MINUTES OF THE LOCAL PLANNING PANEL – 18 JUNE 2025
THE HILLS SHIRE COUNCIL

DETERMINATION OF THE LOCAL PLANNING PANEL

PRESENT:

Graham Brown	Chair
Peter Brennan	Expert
Vincent Hardy	Expert
Lashta Haidari	Community Representative

COUNCIL STAFF:

The Panel were briefed by Council staff on 18 June 2025

Nicholas Carlton - Manager - Forward Planning
Brent Woodhams - Principal Coordinator, Forward Planning
Dragana Strbac - Senior Town Planner, Forward Planning
Jack Fulton - Town Planner, Forward Planning

DECLARATIONS OF INTEREST: No conflicts were declared by the Panel for the listed items.

ITEM 3: **LOCAL PLANNING PANEL – PLANNING PROPOSAL, DRAFT DCP AMENDMENTS & DRAFT PUBLIC DOMAIN PLAN AMENDMENTS – NORWEST SERVICE AND HILLS SHOWGROUND PRECINCT (FP224 & FP223)**

COUNCIL OFFICER'S RECOMMENDATION:

1. The council-initiated planning proposal be forwarded to the Department of Planning, Housing and Infrastructure to amend The Hills Local Environmental Plan (LEP) 2019 to increase the maximum building height for certain land in the Norwest Service Precinct from between 21m – 40m to between 26.3m - 42m (depending on the FSR applicable to the land).

PANEL'S ADVICE:

1. The council-initiated planning proposal be forwarded to the Department of Planning, Housing and Infrastructure to amend The Hills Local Environmental Plan (LEP) 2019 to increase the maximum building height for certain land in the Norwest Service Precinct from between 21m – 40m to between 26.3m - 42m (depending on the FSR applicable to the land).

VOTING:

Unanimous

END MINUTES

ITEM	**LOCAL PLANNING PANEL – PLANNING PROPOSAL, DRAFT DCP AMENDMENTS & DRAFT PUBLIC DOMAIN PLAN AMENDMENTS – NORWEST SERVICE AND HILLS SHOWGROUND PRECINCT (FP224 & FP223)**
THEME:	Shaping Growth
MEETING DATE:	**18 JUNE 2025** LOCAL PLANNING PANEL
GROUP:	**SHIRE STRATEGY**
AUTHOR:	**SENIOR TOWN PLANNER** DRAGANA STRBAC
RESPONSIBLE OFFICER:	**MANAGER – FORWARD PLANNING** NICHOLAS CARLTON

PURPOSE

This report presents a Council-initiated planning proposal for the "Norwest Service" Precinct to the Local Planning Panel (LPP) for advice, in accordance with Section 2.19 of the *Environmental Planning and Assessment Act 1979*. For reference, the "Norwest Service" Precinct is often also referred to as "Showground Station Precinct", the high density residential areas adjoining the Hills Showground Station as well as the Urban Services and Employment Area along Victoria Avenue.

The planning proposal primarily seeks to facilitate more orderly development and improved built form outcomes within the Norwest Service Precinct by rectifying errors and anomalies contained within the planning framework for this area, which was rezoned by Department of Planning, Housing and Infrastructure in December 2017 (through the Planned Precinct Program for the Showground Station Precinct). The planning proposal will implement actions arising from Council's recently adopted Norwest Precinct Plan (Actions C1, C2 and C3) which identified a number of issues with the application of the current planning controls in these areas.

RECOMMENDATION

1. The council-initiated planning proposal be forwarded to the Department of Planning, Housing and Infrastructure to amend The Hills Local Environmental Plan (LEP) 2019 to increase the maximum building height for certain land in the Norwest Service Precinct

from between 21m – 40m to between 26.3m - 42m (depending on the FSR applicable to the land).

1. BACKGROUND AND RATIONALE

a) NSW Government Planned Precincts Program

The Showground Precinct is one of 3 Precincts along the Sydney Metro Northwest corridor that was rezoned by the NSW Government as part of its 'Planned Precinct Program'. The location and extent of the Showground Precinct is included in the following figure. In Council's Strategic Planning documentation this is referred to as the "Norwest Service" area within the broader Norwest Strategic Centre.

