjoining a commuter car park with 600 car spaces.

The Department therefore recommends:

- a maximum residential car parking cap of 1,663 spaces
- amendments to the visitor car parking rates contained in the Urban Design Guidelines requiring a 50% reduction of residential visitor car space for Precinct East and no residential visitor car spaces be provided within Doran Drive Precinct and Precinct West
- conditions requiring future applications for developments within the Doran Drive Precinct and Precinct West must be accompanied by a Parking Strategy to support a shared parking arrangement for non-residential parking spaces with residential visitor spaces.

Overall, the Department is satisfied the amended car parking provisions are appropriate because:

- the reduced car parking spaces would actively encourage a shift in travel modes from private car use to public transport consistent with strategic policies for reducing car dependency in highly

accessible locations. This approach would also be reinforced through the implementation of a Green Travel Plan

- the reduction in car parking spaces is consistent with other approved developments adjacent to Metro stations, which have sought to maximise the transport benefits of the Metro service by limiting the provision of car parking spaces
- the revised car parking rates is supported by the Department's independent traffic consultant and the final number would ultimately be determined at future detail design stages.

Subject to the recommended conditions, the Department is satisfied the reduced car parking provision is acceptable and will support a shift in travel mode from private car use to increased public transport, in a highly accessible location.

6.7 Open Space and Landscaping

The proposal involves the provision of 4,900 m² of additional public open space, comprising a new public park adjacent to Carrington Road (3,500 m²) and the Doran Drive Plaza (1,400 m²), in addition to the existing Station Plaza, Cattai Creek corridor and Castle Hill Showground (see **Figure 24**).



Figure 24 | Proposed public open space and Public Domain Strategy (Source: RtS)

Council and public submissions raised concerns the proposal does not provide sufficient public open space for the proposed additional density. Some submissions also raised concern that the proposal would overshadow the proposed and existing open spaces, reducing the amenity of these areas.

Council recommended that the proposed local park should be a minimum of 5,000 m² consistent with Council's Recreation Strategy which provides guidance for all open spaces in the Council's area.

Council also requested that the concept approval must mitigate any risk to Council or the community associated with a future developer seeking to amend approved outcomes to remove these spaces.

6.7.1 Open Space

The Applicant submitted a Social Infrastructure Assessment to consider the additional demand the proposal would have on existing and planned open space. The SIA referred to the Draft Open Space for Recreation Guide, prepared by the GA NSW, which aims to outline the delivery of better quality, easily accessible and more functional open space for recreation which keeps paces with the expected population growth and increased density in urban areas.

In addition, the SIA identified existing public open spaces within 2 km of the subject site (**Figure 25**).



Figure 25 | Proposed public open space and Public Domain Strategy (Source: RtS)

The Applicant acknowledges access to open space is critical to the health and wellbeing of a community and is particularly important in high density developments where access to backyards is limited. The SIA identifies the site has a good provision of open space, with 104 ha within 2 km, and will also benefit from the planned upgrades and embellishments to the Castle Hill Showground, Chapman Avenue Reserve and Cattai Creek.

The Department accepts the findings of the submitted SIA and considers the proposed open spaces are sufficient because:

- the proposed 1,400 m² Doran Drive Plaza exceeds the 1,150 m² plaza envisaged for the site under Council's THDCP. The larger open space would improve pedestrian capacity and amenity accessing the Castle Hills Showground from the Station, as well as supporting passive recreation uses and active outdoor uses

- the proposed 3,500 m² public park fronting Carrington Road is additional to open space envisaged for the site under Council's THDCP. The park satisfies the performance criteria outlined in the GA NSW Guide, which recommends the minimum size of a local park is 3,000 m² in high density areas
- the existing station plaza is approximately 1,900 m², providing seating and other facilities for recreation uses
- the proposed Doran Drive Plaza, existing Station Plaza and the proposed local park together provide a variety of spaces to meet different demands for active and passive recreation
- the site has direct access and connection to a number of significant open space and recreational facilities, including Castle Hill Showground, Cattai Creek and Fred Caterson Reserve.

The Department also supports the Applicant's RtS which included additional parameters within the Urban Design Guidelines for future public open spaces to improve activation, desire sight lines and pedestrian access. The amendments included improved landscaping and planting requirements, focusing on native species and trees reflective of the history of the area, in addition to incorporating more public art and interpretation.

The Department recommends future development applications for the detail design of the proposed local park be delegated to Council for assessment and determination as local development application. This would maximise the input of Council and its local expertise in the design and management of the proposed local park and agreement for dedication as necessary.

6.7.2 Solar access to open space

The Department notes the revised building envelopes, in conjunction with the updated Urban Design Guidelines, ensure the proposed and existing public open spaces within the site maintain adequate amenity. This includes controls to ensure these spaces maintain adequate solar access at 21 June (midwinter) (**Figure 26**).

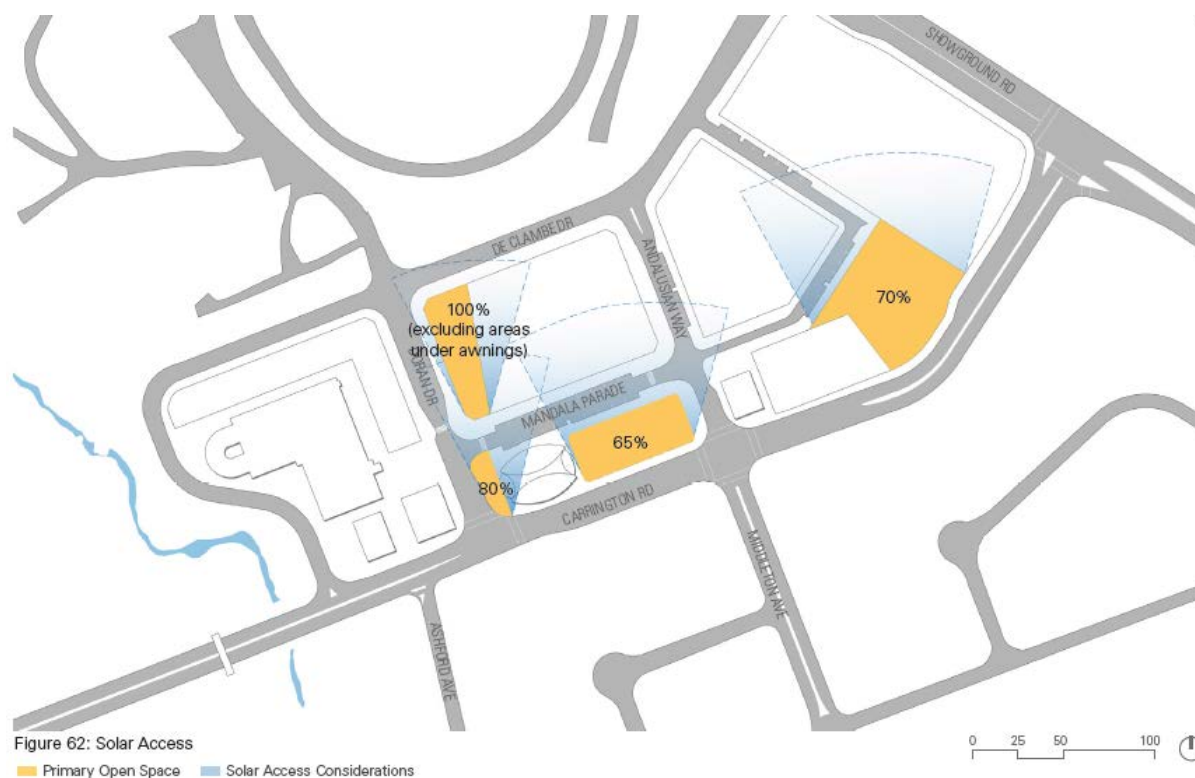


Figure 26 | Overshadowing controls for public open space (Source: RtS)

The Department notes the building envelopes have been amended to improve the amenity of future residents. This includes ensuring the public open spaces maintain a high level of amenity. The revised Urban Design Guidelines ensure the public open spaces within the site maintain 2 hours of solar access in mid-winter to at least:

- 65% of the Station Plaza
- 70% of the new public park
- 80% of the station forecourt
- 100% of the Doran Drive Plaza.

The Department is therefore satisfied the existing and proposed open spaces would receive good level of solar access to support the recreation needs of residents.

Conclusion

The Department concludes the proposed 4,900 m² of additional public open space, comprising a new public park adjacent to Carrington Road (3,500 m²) and the Doran Drive Plaza (1,400 m²) are sufficient to support the need of future residents, which are in additional to direct connection to an existing network of significant open space and recreational facilities.

The Department is also satisfied the submitted Design Guidelines contain appropriate criteria to ensure the proposed open space would be well-designed and provide good levels of amenity.

6.7.3 Landscaping

Council raised concern about the proposed urban tree canopy being insufficient to obtain the 40% coverage targets set by the GSC, while the 70% tree canopy target for the proposed new public park was ambitious and not reflected in the proposal drawings. Council also raised concerns over the inclusion of front setbacks less than six metres being counted toward the provision of deep soil zones is inconsistent with the ADG requirements.

In response, the Applicant amended the Urban Design Guidelines to achieve 20% overall canopy cover for the site and 40% canopy cover within the new public domain. The Applicant noted that Precinct East would achieve the minimum deep soil requirements of 7%, excluding any setbacks less than six metres, while Doran Drive Precinct and Precinct West would provide acceptable stormwater management and alternative forms of planting consistent with the ADG.

While the proposal would not achieve the 40% GSC tree canopy target for the overall site, the Department considers the proposed 20% tree coverage is acceptable, in this instance given:

- opportunities to provide deep soil zones within Precinct West are limited due to constraints of the site by the commuter car park (as mentioned in **Section 6.4**)
- the need for Doran Drive Plaza to be hard paved to support pedestrian movements between the station and the Hill Showground.

The Department also notes the Urban Design Guidelines include additional provisions to maximise landscaping on podiums and roof top areas, consistent with the design guidance in the ADG. The Urban Design Guidelines also provide the public domain and each precinct with their own landscape character, objectives and controls.

With regard to tree coverage, within the public domain, the Department supports the amended Urban Design Guidelines which include additional parameters requiring a minimum 40% tree canopy cover

within public domain areas, consistent with targets set by the GSC in the District Plan. The Department also supports the proposed minimum 40% tree canopy requirement for the private open space areas within Precinct East.

The Department is therefore satisfied appropriate measures have been incorporated within the Urban Design Guidelines to achieved acceptable tree planting and soft landscaping within the precinct.

6.8 Other issues

The Department's consideration of other issues is provided below at **Table 11**.

Table 11 | Other issues

Issue	Findings	Recommendations
Local school	<ul style="list-style-type: none"> Council and public submissions raised concerns about the impacts of the proposal on existing local education facilities and requested part of the site be set aside to accommodate a new school. The DET submission recommended further consultation with Schools Infrastructure NSW (SINSW) who form part of DET and are responsible for the planning and delivery of school infrastructure. The Applicant consulted with SINSW, who indicated that it is yet to confirm a suitable site for a future school that may be required to meet the additional demand for school places in the area. The Department notes Precinct West was one of several possible sites being investigated by SINSW for a school within the area. SINSW indicated further discussions with stakeholders (including Council) and site investigation would be required before finalising the selection of an appropriate site. The Department considers it is not necessary to set aside Precinct West from the current proposal prior to SINSW selecting an appropriate site for a future school given the indicative staging information identified Precinct West is not scheduled for redeveloped until 2029. The Department therefore is satisfied the staging and timing of Precinct West would allow sufficient time for SINSW to finalise its decision on the location of the new school and seek the relevant planning approvals, should a site within Precinct West be selected. 	No conditions are necessary.
Developer contributions and local infrastructure	<ul style="list-style-type: none"> Council does not support deferring resolution of local infrastructure matters to the future detailed development application stage. Council seeks to establish a mechanism to address the increase in demand for local infrastructure as a result of the additional population. The Department notes Council's Contributions Plan is based on delivering infrastructure for an additional 10,743 dwellings across the whole of Showground Station Precinct to collect funding based on the maximum development potential of the precinct, despite a lower dwelling cap of 5,000 being imposed 	Recommended conditions set out the requirements for the payment of Section 7.11 Contributions and the provision of additional community facilities.

by the THLEP. The Department therefore considers the existing contributions framework requiring payment of developer contributions under Council's Contributions Plan No. 19 – Showground Station Precinct is sufficient and appropriate for the proposed development.

- A Concept Approval would not authorise the physical construction of development, therefore it would not be appropriate to levy contributions at this stage. All future development would be subject to subsequent approvals which will require levying and payment of local contributions in line with Council's contributions Plan.
- The submitted Social Infrastructure Assessment (SIA) considered the population scenario and infrastructure demand based on the proposed 1,620 dwellings when compared to Council's submission of 1,500 dwellings. The SIA concludes the proposal would generate demand for 285 m² of community centre space and 246 m² of library space. The Applicant has committed to delivering community infrastructure as part of the future Doran Drive Precinct.
- Further, the Department notes the proposal would deliver an additional 4,900 m² including Doran Drive Plaza (identified in Contributions Plan No. 19 – Showground Station Precinct) and Precinct East park to meet open space demand of the proposal and surrounding residents.
- The Department is therefore satisfied the proposal has suitable arrangements for the payment of developer contributions and the delivery of local infrastructure, subject to recommended conditions to secure the delivery of the community facilities and payment of local contributions as required for each stage of development.

Affordable housing

- The proposal includes the provision of a minimum of 5% of the total number of dwellings as affordable housing for a minimum of 10 years.
- The Applicant requested the location and configuration of the affordable housing remain flexible until the detailed design is finalised.
- The Department notes the Urban Design Guidelines include objectives and controls for the delivery of affordable housing within the precinct.
- Based on the submitted indicative staging information, the Department notes the development of the entire site would span over 10-15 years. Therefore, the Department considers allowing flexibility in the location and configuration of the affordable housing is acceptable, as long as the 5% minimum is met across the entire precinct.
- The Department recommends conditions requiring future applications to detail the planning and delivery of affordable housing across the precinct in line with each stage of development.

Recommended conditions set out the requirements for the provision of affordable housing.

Impact on private developments	<ul style="list-style-type: none"> Concerns were raised about the proposal's impact on the ability of other sites within the Showground Station Precinct to be redeveloped. Further, concerns were raised that the redevelopment of Government land was being prioritised at the expense of existing residents. The Department notes the proposed dwelling numbers are consistent with the envisaged density for the site, it remains below the maximum dwelling cap for the Showground Station Precinct and still allows for the redevelopment of other sites within the Precinct. The Department notes the planning controls were designed to focus development immediately surrounding the new Metro station, providing a new local centre then transitioning to the lower scale development outside the precinct. The new town centre would provide necessary services to support future developments in the wider precincts. Since the completion of the rezoning of Showground Station Precinct and operation of the North West Metro Line, the Department also notes a number of other development approvals have been assessed and determined by Council and the Sydney Central City Planning Panel for redevelopment. There is no evidence to suggest the current proposal is prioritised in time over other private developments. Therefore, the Department considers the subject proposal is in line with the planning controls for the site and the proposal does not impact on private developers seeking approval for development on other nearby sites in line with the relevant planning controls. 	<p>Recommended condition sets out the maximum number of dwellings permitted under the concept.</p>
Relationship with the Castle Hill Showground	<ul style="list-style-type: none"> Concerns were raised in public submissions about the proposal impacting on the ability to fully utilize the Castle Hill Showground for events and public recreation. Further, Council raised concerns over the interface with and access to the Showground. The Department acknowledges the site was rezoned to accommodate high density residential and mixed use development. The Applicant's Urban Design Report illustrates how the proposal will integrate with Council's draft Master Plan for Castle Hill Showground, including future design of any interface with the Castle Hill Showground must be complementary to the draft masterplan in terms of active frontage and public domain design. The Department also notes the Urban Design Guidelines include requirements to ensure appropriate interfaces and sufficient access to the Castle Hill Showground is provided. This includes guidelines requiring the consideration of the location and operations of non-residential uses located along pedestrian desire lines and design criteria for street activation for buildings having an interface with the Castle Hill Showground. 	<p>No conditions are necessary.</p>

	<ul style="list-style-type: none"> The Department is satisfied that the measures outlined in the Urban Design Guidelines would ensure future developments complement the future revitalisation of the Castle Hill Showground. 	
Water management	<ul style="list-style-type: none"> Council raised concerns that the Applicant's RtS did not appropriately address previous comments that stormwater draining from the eastern portion of the site to the intersection of Showground Road and Carrington Road are to consider TfNSW's proposed stormwater network upgrades in the immediate locality. In addition, Council recommended that a Stream Erosion Index assessment should be undertaken for both the western and eastern sub-catchments to ensure scouring does not occur in receiving waterways and that any biofiltration swales in a road verge, intended to be owned and managed by Council would not be supported. The Department notes the proposal was accompanied by an Integrated Water Cycle Management Strategy (IWCMS) and that the Urban Design Guidelines is to be read in conjunction with Council's Flood Controlled Land DCP. In addition, to Council's DCP the Urban Design Guidelines include objectives and controls for integrated water management. Further, the IWCMS was amended to indicate that any proposed water quality treatment devices will be contained within any future development site, not within the road verges. The Department is satisfied with the level of detail provided for the concept proposal and notes future development applications will be required to be accompanied by detailed stormwater management plans, which will be assessed in consultation with Council and any relevant stakeholders. 	Recommended condition sets out the requirement for future detailed development application to demonstrate appropriate water management.
Proof of concept peer reviewed by a GA NSW approved consultancy	<ul style="list-style-type: none"> Council requested the proof of concept drawings be peer reviewed to ensure its quality and accuracy. The Department notes the proposal was subject to review by the Landcom's Design Advisory Panel and the State DRP. The Department is satisfied the proposal will exhibit design excellence. Further, future development applications will be subject to additional reviews by a DRP and subjected to their own detailed assessment. 	No conditions are necessary.
Construction impacts	<ul style="list-style-type: none"> Concerns were raised about the proposal resulting in future construction noise and traffic impacts. The Department considers that the impacts of future construction works can be appropriately managed and mitigated, subject to future development applications including acceptable construction noise and vibration management plans (CNVMP) and construction pedestrian and traffic management plans (CPTMP). 	Recommended conditions sets out the requirements for future development application to include a CNVMP and CPTMP.