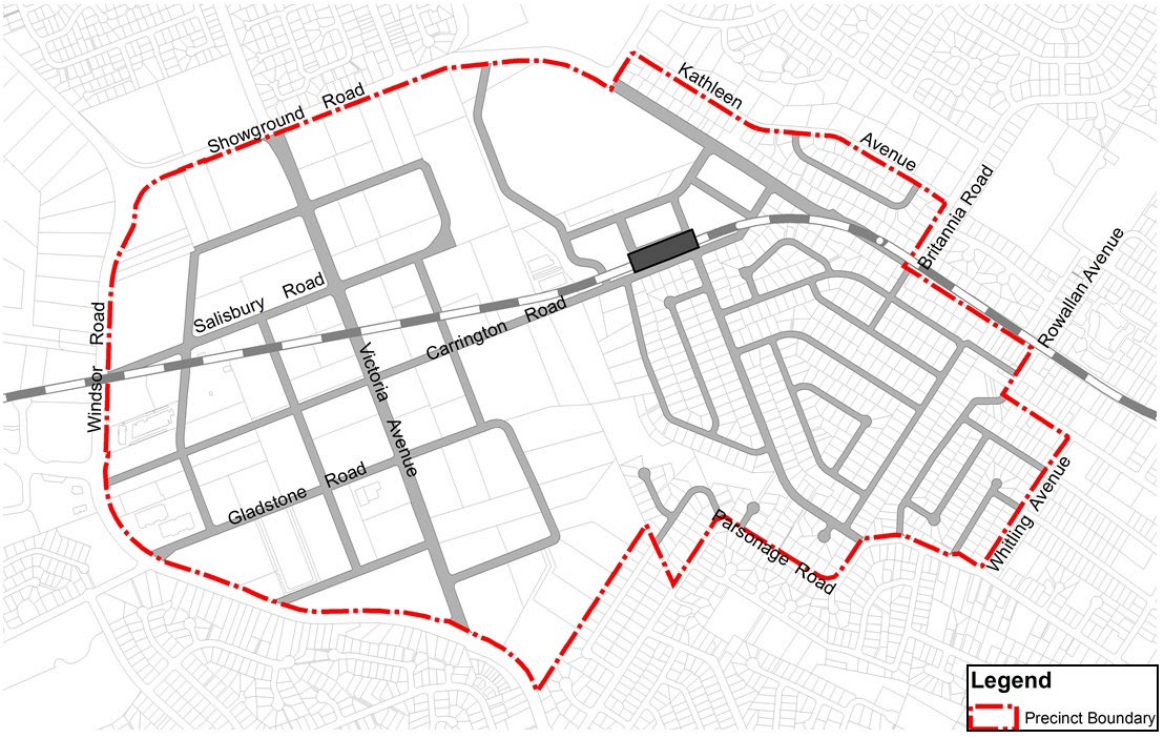

Figure 1
Showground/Norwest Service Precinct

The Precinct was rezoned by the Department of Planning as part of the Planned Precinct Program in December 2017, with 'base' and 'incentive' FSR standards applied.

Residential flat building development is eligible to achieve the higher 'incentive' FSR if it meets the following requirements:

- The development site has an area of at least 10,000m^2;
- A minimum of 1 parking space per dwelling;
- A minimum of 1 visitor parking space is provided per 5 dwellings; and
- The development achieves Council's housing diversity provisions as set out in the LEP being:

    - A minimum of 20% 3-bedroom apartments;
    - A maximum of 25% 1-bedroom apartments; and
    - At least 40% of 2- and 3-bedroom apartments being larger.

However, despite the option for incentivised FSRs to be achieved, the rezoning plans finalised by Government only included a single maximum height of buildings across each density 'zone',

which was intended to facilitate 6, 8 and 12 storey buildings. The current LEP standards for the subject land are shown in Figures 2 and 3 below.

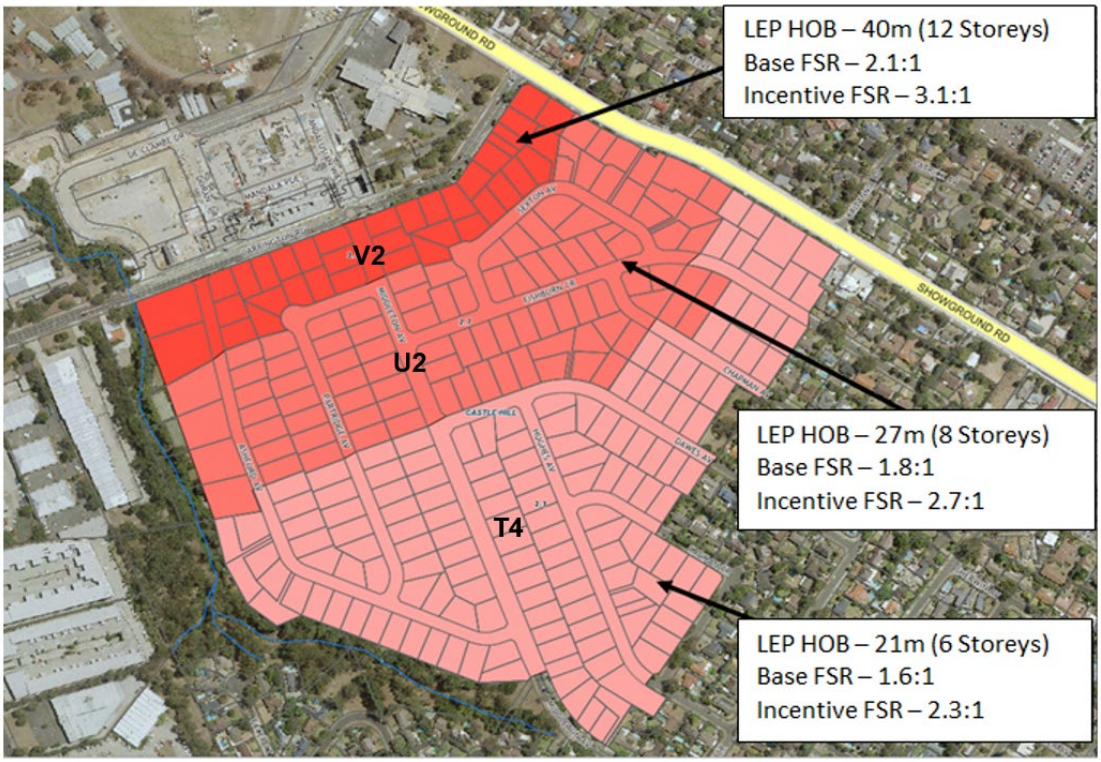

Figure 2
Overview of Maximum Height of Buildings and Base and Incentive FSR
Residential Land in Showground Precinct