Heritage Impact	<ul style="list-style-type: none"> Concerns were raised about the proposal diminishing the heritage value of the Castle Hill Showground. The Department notes objectives and controls have been included the Urban Design Guidelines to ensure that both European and Indigenous cultural history will be integrated into the scheme in a meaningful way with reference to the submitted Heritage Interpretation Strategy and the draft Sydney Metro Northwest Places Public Art Guidelines. The site was rezoned specifically to accommodate high density residential and mixed-use development and is satisfied appropriate objectives and controls have been included in the Urban Design Guidelines to address potential heritage impacts. Further assessment of heritage impacts would be required to be carried with subsequent applications. 	<p>Recommended condition sets out the requirements for the implementation of the Heritage Interpretation Strategy.</p>
Cattai Creek embellishment works	<ul style="list-style-type: none"> Council noted the proposal did not include any details with respect to the revitalisation and embellishment of a portion of the Cattai Creek Corridor adjoining the site. The Applicant's RtS confirmed Sydney Metro and Landcom would have separate discussions with Council regarding any future embellishment of this parcel of land. The parcel of land mentioned in Council's submission falls outside the boundaries of the site and does not form part of the subject application. The Department notes the rehabilitation of Cattai Creek is subject to Sydney Metro Northwest Urban Design and Corridor Landscape Plan developed with the rail infrastructure. The Department also notes road and drainage infrastructure around the site, including a drainage filtration basin to manage water quality going into the creek, have already been constructed with the station. The Department is therefore satisfied the proposal would not have any detrimental stormwater impacts on the adjoining Cattai Creek. 	<p>No conditions are necessary.</p>
Contamination	<ul style="list-style-type: none"> The Applicant submitted a site-wide preliminary soil and contamination report, prepared by JBS&G, which noted the SMNW Project Approval identified obligations for the remediation and validation of site. Where remediation was required, the conditions require a site auditor to be engaged to review and endorse the remedial action plan (RAP) and the final validation reports. The preliminary soil and contamination report considered that the site can be made suitable for the proposed land uses, subject to implementation of an appropriate staged data gap contamination assessment (that may include verification reviews of SMNW stage validation reports) and appropriate management of any small scale remaining contamination issues in accordance with NSW EPA guidance as appropriate prior to commencement of future final construction activities. 	<p>Recommended condition sets out the requirements for future detailed development applications to include site contamination assessment reports.</p>

	<ul style="list-style-type: none"> The Department has recommended a condition that requires future detailed development applications to demonstrate the site is suitable for the proposed development in accordance with the State Environmental Planning Policy No 55 – Remediation of Land. 	
Metro Station Carpark	<ul style="list-style-type: none"> Concerns were raised about the existing parking facilities serving the Metro station being inadequate to deal with the demand. The Department notes the existing Metro parking facilities do not form part of the subject application or site. The Department is satisfied the proposal will not result in any unreasonable traffic or parking impacts. 	No conditions are necessary.
Biodiversity	<ul style="list-style-type: none"> EES acknowledged the proposal will not impact any remnant native vegetation, however noted the Applicant's BDAR contained a number of errors and omissions. In response, the Applicant submitted an amended BDAR to the satisfaction of EES. Based on the findings of the amended BDAR, the Department is satisfied the proposal would not result in any adverse biodiversity impacts 	No conditions are necessary.
Dedication of land owned by Sydney Metro to provide parking for the Metro Station (Lot 57 DP 1253217)	<ul style="list-style-type: none"> Council requests the parcel of land currently being used for overflow parking for the Metro Station adjacent to the northern boundary of the site be dedicated to Council. The Department notes this parcel of land falls outside the boundaries of the site and is not a matter for consideration. However, the Applicant has indicated it is open to discussion with Council regarding the future of this parcel of land. 	No conditions are necessary.
Utilities	<ul style="list-style-type: none"> Ausgrid notes it has existing easements within the site and recommends the Applicant work with it to collaboratively develop the electrical masterplan for the site. The Department notes future development would need to connect to and potentially augment existing services/utilities. The Department recommends the Applicant engage with the relevant utility providers to determine utility requirements and any connection/mitigation measures. 	Recommended condition requires future development applications to include a utilities report.
Signage	<ul style="list-style-type: none"> The proposal does not seek consent for signage. However, the Urban Design Guidelines note the THDCP signage controls should be read in conjunction with the Urban Design Guidelines. The Department recommends that future detailed development applications include a Signage Strategy 	Recommended condition requires future development applications include a Signage Strategy (if signage is proposed).

including signage location, size, design and illumination.

7 Evaluation

The Department has assessed the merits of the proposal taking into consideration the issues raised in submissions, as well as the Applicant's response to the submissions, and is satisfied the impacts have been satisfactorily addressed by the proposal and through the Department's recommended conditions.

The Applicant has demonstrated the proposal is consistent with the objects of the EP&A Act and the State's strategic planning objectives for the site, which seeks to deliver additional housing and employment surrounding the new Metro stations.

The Department considers the proposal is acceptable for the following reasons:

- it is consistent with the strategic planning framework for the Hills Showground Precinct which seeks to deliver additional housing and employment surrounding the new Sydney Metro station
- it is consistent with the strategic objectives and applicable development standards contained in The Hills Local Environmental Plan 2012 (THLEP)
- the density of development is appropriate for the site as it provides for a significant increase in residential accommodation, affordable housing, employment opportunities with excellent access to public transport
- the scale of future buildings can be managed / mitigated consistent with the requirements of conditions, the Urban Design Guidelines and the approved concept envelope
- future development would be guided by a DES, which incorporates reviews by DRP, and Urban Design Guidelines to ensure high-quality architectural and urban design outcomes
- future developments would be designed in accordance with ESD principles
- it delivers several public benefits including the provision of 4,900 m² of new public open space, 500 m² of community facilities, a minimum of 5% affordable housing and improved connections to the adjacent Hills Showground.

The Department is satisfied the impacts of the proposal have been addressed in the Applicant's EIS, RtS and additional information. Further, conditions of consent are recommended to ensure that future development applications are appropriately designed, and impacts are appropriately managed and mitigated.

The Department's Assessment therefore concludes the proposal is in the public interest and is approvable subject to the conditions (**Appendix C**).

8 Recommendation

It is recommended that the Executive Director, Key Sites and Regional Assessments:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to SSD 9653
- **agrees** with the key reasons for approval listed in the notice of decision (**Appendix E**)
- **grants consent** for the application in respect of SSD 9653, subject to the conditions in the attached development consent (**Appendix D**).
- **signs** the attached development consent and recommended conditions of consent (**Appendix D**)

Recommended by:

Annie Leung
Team Leader
Key Sites Assessments

Recommended by:

Anthony Witherdin
Director
Key Sites Assessments

9 Determination

The recommendation is **Adopted / Not adopted** by:

Anthea Sargeant
Executive Director
Key Sites and Regional Assessments

Appendices

Appendix A – List of documents

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

1. Environmental Impact Statement
2. Submissions
3. Applicant's Response to Submissions
4. Applicant's Subsequent Response to Submissions

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/11481>

Appendix B – Department's consideration of clause 4.6 submission

Clause 4.6(2) of THLEP permits the consent authority to consider a variation to a development standard imposed by an EPI. The aim of clause 4.6 are to provide an appropriate degree of flexibility in applying certain development standards to achieve better development outcomes in particular circumstances.

When considering a proposed variation, clause 4.6(3) requires the following:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

The Applicant has prepared a written request in accordance with clause 4.6(3) (**Appendix E** of the EIS) to vary the minimum lots size development standard (clause 9.1) in THLEP.

Clause 4.6(4)(a) requires the consent authority to be satisfied that:

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) (above), and*
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The following provides the Department's assessment of the proposed variation to the minimum lot size development standard under clause 9.1 of the THLEP, applying the tests summarised by Preston CJ in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 and *Wehbe v Pittwater Council* [2007] NSWLEC 827.

Clause 9.1 stipulates that despite any other provision of the THLEP, development consent may be granted to a residential flat building or shop top housing greater than 11 m within the Showground

Station Precinct if the area of the lot is equal to or greater than 3,600 m². The proposal will result in two lots which have an area less than 3,600 m² (**Figure 1**).

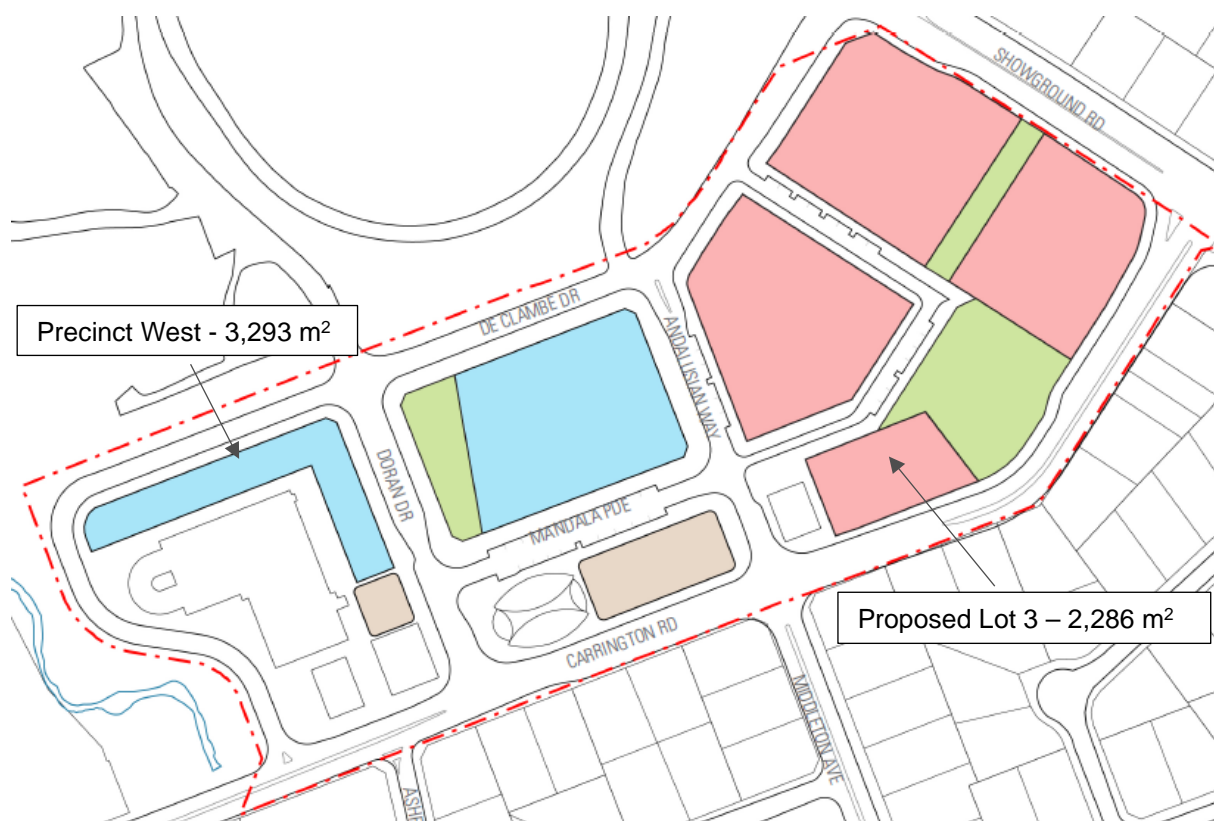


Figure 1 | Illustration of existing and proposed lot sizes (Base source: EIS)

1. Is the consent authority satisfied that the proposed development will be consistent with the objectives of the zone?

The objectives of the R1 zone are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To enable other land uses that support the adjoining or nearby commercial centres and protect the amenity of the adjoining or nearby residential areas.*

The objectives of the B2 zone are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

The Department considers the proposal is consistent with the objectives of the R1 and B2 zones, as the future development will:

- provide additional housing to meet the needs of the community, including a variety of housing types and sizes
- serve the needs of the local and wider community by providing an increase in commercial floor space, including retail within a new local town centre
- encourage employment in a highly accessible location, immediately adjacent a Metro station and within close proximity to other active transport networks, such as walking and cycling routes
- promote public transport patronage and encourage walking and cycling through limiting car parking
- is consistent with the strategic planning framework for the Hills Showground Precinct which seeks to deliver additional housing and employment surrounding the new Sydney Metro station.

2. Is the consent authority satisfied that the proposed development will be consistent with the objectives of the standard?

The Applicant notes there are no objectives underlying the development standard in clause 9.1. Instead, the Applicant has considered the objectives dealing with minimum lot size under clause 4.1 of THLEP, which are:

- (a) to provide for the proper and orderly development of land,*
- (b) to prevent fragmentation or isolation of land,*
- (c) to ensure that the prevailing character of the surrounding area is maintained.*

The Department considers the proposal is consistent with the objectives of the minimum lot size development (noting clause 9.1 does not contain any objectives itself) as the proposal:

- includes building envelopes along with the Urban Design Guidelines that ensure the proper and orderly development of land, capable of achieving high amenity and limiting impacts on adjoining development
- does not result in the fragmentation of land or isolation of sites, but forms part of a cohesive broader precinct (83,974 m²), consistent with the intended density for land adjacent to the Metro station
- is consistent with the strategic planning framework for the Hills Showground Precinct which seeks to deliver additional housing and employment surrounding the new Sydney Metro station
- is consistent with the height of building and FSR development standards contained in THLEP
- achieves appropriate building separation, open space and landscaping to support the future population of the site

The Department notes the lot sizes are the result of dedicating land for the purposes of public roads and new public open spaces.

3. Has the consent authority considered a written request demonstrating compliance with the development standard is unreasonable or unnecessary in the circumstances of the case?

The Applicant's has submitted a written request (**Appendix E** of the EIS), seeking a variation to the minimum lot size development standard that applies to the site under the THLEP. In summary, the Applicant's clause 4.6 request demonstrates that compliance with the development standard is unreasonable and unnecessary in the circumstance of the case, as follows:

- the underlining objective of the development standard is to encourage the formation of larger development and the lots for part of a broader precinct with a total site area of 83,900 m²
- the proposed building envelopes, along with the Urban Design Guidelines and other key urban design framework elements ensure the proper and orderly development of land
- the proposal avoids the fragmentation of land or isolation of sites
- the lot sizes do not change the built form outcomes, as the development lots forms part of a cohesive broader precinct and is consistent with the intended density for land adjacent to the Metro station, being a high density, transit orientated development.

For the reasons provided above, the Department considers that compliance with the minimum lot size development standard is unreasonable or unnecessary given the circumstances of the case.

4. Has the consent authority considered a written request that demonstrates there are sufficient environmental planning grounds to justify contravening the development standard?

The Department considers there are sufficient environmental planning grounds to justify the development's contravention of the development standard in the circumstances of the case as provided in the Applicant's written request and as summarised below:

- the Hills Showground Station Precinct has been subject of a detailed urban design analysis to determine the appropriate built form outcomes on the two lots subject of this variation request
- the proof of concept designs demonstrate that the lots can accommodate shop top housing and a residential flat building that are of good design and provide sufficient amenity for future residents
- the proposed developments on each of the lots are able to meet ADG compliance and criteria have been met including building separation, solar access, ventilation
- the DES and Landcom's divestment strategy will ensure high quality-built form outcomes are delivered on both of the lots consistent with the concept approval
- the precinct as a whole has been the subject of detailed master planning process in consultation with stakeholders that has demonstrated that the proposed development on each of the lots subject of this variation request can be accommodated
- if the development standard were to be maintained, it would result in built form outcomes that are inconsistent with the scale of development envisaged for the site, being a high-density, transit orientated mixed-use precinct with a height of buildings and densities well below what is permitted.