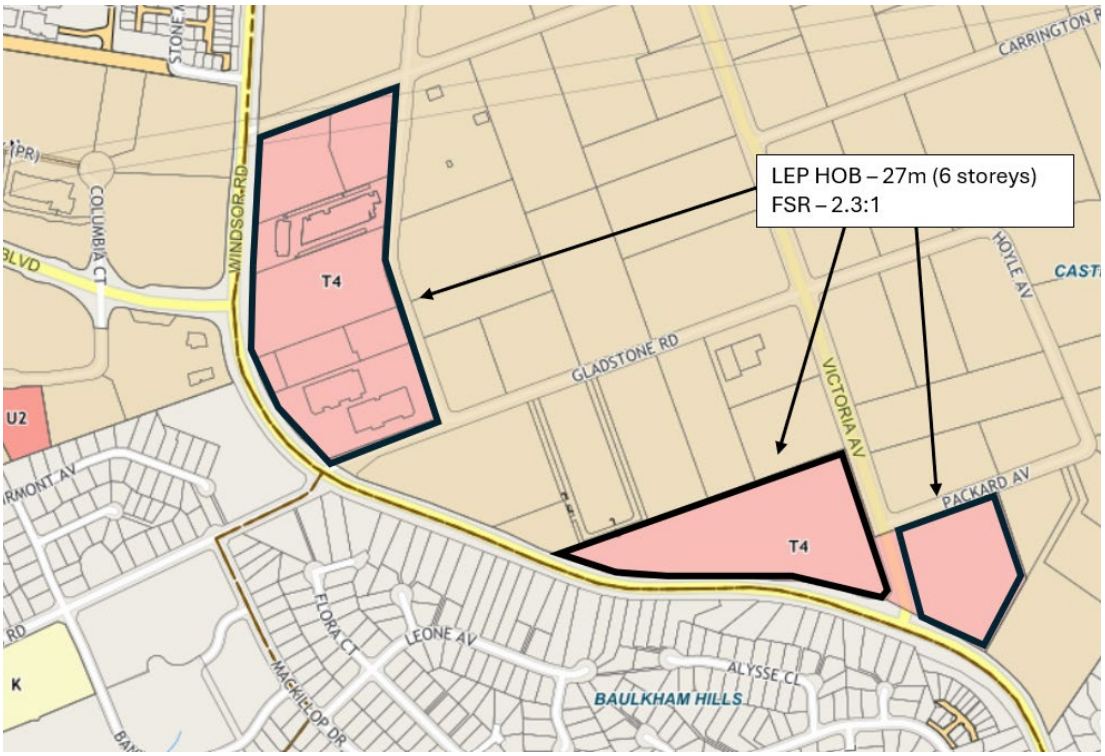

Figure 3
Maximum Height of Buildings and FSR
Employment Land along Hudson Avenue, 1-3 Packard Avenue and 2A Victoria Avenue

b) History of FSR and Height Mismatch in Showground

Since the Showground Precinct was rezoned in December 2017, 10 development applications for residential flat buildings seeking to achieve the maximum 'incentive' FSR have been approved.

Of these, 9 applications required a Clause 4.6 variation to vary Clause 4.3 Height of Buildings of LEP 2019. The variations ranged from approximately 1m to almost 6m higher than the applicable development standard.

There has not yet been any take up of the employment development opportunities along Hudson Avenue and 1-3 Packard Avenue and 2A Victoria Avenue (Figure 3).

The extent of variations sought as part of Development Applications indicates that the relationship between the maximum Incentive FSR and the maximum height of buildings is not operating harmoniously. The maximum FSR and maximum height of buildings should work together to facilitate more certain and positive development outcomes. The amount of floor space permitted by the FSR standard should fit within the number of storeys facilitated by the maximum height of buildings control. However, in order to achieve the maximum allowable incentivised FSR, development applications are proposing to deliver additional storeys on the development.

It is also evident that as part of these development applications, even with Clause 4.6 variations, the mismatch in controls is resulting in poor built form outcomes as the floor area is being compressed downwards because of the height limit, placing pressure on other development controls in the Development Control Plan and Apartment Design Guide, and resulting in:

- Setback non-compliances;
- Reduced building separation;
- Bulky buildings with large floor plates;
- Inadequate landscaped open space;
- Excessive overshadowing of open space and adjoining sites; and
- Poor solar access for residents.

While variations to the building heights and/or DCP controls have been considered on a case-by-case basis and in some instances result in acceptable outcomes, the experience has generally been that Development Applications present with significant issues relating to bulk and scale and fail to provide exemplary residential amenity.

The independent expert architects on Council's Hills Design Advisory Panel (formerly Design Review Panel) have also provided this feedback to Council. The Panel reviews development applications and provides advice with respect to design excellence which inputs into the development assessment process. Feedback from the Panel to Council officers has identified that the mismatch between FSR and height controls in this Precinct is consistently driving sub-standard urban design and architectural outcomes.

c) FSR and Height Testing

Internal testing and modelling of the applicable FSR and height standards was undertaken as part of the preparation of the Norwest Precinct Plan, to analyse the true extent of mismatch between the controls. The results of this analysis are summarised below and further technical details are also provided in Attachment 3 of this report.

<u>Residential Heights</u>

With respect to the Showground high density residential area, the testing firstly found that compliance with the expected DCP storeys cannot be achieved at the heights within the LEP when utilising ADG guidance heights and consideration of roof top services (that is, the LEP height limit in metres does not even allow for achievement of the stated indicative heights in the DCP, irrespective of FSR calculation).

The table below demonstrates the height non-compliance (in metres) that a DA will typically present when trying to achieve 6, 8 and 12 storeys.

FSR Zone	Base FSR	LEP Height	DCP Height in storeys	Incentive FSR	LEP Height	ADG height base (+2m)	ADG Height with roof stair	ADG height with garden + stair	% height non-compliance
T4	1.6	21m	6	2.3	21m	21.2m	24.2m	25.2m	20%
U2	1.9	27m	8	2.7	27m	27.4m	30.4m	31.4m	16%
V2	2.1	40m	12	3.1	40m	39.8m	42.8m	43.8m	9.5%

Table 1
Basic testing of height non-compliances utilising ADG guidance heights

Note: The following accepted heights within Part 2 Developing Controls in the ADG were utilised to test the overall heights of buildings:

- *3.7m Ground floor level (3.3m floor to ceiling plus 0.4m for structure)*
- *3.1m per level for residential levels*
- *2m for topography*
- *3m for roof top stair enclosure for roof access*
- *1m roof top / podium garden*

The testing also considered the minimum height of building that would be required to enable the maximum FSRs throughout the Precinct to be achieved whilst also complying with the key urban design criteria within Council's DCP. The results generally demonstrate that achieving the maximum incentivised FSR within the existing building height control whilst also complying with all DCP controls is not possible (as also evidenced by the development applications received within this Precinct to date).

Given the findings of the testing, the necessary amendments to existing LEP and DCP height controls are summarised in the table below.