The Department considers the Applicant's arguments to be well founded. In supporting the above environmental planning grounds to vary the development standard, the Department considers that the development will deliver a better planning outcome for the site, consistent with the high-density, transit orientated precinct envisaged under the rezoning. In this instance, the Department notes the proposed variation to the minimum lot size does not seek to increase the overall density or scale of the precinct, comprising the amenity of surrounding development or future residents, but instead the variation facilitates the delivery of new public open space and roads.

Conclusion

Having considered the written request, the Department is satisfied the Applicant has provided sufficient environmental planning grounds to justify the contravention of the minimum lot size development standard and the matters required to be demonstrated under clause 4.6 have been adequately addressed.

The Department concludes the proposed development is in the public interest and the variation to the minimum lot size development standard results in a better development outcome.

Appendix C – Statutory Considerations

Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects set out in Section 1.3 of the Act. A response to the objects is below.

Object of Section 1.3 of EP&A Act	Department's Consideration
(a) 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	<p>The proposal promotes the social and economic welfare of the community by providing employment and housing within a highly accessible site to public transport, and, in doing so, contributing to the achievement of State, regional and local planning objectives.</p> <p>The proposal comprises development associated with existing transport infrastructure and does not have any impacts on the State's natural or other resources.</p> <p>The proposal is predicted to generate 1,920 site-based jobs over the construction period (for varying durations) and 674 operation jobs.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	<p>The proposal has integrated ESD principles and targets as discussed in Section 4.3 of this report.</p>
(c) to promote the orderly and economic use and development of land	<p>The proposal represents the orderly and economic use of the land primarily as it will increase housing and provide employment opportunities near public transport.</p> <p>The proposed land uses are permissible, and the form of the development has regard to the planning controls that apply, the character of the locality and the context of surrounding development.</p>
(d) to promote the delivery and maintenance of affordable housing	<p>The concept proposal promotes the delivery of affordable housing with a minimum 5% of dwellings to be affordable housing managed by a community housing provided for a minimum period of 10 years.</p>

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposal is supported by a BDAR, which identifies that no remnant native vegetation, threatened flora species, ecological communities or their habitat, listed under the BC Act would be affected by the proposal.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	<p>The site does not contain heritage items and is not located near or within a conservation area. The Department is satisfied that the development of the site will have no adverse impact on local heritage items and there is little potential for aboriginal archaeological remains.</p> <p>Further, the Department notes objectives and controls have been included the Urban Design Guidelines to ensure that both European and Indigenous cultural history will be integrated into the scheme in a meaningful way with reference to the submitted Heritage Interpretation Strategy and the draft Sydney Metro Northwest Places Public Art Guidelines.</p>
(g) to promote good design and amenity of the built environment	The proposal demonstrates a good design approach to the relevant planning controls and in relation to the context of the site. Amenity impacts are managed by either the form of the development, the Urban Design Guidelines or by the recommended conditions of consent for mitigation measures during the detailed design applications.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	The application is for concept approval and does not include construction, however, construction impacts of the concept have been taken into consideration in the assessment.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department publicly exhibited the proposed development as outlined in Section 5 of this report. This included consultation with Council and other Government agencies and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal which included notifying adjoining landowners, placing a notice in the local press and displaying the application on the Department's website and at the Council's office and Service NSW Centres. The Department also provided the RtS to Council and other relevant Government agencies and placed the RtS on its website. The engagement activities carried out by the Department are detailed in Section 5 .

Section 4.15(1) matters for consideration

The matters for consideration under section 4.15(1) that apply to SSD in accordance with section 4.40 of the EP&A Act have been addressed below.

Section 4.15(1) Evaluation	Department's Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided below and in Section 6 of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD. Notwithstanding, consideration has been given to the relevant controls under the THDCP in Section 6 of this report.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6), public participation procedures for SSD and Schedule 2 relating to EIS.
(a)(v) any coastal zone management plan	The site is not identified as being located within a designated coastal area under the State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP).
(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 impacts of the proposal have appropriately mitigated or conditioned as discussed in Section 6 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Section 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition of the proposal as summarised in Section 5 and considered in Section 6 of this report.
(e) the public interest	The proposal is in the public interest as discussed in Section 6 of this report.

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment. The EPIs that have been considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- The Hills Local Environmental Plan (THLEP) 2012.

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

An assessment against relevant sections of the SRD SEPP is set out in the table below:

Relevant Section	Department's Consideration
<p>3 Aims of Policy</p> <p>The aims of this Policy are as follows:</p> <ul style="list-style-type: none"> (a) to identify development that is State significant development, (b) to identify development that is State significant infrastructure and critical State significant infrastructure, (c) to identify development that is regionally significant development. 	<p>The proposal is identified as SSD.</p>
<p>8 Declaration of State significant development: Section 4.36</p> <ul style="list-style-type: none"> (1) Development is declared to be State significant development for the purposes of the Act if: <ul style="list-style-type: none"> (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2. 	<p>The proposal is permissible with consent and is specified in Schedules 1 and 2.</p>
<p>Schedule 1 State significant development —general (clause 19 (2))</p> <p><i>19 Rail and related transport facilities</i></p> <p>Development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for any of the following purposes:</p> <ul style="list-style-type: none"> (a) commercial premises or residential accommodation 	<p>The proposal has a CIV of more than \$30 million and is development associated with railway infrastructure and within a rail corridor for the purpose of residential accommodation and commercial premises.</p>
<p>Schedule 2 State significant development – identified sites (clause 14)</p> <p><i>14 Development at Showground Station Precinct Site</i></p> <p>Development on land identified as being within the Showground Station Precinct Site on the State Significant Development Sites Map if the development is for the purposes of:</p> <ul style="list-style-type: none"> (a) a principal subdivision establishing major lots or public domain areas, or (b) the creation of new roadways and associated works. 	<p>The proposal involves principal subdivision establishing major lots and public domain areas, in addition to proposing the creation of a new roadway and associated works.</p>

Note: An amendment to the SEPP was exhibited between 8 June 2018 and 6 July 2018.

It is proposed to update Schedule 2 of the SEPP to identify areas adjacent to the Sydney Metro Northwest and within Government ownership as identified sites on the State Significant Development Sites Map. It is proposed to limit the uptake of this clause to development carried out by or on behalf of Transport for New South Wales or the Planning Ministerial Corporation established under the Act.

As of the date of writing this report, the amendment to the SEPP had not been adopted.

The proposed amendment to the SEPP applies to the development as it is on land identified as a State Significant Development Site (Hills Showground) adjacent to the Sydney Metro North West corridor and within government ownership.

The concept proposal is consistent with the amendments to the SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The ISEPP is applicable as the concept proposal involves development in or adjacent to a rail corridor (Division 15 Railways), being the Sydney Metro North West corridor.

The proposal includes residential development in proximity to railway infrastructure and clause 87 requires the consent authority to consider acoustic impacts in such circumstances. The application is supported by a *Noise and Vibration Assessment* which provides assessment of noise and vibration impacts associated with the site. The Department has considered construction and operational noise and concludes noise impacts can be managed and/or mitigated. The Department recommends a condition requiring future development applications consider construction and operational noise impacts.

The site adjoins a classified road (Showground Road) and clauses 101, 102 and 104 require the consent authority consider the impact of access to Showground Road, road noise impacts and consult with TfNSW. The Department has considered the impact of the proposal on the operation of the road network, construction and operational noise and consulted with TfNSW, which did not object to the proposal subject to the imposition of appropriate conditions.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

BASIX encourages sustainable residential development across NSW by setting targets that measure the efficiency of buildings in relation to water, energy and thermal comfort. BASIX requires all new dwellings to meet sustainable targets of a 20% reduction in energy use (building size dependent) and 40% reduction in potable water.

The application is for a concept proposal which provides only indicative schematic floor plans of the dwellings. As such an assessment of the proposal's compliance against the BASIX requirements is not required at this stage of the development. Notwithstanding, the Ecologically Sustainable Development Report accompanying the EIS identifies that the development will be required to achieve the relevant BASIX targets in the detailed development application.

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS includes a contamination assessment for the site which concludes that no significant contamination impacts have been identified that would preclude redevelopment of the site for the proposed land uses, subject to implementation of an appropriate staged data gap contamination assessment (that may include verification reviews of SMNW stage validation reports) and appropriate management of any small scale remaining contamination issues in accordance with NSW EPA guidance as appropriate prior to commencement of future final construction activities.

The Department is satisfied that the site will be made suitable for the proposed uses subject to the recommendations of the soil and contamination assessment report being adopted in future detailed development applications. The Department recommends conditions to ensure measures are in place should any unanticipated contamination be found during future works.

Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)

The Department is reviewing all State Environmental Planning Policies to ensure they remain effective and relevant and SEPP 55 has been reviewed as part of that program. The Department has published the draft Remediation of Land State Environmental Planning Policy (Remediation SEPP), which was exhibited until April 2018.