Incentive FSR	Existing Height Limit	Required Height
2.3:1 (T4 Area)	21m (6 storeys)	26.3m (7 storeys)
2.7:1 (U2 Area)	27m (8 storeys)	32.5m (9 storeys)
3.1:1 (V2 Area)	40m (12 storeys)	41.8m (12 storeys)

Table 2
Existing and Recommended Height Standards by Area

The following additional matters were also considered as part of the testing:

- Modifying setback controls to reduce the required setback distance would have minimal impact on the issues identified, as the amount of additional FSR is greater than what could be accommodated in these reduced setback areas, generally requiring at least part of an additional storey. Furthermore, reduced setbacks would result in a worsening of built form and urban design outcomes, especially as experienced from the ground

plane and public domain. This is not an appropriate urban design or planning response to the problem identified;

- Increasing the maximum site coverage to 55% (rather than 50%) would enable *some* of the modelling scenarios to achieve the maximum incentive FSR. While this would facilitate less technical non-compliances with the controls, it is not a desirable or superior planning and built form outcome as the maximum site coverage of 50% already often results in dense and bulky development. In approaching this issue, it is prudent to progress with changes which will lead to improved built form and urban design outcomes, rather than pursing amendments to the controls simply to reduce technical non-compliances associated with inferior built form outcomes; and

- Most of the models were able to achieve the desired FSR if the slope of the land was removed and ground level for the entire site was calculated based on the lowest point of the site. While a valid factor to test, this is not a realistic scenario as it fails to take into account the impacts of slope and topography and creates issues with overshadowing and solar access. It does however demonstrate that the impact and complexity of the topography of this Precinct is a contributing factor to this problem and the ramifications of mismatch between the controls.

- An alternative theoretical solution to the built form problem would be to reduce the maximum permitted FSRs within the Precinct. However, this approach is highly unlikely to obtain the necessary support and approval from State Government. A reduction in the FSRs would reduce the achievable residential yield within the Precinct. This would be inconsistent with the current Ministerial Directions in relation to residential land and, given the current policy agenda of Government is to increase and speed-up housing supply, it is the view of Council officers that any proposal that seeks to restrict housing supply or reduce the capacity of land to accommodate housing is unlikely to obtain support from the Department of Planning, Housing and Infrastructure or be successful in demonstrating “strategic merit” as part of the Gateway assessment process.

<u>Employment Heights</u>

A similar exercise was completed for the commercial pockets of land along Windsor Road that were upzoned as part of the Planned Precincts Program, with the application of slightly different height assumptions of 4.1m per storey plus 1m clearance (noting that commercial developments generally feature higher floor to ceiling heights than residential developments).

It was found that achieving the permitted FSR of 2.3:1 translates to approximately 10 storeys or 42m (rather than 6 storeys or 27m as identified in the applicable LEP and DCP controls).

The subject planning proposal seeks to implement the recommendations of the above testing by amending the relevant height controls within the planning framework. Further detail on the required amendments is provided in Section 2 of this report.

d) Housing SEPP

The NSW Government recently implemented reforms to the Housing SEPP relating to low and mid-rise housing. ‘Low and mid-rise housing areas’ are defined in the SEPP as land within 800m walking distance of mapped town centres or the public entrance to a nominated railway, metro or light rail station.

In relation to the Showground Precinct specifically, there are significant areas of land currently zoned R3 Medium Density Residential and R4 High Density Residential around the Hills Showground station that fall within 800m walking catchment of the Hills Showground Metro Station, as shown in the map below.

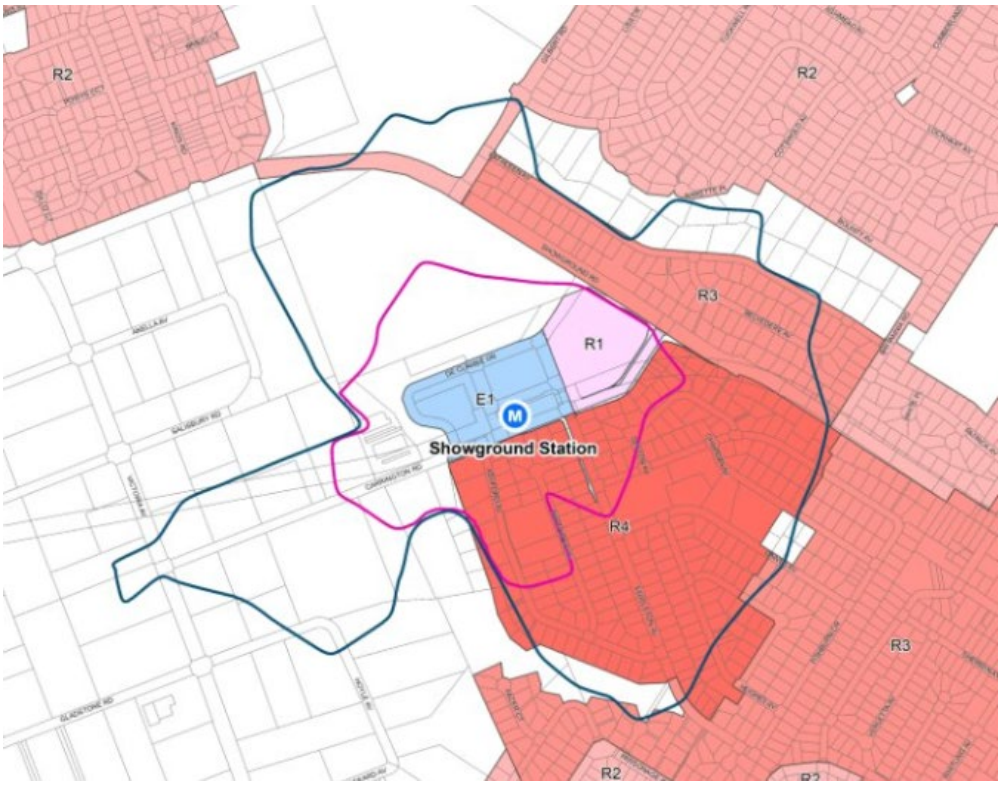

Figure 4
Showground Station - 400m (pink) and 800m (blue) Walkability Catchments

Despite these changes, development on the R4 zoned land within the 400m and 800m walking catchments of Showground station is still expected to develop under the existing planning controls contained in The Hills LEP 2019, noting these allow for a far greater FSR and yield (up to 3.1:1) than the Low and Mid-Rise Housing Reforms.

However, in areas zoned R3 Medium Density Residential within 800 metres of Showground Station (i.e. to the north of Showground Road between Showground Road and Kathleen Avenue), residential flat buildings of up to 4 storeys with a maximum FSR control of 1.5:1 are now permissible. This is a greater yield than previously permitted under LEP 2019 or envisaged under the Norwest Precinct Plan, which identified this R3 zoned land as suitable for transition to terraces and townhouses within a landscaped settings on the edges of the Precinct to provide genuine diversity in housing stock.

In light of the reforms, landowners in this area may now seek to utilise the more permissive development controls under the Housing SEPP reforms to facilitate a higher density form of residential development (including residential flat buildings) on their land.

e) Council Resolution

At its Meeting of 13 May 2025, Council considered a report on amending the planning framework for Norwest Service and Hills Showground Station Precinct and resolved as follows:

1. *A planning proposal be prepared to amend The Hills Local Environmental Plan 2019 in relation to the Showground Precinct as set out in Section 6 of this report.*

2. *The planning proposal be reported to the Local Planning Panel for advice. Provided the Panel's advice does not warrant any material changes to the planning proposal, the planning proposal then be forwarded to the Department of Planning, Housing and Infrastructure for Gateway Determination.*

3. *Subject to the issue of a Gateway Determination, draft amendments to The Hills Development Control Plan 2012 (Attachment 1) and the Public Domain Plan for Showground Station Precinct (Attachment 2) be publicly exhibited concurrent with the planning proposal.*

A copy of the Council Report and Minute is provided as Attachment 3 to this report.

2. SUMMARY OF PROPOSED AMENDMENTS

Planning Proposal

This planning proposal seeks to correct the identified mismatch between maximum Floor Space Ratio (FSR) and Building Height Controls for employment land along Hudson Avenue, 1-3 Packard Avenue and 2A Victoria Avenue and within the high density residential area surrounding Hills Showground Station.

The proposed amendments to the existing LEP height standards are summarised in the table below.

Incentive FSR	Existing Height Limit	Required Height
2.3:1 (T4 Area - Residential)	21m (6 storeys)	26.3m (7 storeys)
2.7:1 (U2 Area - Residential)	27m (8 storeys)	32.5m (9 storeys)
3.1:1 (V2 Area – Residential)	40m (12 storeys)	41.8m (12 storeys)
2.3:1 (T4 Area - Employment land)	27m (6 storeys)	42m (10 storeys)

Table 3
Existing and Recommended Height Standards by Area

It is intended to facilitate one additional storey for the T4 and U2 areas within the high density residential land and four additional storeys for the T4 employment land. A minor increase to the height standard is also proposed to the V2 high density residential area to provide greater flexibility and higher quality built form outcomes (within the same 12 storey building envelope).

The amendments proposed to the Height of Buildings Map under The Hills LEP 2019 are set out in the following figures:

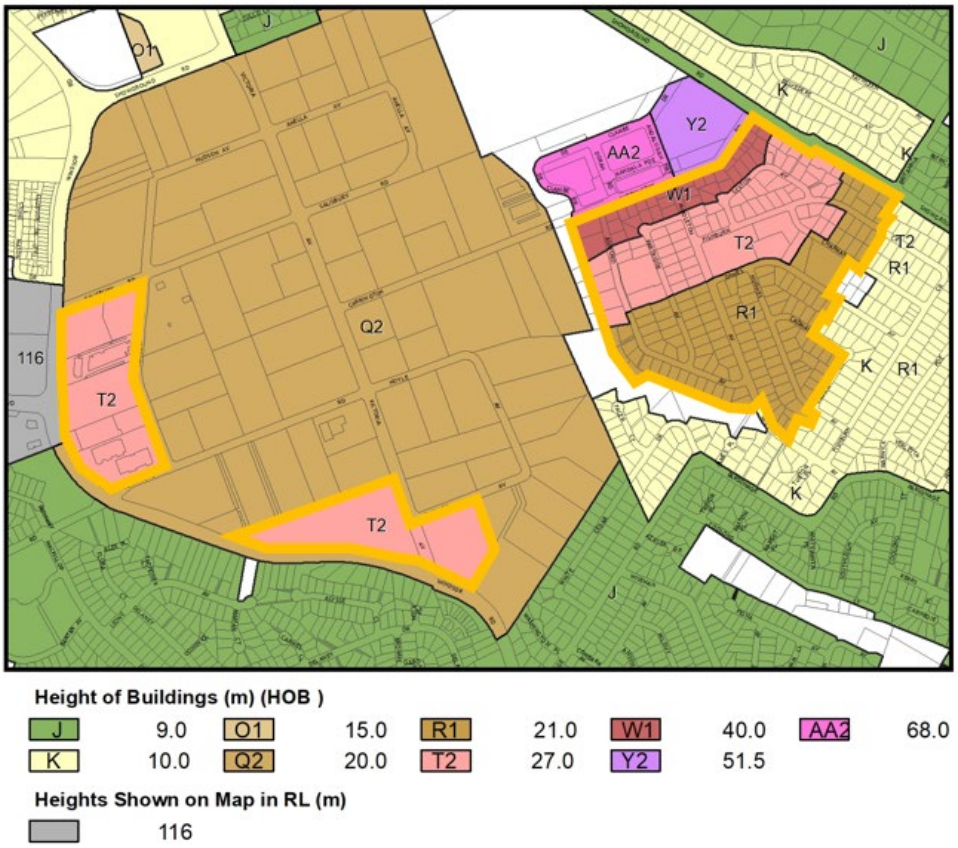

Figure 5
Existing Height of Buildings Map (subject land outlined in orange)