Once adopted, the Remediation SEPP will retain elements of SEPP 55, and add the following provisions to establish a modern approach to the management of contaminated land:

- require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant
- categorise remediation work based on the scale, risk and complexity of the work
- require environmental management plans relating to post-remediation management or ongoing management of on-site to be provided to Council.

The new SEPP will not include any strategic planning objectives or provisions. Strategic planning matters will instead be dealt with through a direction under section 117 of the EP&A Act.

The Department considers the development is consistent with the draft Remediation SEPP subject to the recommended conditions discussed above.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)

SEPP 65 seeks to improve the design quality of residential developments and encourage innovative design. The ADG is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential developments. The Department is satisfied that the proposal concept achieves the objectives of SEPP 65 as detailed in the table below.

Design Principles	Department's Consideration
1. Context and Neighbourhood Character	The proposal is consistent with the desired future character for the area reflects the development standards of THLEP.

2. Built Form and Scale	The proposal results in a suitable built form and scale consistent with the desired future character of the precinct. The Department considers the built form of the proposal acceptable having regard to its location adjoining the Hills Showground metro station and exemplifying the principles of transit-oriented development.
3. Density	The development is consistent with the maximum height and FSR permitted under the THLEP and achieves the design outcomes of the ADG. The Department considers the development achieves an acceptable density envisaged under the applicable planning controls.
4. Sustainability	The development proposes ESD principles and sustainability measures as detailed in Section 4 of this report.
5. Landscape	The proposal will incorporate a range of landscaped and open space areas including deep soil, communal and private open space areas.
6. Amenity	The proposal will achieve good amenity by providing a built form which results in appropriate solar access to residential dwellings, communal and private open spaces, and adjoining land. Future development can be designed to have negligible privacy impacts and promotes high density residential living with convenient access to the high frequency rail services.
7. Safety	The Urban Design Guidelines promotes the principles of Crime Prevention Through Environmental Design through appropriate design via opportunities for passive surveillance of common areas from residential apartments, the activation of spaces by locating mixed uses on the ground floor, and a pedestrian link which provides accessible links to the Metro station for residents, workers and visitors to the site.
8. Housing Diversity and Social Interaction	The Urban Design Guidelines promotes housing diversity with a range of housing options including 1, 2 and 3 bedroom apartments and the provision of at least 5% of dwellings as affordable housing. The provision of communal open space areas encourages social interaction amongst residents and visitors to the site.
9. Aesthetics	The concept proposal is designed to provide an urban form and scale at a masterplan scale. The Applicant, in consultation with GANSW, has prepared a Design Excellence Strategy and Urban Design Guidelines for the proposal. The Strategy will set the framework to deliver design excellence throughout the project and the detailed design application.

Apartment Design Guide (ADG)

An assessment of the proposal against the ADG best practice design principles is provided in the table below. The concept proposal was prepared at the scale of a masterplan and the proposal has been assessed against the relevant Design Criteria relevant to a masterplan scale.

Relevant Criteria	Department's Consideration
2E Building Depth <ul style="list-style-type: none"> Use a range of building depth of 12-18 m from glass line to glass line 	The Applicant has indicated the proposed building envelopes are larger than necessary to encourage flexibility in future detailed design application.

- Where greater depths are proposed demonstrate layouts can achieve acceptable amenity

Future detailed design applications will be required to demonstrate appropriate building depths, consistent with the ADG.

3B Orientation

- Building type/layouts respond to streetscape, optimising solar access.
- Overshadowing of neighbouring properties is minimised

The Applicant has demonstrated the revised building envelope layout and building orientation allows for appropriate solar access to future dwellings, communal open space and adjoining sites.

The proposal has been tested for compliance with the solar access provisions of the ADG and it achieves appropriate solar access.

3C Public Domain Interface

- Transition between public/private without compromising security
- Amenity of public domain is retained and enhanced

The Urban Design Guidelines include objectives and controls to ensure appropriate transition between public and private areas are provided without compromising security.

Entry points to the buildings are distributed throughout the site, adjoining internal open space areas or along street frontages. Residential entry points and courtyards within front setback areas can be delineated through use of appropriate materials.

Residential entry points can be clearly defined and provide appropriate reciprocal surveillance between the public domain and the buildings without compromising access, use, and circulation.

3D Communal and Public Open Space

- minimum 25% of the site
- minimum 50% direct sunlight to principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm in mid-winter

Communal open areas will be provided at ground level or as roof top terraces, totalling a minimum of 25% of the site area.

More than 50% of the communal open areas are capable of receive direct sunlight for minimum 2 hours in mid-winter.

3E Deep Soil Zones

For sites greater than 1,500 m² a minimum of 7% to 15% of the site should provide for deep soil zone(s). Site area is 10,121 m².

Deep soil zones are provided throughout the proposal on the perimeter of the site and within the ground floor open space areas.

3F Visual Privacy

Minimum separation distance from building to side boundary:

The proposal achieves separation distances that meet or exceed the minimum requirements for the buildings within the site.

Height	Habitable rooms and balconies	Non-habitable rooms
Up to 12m (4 storeys)	6 m	3 m
Up to 25m (5-8 storeys)	9 m	4.5 m
Over 25m (9+ storeys)	12 m	6 m

3G Pedestrian Access to Entries

- Building entries and pedestrian access connects to and addresses the public domain
- Access, entries and pathways are accessible and easy to identify
- Large sites provide pedestrian links for access to streets and connection to destinations

Building entry points are located within the site adjoining streets and common open space areas. The entry points will be visible, accessible and allow for reciprocal surveillance between the entry points and the buildings and street.

3H Vehicle Access

Vehicle access points are to be designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.

The proposed Urban Design Guidelines include parameters to ensure vehicle access points are located and design appropriately.

3J Bicycle and Car Parking

- Minimum parking requirement as set out in the Guide to Traffic Generating Developments or local Council requirement, whichever is the less
- Parking is available for other modes of transport
- Car parking design access is safe and secure
- Visual and environmental impacts of underground, at grade or above ground car parking are minimised

Car parking for residents, resident visitors, motorcycles and bicycles will be provided in accordance with the parking rates established in the Urban Design Guidelines (see **Section 6.5.2** for further detailed discussion).

4A Solar and Daylight Access

- Minimum of 70% of apartments' living rooms and private open spaces receive 2hrs direct sunlight between 9am-3pm in mid-winter in the Sydney Metropolitan Area
- Maximum of 15% of apartments have no direct sunlight between 9am-3pm in mid-winter
- Shading and glare control is provided

The proof of concept drawings demonstrates that future development is capable of achieving 70% of apartments receiving direct solar access to living rooms and private open space.

4B Natural Ventilation

- At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated)
- Overall depth of a cross-over or cross-through apartment does not exceed 18 m

The proof of concept drawings demonstrates that future development is capable of achieving 60% of apartments being naturally cross-ventilated.

4C Ceiling Heights

- Measured from finished floor level to finished ceiling level, minimum ceiling heights for residential are:
 - Habitable rooms = 2.7 m
 - Non-habitable rooms = 2.4 m
- Mixed uses area = 3.3 m for ground floor and first floor to promote future flexibility of use

The Urban Design Guidelines in controls ensure appropriate ceiling heights for the non-residential and residential uses are provided consistent with the ADG.

4D Apartment Size and Layout

- Minimum apartment sizes
 - Studio 35 sqm
 - 1 Bed 50 sqm
 - 2 Bed 70 sqm
 - 3 Bed 90 sqm
- Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms
- Habitable room depths are limited to 2.5 x the ceiling height
- In open plan layouts the maximum habitable room depth is 8 m from a window
- Master bedroom have a minimum area of 10 m² and other bedrooms have 9 m²
- Bedrooms have a minimum dimension of 3 m (excluding wardrobes)
- Living rooms have a minimum width of:
 - 3.6 m for studio and one Bed
 - 4 m for 2 and 3 Bed
- The width of cross-over or cross-through apartments are at least 4 m internally.

Future detail development applications will need to demonstrate appropriate dwelling sizes are being provided.

4E Private Open Space and Balconies

- Primary balconies are provided to all apartments providing for:
 - Studios apartments min area 4 m²
 - 1 Bed min area 8 m² min depth 2 m
 - 2 Bed min area 10 m² min depth 2 m
 - 3 Bed min area 12 m² min depth 2.5 m
- For apartments at ground floor level or similar, private open space must have a minimum area of 15 m² and depth of 3 m²

The proof of concept drawings indicate that the proposal can achieve the minimum private open space requirements of the ADG.

- Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building
- Primary open space and balconies maximises safety

4F Common Circulation and Spaces

- Maximum number of apartments off a circulation core is 8 – where this cannot be achieved, no more than 12 apartments should be provided off a single circulation core.
- For buildings 10 storeys and over, the maximum number of apartments sharing a single lift is 40
- Natural ventilation is provided to all common circulation spaces where possible
- Common circulation spaces provide for interaction between residents
- Longer corridors are articulated

The number of dwellings per circulation corridor will be determined at the detailed design stage. The proof of concept drawings indicate future applications are capable of complying with these requirements.

4G Storage

The following storage is required (with at least 50% located within the apartment):

- Studio apartments 4 m³
- 1 Bed apartments 6 m³
- 2 Bed apartments 8 m³
- 3 Bed apartments 10 m³

Storage is to be incorporated at the detailed design stage of the development for each apartment.

4H Acoustic Privacy and 4J Noise and Pollution

- Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution.
- Noise impacts are mitigated through internal apartment layout and acoustic treatments

A *Noise and Vibration Assessment* accompanies the application. The report assesses potential noise and vibration sources and recommends acoustic treatments to achieve the required noise levels. The treatments include noise suppressing building façade materials, upgraded glazing to windows, and appropriate provision of mechanical ventilation.

4K Apartment Mix

- Provision of a range of apartment types and sizes
- Apartment mix is distributed to suitable locations within the building.

The Urban Design Guidelines include an approximate apartment mix and adaptable apartments that will be distributed throughout the buildings. The concept proposal also nominates minimum 5% of dwellings as affordable housing.

4L Ground Floor Apartments

- Street frontage activity is maximised where ground floor apartments are located

Apartments and non-residential uses will be located on the ground floors of the concept proposal.

The ground floor apartments will have frontage to a street or courtyard area. This provides a good

<ul style="list-style-type: none"> Design of ground floor apartments delivers amenity and safety for residents 	<p>interface between the apartments and the street, increasing activity at the street frontage, and provides opportunities for casual surveillance of these areas. The Urban Design Guidelines includes parameters to ensure ground floor apartments activate street frontage while maintaining privacy.</p>
<p>4M Facades</p> <ul style="list-style-type: none"> Building facades provide visual interest along the street while respecting the character of the local area Building functions are expressed by the facade 	<p>Building facade details will be determined at the detailed design stage of the application. However, the proposal includes Urban Design Guidelines which include parameters to ensure building facades are visual interesting and respond to the character of the area.</p>
<p>4N Roof Design</p> <ul style="list-style-type: none"> Roof treatments are integrated into the building design and positively respond to the street Opportunities to use roof space for accommodation and open space is maximised Roof design includes sustainability features 	<p>Roof design will be determined at the detailed design stage of the development however the concept proposal includes communal open space areas on the roof consistent with the provisions of the ADG.</p>
<p>4O Landscape Design and 4P Planting on Structures</p> <ul style="list-style-type: none"> Landscape design is viable and sustainable Landscape design contributes to streetscape and amenity Appropriate soil profiles are provided and plant growth is maximised (selection/maintenance) Plant growth is optimised with appropriate selection and maintenance Building design includes opportunity for planting on structure 	<p>The Design Report accompanying the application identifies the design principles for landscaping in communal open space areas, residential courtyards, roof top open space areas, and private open space for ground floor apartments.</p> <p>The landscape design will be finalised at the detailed design application stages. The proposed deep soil and open space areas are consistent with the provisions of the ADG, with the exception of Precinct West (refer to Section 6.6 for further discussion)</p>
<p>4Q Universal Design</p> <ul style="list-style-type: none"> The universal guidelines are adopted in the design of apartments A variety of apartments with adaptable designs are provided Apartment layouts are flexible and accommodate a range of lifestyle needs 	<p>The Universal Urban Design Guidelines can be adopted at the detailed design stage of the development.</p>
<p>4S Mixed Use</p> <ul style="list-style-type: none"> Mixed use developments are provided in appropriate locations and provide street activation and encourage pedestrian movement 	<p>Precinct West and Doran Drive Precinct will include non-residential on the ground floor. This will encourage good street level activity through pedestrian movements and reciprocal surveillance of public and private areas</p>

<ul style="list-style-type: none"> Residential levels are integrated within the development, safety and amenity is maximised. 	<p>There is appropriate separation of residential uses with separate entry areas, minimal ground level interface with non-residential uses, and location of active public areas away from residential open space areas.</p>
<p>4T Awning and Signage</p> <ul style="list-style-type: none"> Awnings are well located and complement and integrate with the building Signage responds to the context and design streetscape character 	<p>Awning and signage design will be determined at the detailed design stage of the development. There are opportunities to integrate appropriate awnings and signage to future buildings for weather protection and as design features.</p>
<p>4U Energy Efficiency</p> <ul style="list-style-type: none"> Development incorporates passive environmental and solar design Adequate natural ventilation minimises the need for mechanical ventilation 	<p>The <i>Ecological Sustainable Development Report</i> identifies minimum targets to be included in the developer's requirements to ensure high environmental performance.</p> <p>The proposal achieves natural ventilation above the minimum requirements of the ADG.</p>
<p>4V Water Management and Conservation</p> <ul style="list-style-type: none"> Potable water use is minimised Urban stormwater is treated on site before being discharged to receiving waters Flood management systems are integrated into the site design 	<p>The <i>Ecologically Sustainable Development Report</i> accompanying the application identifies minimum requirements to achieve best practice water sensitive principles and conservation of potable water.</p>
<p>4W Waste Management</p> <ul style="list-style-type: none"> Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity Domestic waste is minimised by providing safe and convenient source separation and recycling 	<p>Waste management facilities will be determined at the detailed design stage. The concept proposal identifies access points for each precinct.</p>
<p>4X Building Maintenance</p> <ul style="list-style-type: none"> Building design detail provides protection from weathering Systems and access enable ease of maintenance Material selection reduced ongoing maintenance cost 	<p>The selection of building materials and finishes will be determined at the detailed design stage of the development. The materials and finishes to be selected should be long lasting, low maintenance, have low embodied energy, with potential reuse and recycling.</p>

Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (SREP 20)

The subject site is within the catchment draining to the Hawkesbury Nepean River system and as such the provisions of SREP 20 apply. The broad aim of SREP 20 is to ensure the impact of urban development on the Hawkesbury Nepean River is minimised by considering catchment management, water quality and quantity, and protection and management of environmentally sensitive areas, flora and fauna and wetland habitats.

No works are proposed as part of this concept proposal and therefore have no immediate impact on the Hawkesbury Nepean River system. The future development of the precinct enabled by this concept proposal will adopt water sensitive urban design measures, as outlined under the Integrated Water Cycle Management Strategy submitted as part of the Applicant's EIS, which will be implemented further under future detailed development applications. This will ensure the precinct encompasses appropriate treatment processes in the stormwater system to reduce pollutants and waste from entering Cattai Creek and broader Hawkesbury Nepean River system.

Draft State Environmental Planning Policy (Environment) 2017 (Draft Environment SEPP)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

The draft SEPP (Environment) promotes the protection and improvement of environmental assets for their intrinsic, social and economic value. The site has a Biodiversity Development Assessment Report (BDAR) waiver as the proposal is not likely to have any significant impact on biodiversity values.

The Hills Local Environmental Plan 2012 (THLEP)

The Hills Local Environmental Plan 2019 came into effect on 6 December 2019. However, as the subject application was lodged prior to this date, the provisions of THLEP apply to the concept proposal.

THLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents. THLEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of THLEP and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of THLEP as provided below.