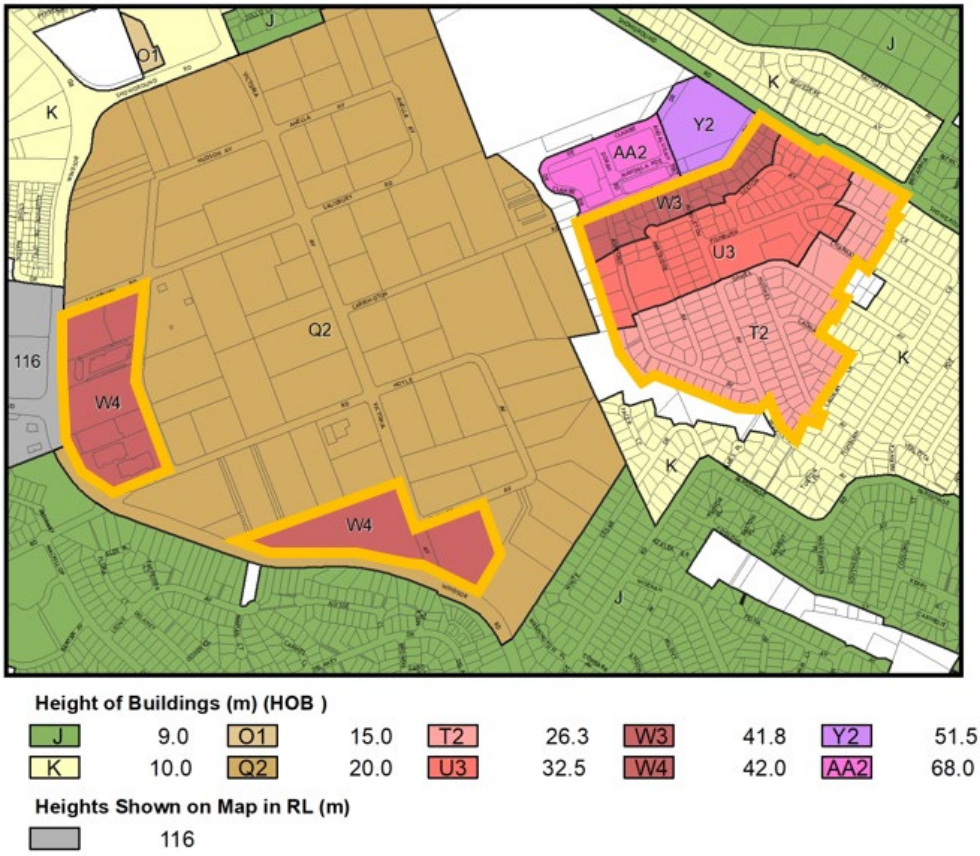

Figure 6
Proposed Height of Buildings Map (subject land outlined in orange)

Development Control Plan

Council will also be progressing concurrently with amendments to Part D Section 19 – Showground Precinct of The Hills DCP 2012, to align with the amended LEP standards for Norwest Service and reflect the more permissible development controls implemented for land north of Showground Road under the Housing SEPP reforms. The proposed DCP amendments are summarised below and shown in full in Attachment 1 of this report:

- Amendments to the structure plan to reference the revised building heights and reflect the proposed changes to the LEP height limits;

- Extend application of street setback and land dedication controls for residential flat buildings to land north of Showground Road (along Belvedere and Kathleeen Avenue), where residential flat buildings are now permitted as a result of the Low and Mid Rise Housing Reforms.

- Amendments to the road layout within relevant maps to:
  - Replace proposed future road link connecting Chapman Avenue and Showground Road at the junction of Britannia Road with a pedestrian link;
  - Delete proposed future road link connecting Chapman Avenue and Cecil Avenue; and
  - Remove rear laneways within medium density land.

- Removal of controls relating to the provision of rear laneways within medium density land;

- Administrative amendments to update references to outdated legislation and policies.

A comparison of the existing and proposed draft amendments are displayed in the figures below.

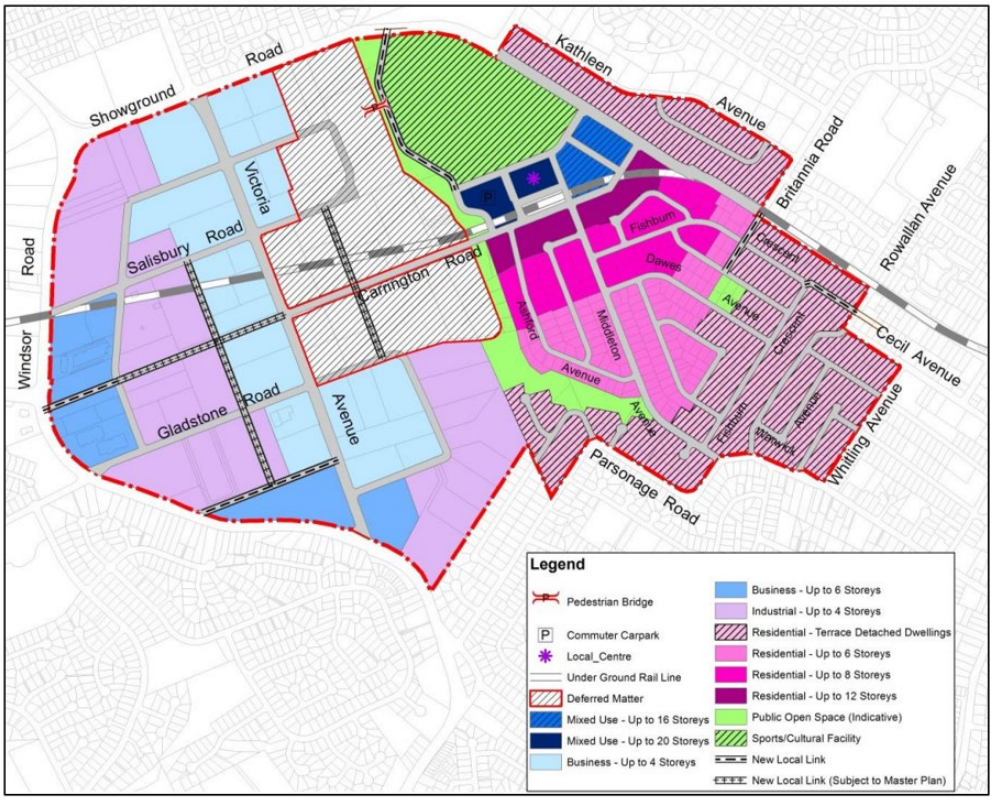

Figure 7
Existing Structure Plan

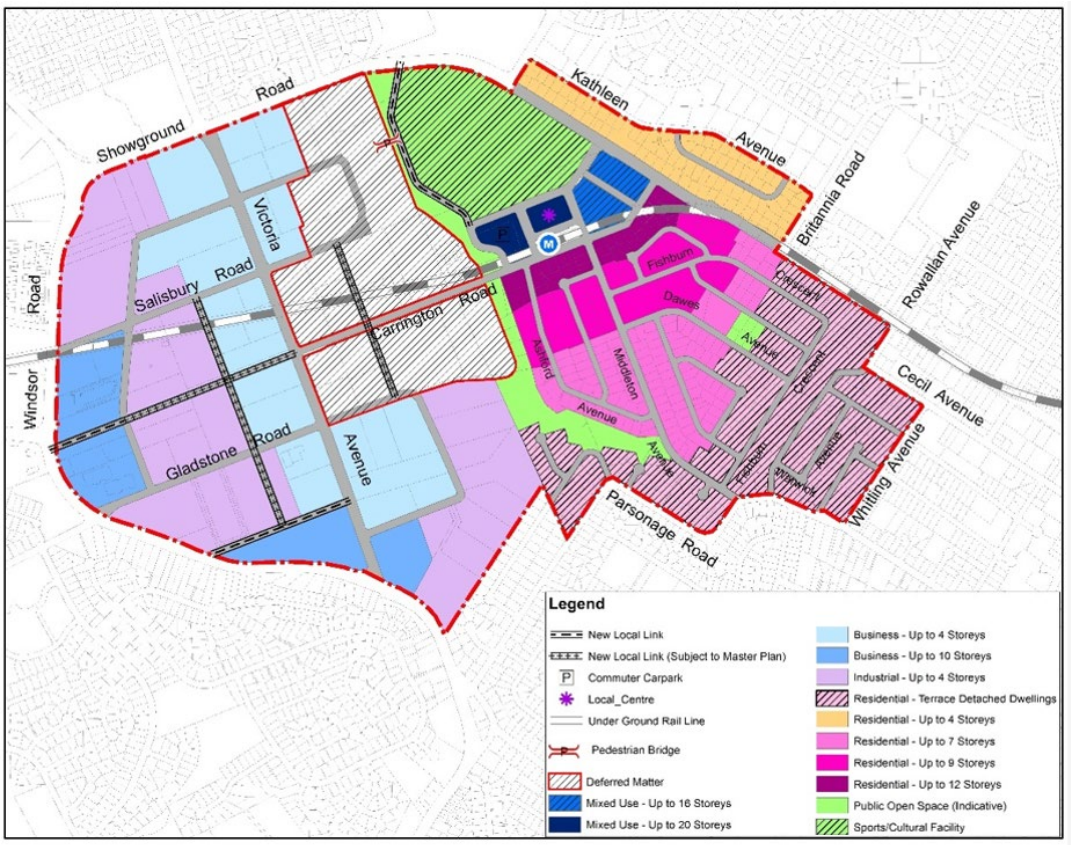

Figure 8
Proposed Structure Plan

Public Domain Plan

Associated amendments are proposed to the Showground Precinct Public Domain Plan, as follows:

a) Reflect the revised road layout and pedestrian links and removal of rear laneways within medium density land that are proposed to be amended within the DCP.

b) Extend requirement for 2m land dedication to land north of Showground Road (along Belvedere and Kathleeen Avenue) within the relevant map – reflecting the outcomes applicable in other areas of the precinct where residential flat buildings are permitted.

c) Identify the required street trees, paving and lighting type for Belvedere and Kathleen Avenue within relevant maps – reflecting the outcomes applicable in other areas of the precinct where residential flat buildings are permitted.

A copy of the Public Domain Plan with marked up amendments is provided as Attachment 2.

3. STRATEGIC MERIT CONSIDERATIONS

The planning proposal has been assessed having regard to relevant strategic merit considerations as outlined in the following policies:

a) Region Plan, District Plan, NWRL Corridor Strategy and Hills Corridor Strategy;
b) Hills Future 2036 - Local Strategic Planning Statement and Supporting Strategies;
c) Norwest Precinct Plan; and
d) Section 9.1 Ministerial Directions.

A discussion on the proposal's consistency with these policies is provided below.

a) Greater Sydney Region Plan, Central City District Plan, North West Rail Link Corridor Strategy and Hills Corridor Strategy

The abovementioned Strategies identify Norwest as a Strategic Centre, along with Castle Hill and Rouse Hill. Both Plans expect these Strategic Centres to become places that feature:

- High levels of private sector investment
- Flexibility, so that the private sector can choose where and when to invest
- Co-location of a wide mix of land uses, including residential
- High levels of amenity and walkability and being cycle friendly
- Areas identified for commercial uses and where appropriate, commercial cores.

This planning proposal does not seek to amend the land uses or yield permissible on land within the Norwest Service Precinct. Rather, it simply intends to ensure better alignment of the density and built form standards under Council's LEP to ultimately encourage development to achieve more desirable built form and urban design outcomes compared to what can be delivered under the current controls.

The purpose of the height control within Council's LEP is not to limit the density of development (this is the role of the FSR control). Rather, the height control is intended to work harmoniously with the FSR control to produce a built form that is aesthetically appropriate, and which minimises the amenity impact on surrounding land. Allowing a small increase in height will result in a more appropriate built form outcome which will in turn reduce perceived building bulk, scale and visual impact by facilitating increased setbacks, building separation and landscaping.