Relevant Clause	Department's Consideration
<p>1.2 Aims of the Plan</p> <ul style="list-style-type: none"> (a) to guide the orderly and sustainable development of The Hills, balancing its economic, environmental and social needs, (b) to provide strategic direction and urban and rural land use management for the benefit of the community, (c) to provide for the development of communities that are liveable, vibrant and safe and that have services and facilities that meet their needs, (d) to provide for balanced urban growth through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of The Hills, (e) to preserve and protect the natural environment of The Hills and to identify environmentally significant land for the benefit of future generations, (f) to contribute to the development of a modern local economy through the identification and management of land to promote employment opportunities and tourism. 	<p>The concept proposal is in keeping with the aims of the THLEP in that the land use is compatible with the future desired character of the Hills Showground Precinct and provides housing and employment opportunities in proximity of public transport infrastructure.</p>
<p>2.1 Land use zones</p>	<p>The concept proposal falls within Zone B2 (Local Centre), and Zone R1 (General Residential). The proposed land uses are permissible within these zones.</p>
<p>2.3 Zone objective and Land Use Table</p> <p>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.</p> <p><u>R1 General Residential</u></p> <ul style="list-style-type: none"> • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To enable other land uses that support the adjoining or nearby commercial centres and protect the amenity of the adjoining or nearby residential areas. <p><u>B2 Local Centre</u></p>	<p>The Department has taken into account the objectives for the zone as noted below.</p> <p>The Department notes Precinct East falls within the R1 General Residential zone.</p> <p>Precinct East will provide a variety of housing types as well as other appropriate land uses to meet residents needs going forward.</p> <p>The Department notes Doran Drive Precinct and Precinct West fall within the B2 Local Centre zone.</p> <p>These precincts provide a mix of commercial, retail and residential land uses, which will encourage employment opportunities in close proximity to well serviced public transport.</p> <p>The Department notes the concept proposal identifies future development that is permissible in the zone with consent.</p>

<ul style="list-style-type: none"> • To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. • To encourage employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. 	
<p>2.6 Subdivision—consent requirements</p> <p>Land to which this Plan applies may be subdivided, but only with development consent.</p>	<p>The proposal seeks concept approval for the principal subdivision of Precinct East.</p> <p>The subdivision facilitates the creation of residential development lots, open space and public road.</p> <p>Future detailed development applications will be lodged to undertake these works.</p>
<p>2.7 Demolition requires development consent</p>	<p>No physical works, including demolition works, are proposed under this concept proposal.</p>
<p>4.1 Minimum subdivision lot size</p> <p>The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p>	<p>The concept principal subdivision of Lot 56 DP 1253217 (Precinct East) into future development lots, public domain areas and a new road results in lots greater than the minimum lot size of 1,800 m² as shown on the map.</p>
<p>4.3 Height of buildings</p> <p>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.</p>	<p>The proposal does not exceed the maximum heights as identified below:</p> <ul style="list-style-type: none"> • Precinct East: 52 m • Doran Drive Precinct: 68 m • Precinct West: 68 m
<p>4.4 Floor space ratio</p> <p>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.</p>	<p>The proposal does not exceed the maximum FSR standards applicable to the site (see Section 6.2.1).</p>
<p>4.6 Exception to development standards</p>	<p>The application is accompanied by a written request seeking a variation to the minimum lot size requirements of THLEP (see Appendix B).</p>
<p>5.1 Relevant acquisition authority</p> <p>The objective of this clause is to identify, for the purposes of section 3.15 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>	<p>The THLEP identifies land along Carrington Road is required for acquisition for local road widening associated with the upgrade of the Showground Road and Carrington Road intersection.</p> <p>The Applicant has indicated that the portion of land identified for acquisition for road widening will be dedicated to Council and has been excluded from the Hills Showground Station</p>

	Precinct East. Discussions have been ongoing regarding this matter with the RMS.
<p>5.1A Development on land intended to be acquired for a public purpose</p> <p>Development consent must not be granted to any development on land identified on the Land Reservation Acquisition Map to be acquired for a public purpose unless the consent authority is satisfied that the development is likely to be consistent with the public purpose identified on that map for that land.</p>	<p>The parts of the site adjoining Carrington Road and Showground Road that are zoned SP2 Infrastructure is not included under this concept proposal.</p> <p>The proposed plans identify and incorporate the road widening and are consistent with the acquisition areas.</p>
5.4 Controls relating to additional permitted uses	No miscellaneous permitted uses are sought for this concept proposal.
<p>5.10 Heritage conservation</p> <p>Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p>	<p>There are no identified heritage items within the project site. A Heritage Impact Statement (HIS) submitted as part of the Applicant's EIS found the site was unlikely to contain any archaeological sites. It is recommended that future development of the site include an unexpected finds protocol should any objects be encountered.</p> <p>The closest local heritage item to the site (128–132 Showground Road) is directly to the east of the site on the opposite side of Showground Road. The concept proposal is not considered to have an impact on the setting or significance of the heritage item.</p> <p>The HIS recommends that future detailed development proposals consider the interface of the development with the Castle Hill Showground and mitigate impacts on the setting and cultural value of the showground site.</p>

<p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p>7.1 Acid sulphate soils</p>	<p>The concept proposal site is not identified in the Acid Sulphate Soils map.</p>
<p>7.2 Earthworks</p>	<p>The concept proposal is not currently seeking consent for earthworks but has performed a minor assessment of the likely soil conditions expected on site and how this would impact future developments.</p>
<p>7.3 Flood planning</p> <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p>	<p>The concept proposal considers flood planning as part of its proposal due to the site abutting the Cattai Creek riparian corridor. The Integrated Water Cycle Management Strategy submitted as part of the Applicant's EIS, finds that:</p> <ul style="list-style-type: none"> the majority of the Site drains towards Cattai Creek through a system of stormwater pits/pipes and via overland flow the Cattai Creek 1%AEP flood extent is largely confined to within the existing riparian corridor no changes to the flooding regime in Cattai Creek would occur as a result of the project works, flood levels on Showground Road at the intersection with Carrington Road would generally be safe for vehicles and people to use during flood conditions current building locations and carpark entrances are located on land that is higher than recommended levels <p>Future detailed applications for development will consider waster cycle and flood management in their design.</p>
<p>7.4 Biodiversity (Terrestrial)</p>	<p>The concept proposal is not on land identified as "Biodiversity" on the Terrestrial Biodiversity Map. However, the development application has included a BDAR. No remnant native vegetation or associated Plant Community Types were recorded in the Hills Showground Station Precinct. No threatened flora species, ecological communities or their habitat, listed under the BC Act, have been determined to be affected by the concept proposal.</p>

7.6 Landslide Risk	The concept proposal is not on land identified as a “Landslide Risk” on the Landslide Risk Map.
Part 9: Showground Station Precinct	
9.1 Minimum lot sizes for residential flat buildings and shop top housing	<p>The proposal results in two development lots which do not comply with the minimum lot size prescribed in the development standard. The Applicant has submitted a clause 4.6 request seeking to vary the minimum lot development standard.</p> <p>The Department considers compliance with the minimum lot development standard is unreasonable and unnecessary in this instance. See Section 6.2.3 for further discussion and Appendix B for the Applicant’s clause 4.6 request.</p>
9.2 Site area of proposed development includes dedicated land	The proposed FSR has been calculated taking into account land that has or will be dedicated for open space and roads.
9.3 Minimum building setbacks 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 proposal complies with the minimum building setbacks development standard (see Section 6.1.2).
9.4 Development requiring the preparation of a development control plan Development consent must not be granted for development on land to which this clause applies unless— (a) a development control plan that provides for the matters specified in subclause (4) has been prepared for or applies to the land, or (b) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated.	The Applicant has sought consent for a concept development application in lieu of developing a site-specific development control plan. The proposal includes Urban Design Guidelines which provide site specific controls which address the matters contained in the clause.
9.5 Design Excellence (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land within the Showground Station Precinct. (3) Development consent must not be granted to development to which this clause applies	<p>The proposal includes a DES and Urban Design Guidelines to ensure future detailed development application achieve design excellence in accordance with the clause (see Section 6.4)</p> <p>The proposal is a concept development application only. The final form and external appearance of the development will be</p>

unless the consent authority considers that the development exhibits design excellence.	<p>determined through future detailed development applications.</p> <p>The Department notes the proposed Urban Design Guidelines include objectives and design criteria having regard to the relevant matters of consideration under clause 9.5(4) of THLEP.</p> <p>The Department acknowledges the proposed building envelopes are larger than necessary to provide flexibility and allow innovation for future detailed development application to exhibit design excellence.</p> <p>Further, the DES requires future development applications to be reviewed by a panel of experts during the design development stage prior to lodgement to ensure effective and genuine consideration of design advice.</p> <p>The Department is therefore satisfied the future built forms with the proposed building envelopes are capable of exhibiting design excellence.</p>
<p>9.6 Active street frontages in Zones R1 and B2</p> <p>(2) Development consent must not be granted to the erection of a building, or the change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage.</p>	<p>The concept proposal does not involve the erection of a building. However, the Urban Design Guidelines accompanying the proposal requires active street frontages consistent with the clause.</p>
9.7 Residential development yield on certain land	n/a
<p>9.8 Maximum number of dwellings</p> <p>The consent authority must not grant development consent to development that results in more than 5,000 dwellings on land within the Showground Station Precinct.</p>	<p>The development does not result in more than 5,000 dwellings on land within the Showground Station Precinct.</p>

The Hills Development Control Plan (THDCP) 2012

In accordance with clause 11 of the SRD SEPP, development control plans do not apply to SSD. Notwithstanding this, the objectives of relevant controls under The Hills Development Control Plan 2012, where relevant, have been considered in **Section 6** of this report.

Appendix D – Recommended Development Consent

Appendix E – Recommended Notice of Decision