The Planning Proposal is considered to be consistent with the priorities and objectives contained within these Strategies and will assist in promoting superior urban design, public domain and amenity outcomes for future residents and community within the Precinct.

b) Hills Future 2036 – Local Strategic Planning Statement and supporting strategies

Council's Local Strategic Planning Statement: Hills Future 2036 (LSPS) and supporting strategies outline the Shire's 20-year vision for land use planning, population, housing, economic growth and environmental management. The LSPS establishes a structure plan, anticipated uses, and employment and residential targets for the Norwest Strategic Centre, noting approximately 11,000 additional dwellings and 23,900 additional jobs are projected by 2036. Of relevance, the Housing Strategy also notes the significance of built form design in contributing positively to well-planned and liveable neighbourhoods.

The combination of FSR and height controls put in place by the NSW Government has resulted in development being unable to achieve the maximum permitted FSR whilst also complying with the maximum building height control and other key design criteria within Council's Development Control Plan and the Apartment Design Guide. In practice, this is driving poor built form outcomes as the floor area is compressed downwards, placing pressure on other development controls and resulting in setback non-compliances, reduced building separation, bulky buildings with large floor plates, inadequate landscaped open space, excessive overshadowing and poor solar access for residents.

Internal modelling undertaken as part of the preparation of the Norwest Precinct Plan (as discussed earlier in Section 1 of this report) identified that to enable the maximum FSRs in the LEP to be achieved whilst also complying with the key urban design criteria within Council's DCP, building heights under the LEP need to be increased from between 21m – 40m to between 26.3m - 42m (depending on the FSR applicable to each site). Allowing a minor height increase

will better align the density and built form standards and result in more desirable built form and urban design outcomes compared to what could be delivered under the current controls.

For the reasons detailed above, the Planning Proposal is consistent with the LSPS.

c) Norwest Precinct Plan

The Norwest Strategic Centre Precinct Plan sets a vision for the evolution and development of Norwest over the next 20 years and beyond and identifies anticipated changes across the Strategic Centre to achieve the desired vision and outcomes. The following 'housekeeping amendments' within the Plan are of relevance to the Planning Proposal and are required to be carried out by Council.

Action C1: Showground Residential Building Heights

The Precinct Plan identifies a mismatch between the FSR and height of building controls within the LEP for the 6, 8 and 12 storey high density residential areas within the Showground Residential Area. It identifies that a Council-initiated planning proposal is required to amend the height of building controls in the Showground Residential area as follows:

- 6 storey areas to instead permit 7 storey buildings.
- 8 storey areas to instead permit 9 storey buildings.
- 12 storey areas will generally remain as 12 storeys, although the height limit (as expressed in metres) should be slightly increased to facilitate higher quality built form outcomes and ensure a 12-storey form can be compliant with the height limit (when calculated in metres).

The planning proposal gives effect to this action within Council's Precinct Plan.

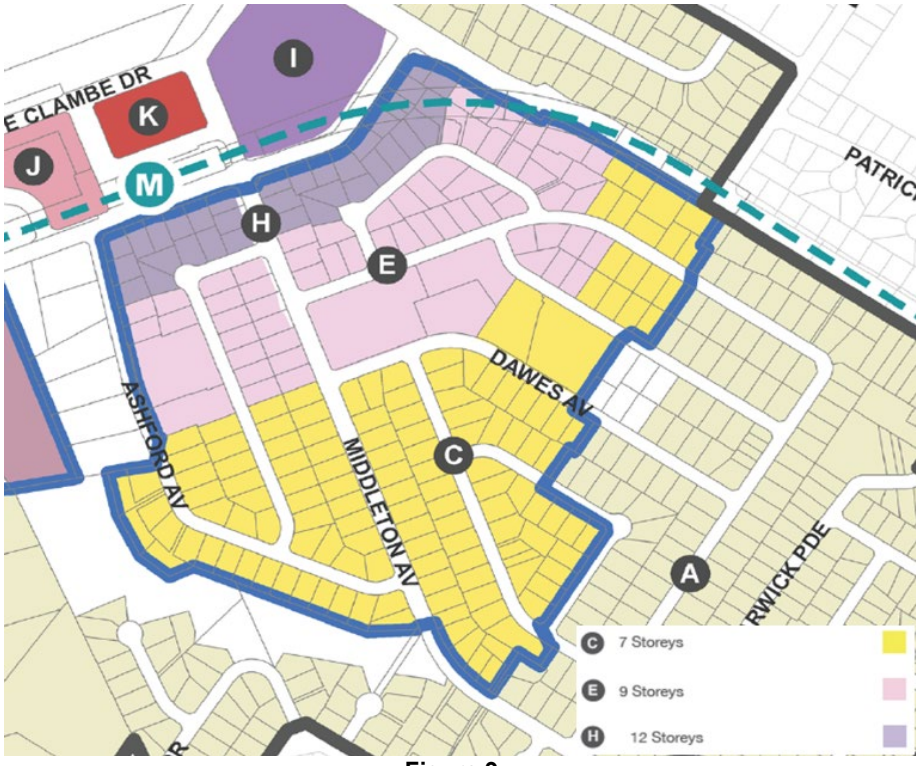

Figure 9
Extract from Norwest Precinct Plan – Proposed Built Form Map – Showground Residential

Action C3: Showground Employment Building Heights

The Precinct Plan also recognises a height mismatch for the high density employment pockets along Hudson Avenue and 1-3 Packard Avenue and 2A Victoria Avenue (identified as Area 'G' in the figure below).

The Precinct Plan recommends a Council-initiated Planning Proposal to increase the maximum height of building control from 27m to 42m (an increase from 6 storeys to 10 storeys), noting the employment FSR and objectives (2.3:1) for this land would be unable to be achieved within the 27 metres height limit that currently applies.

The planning proposal gives effect to this action within Council's Precinct Plan.

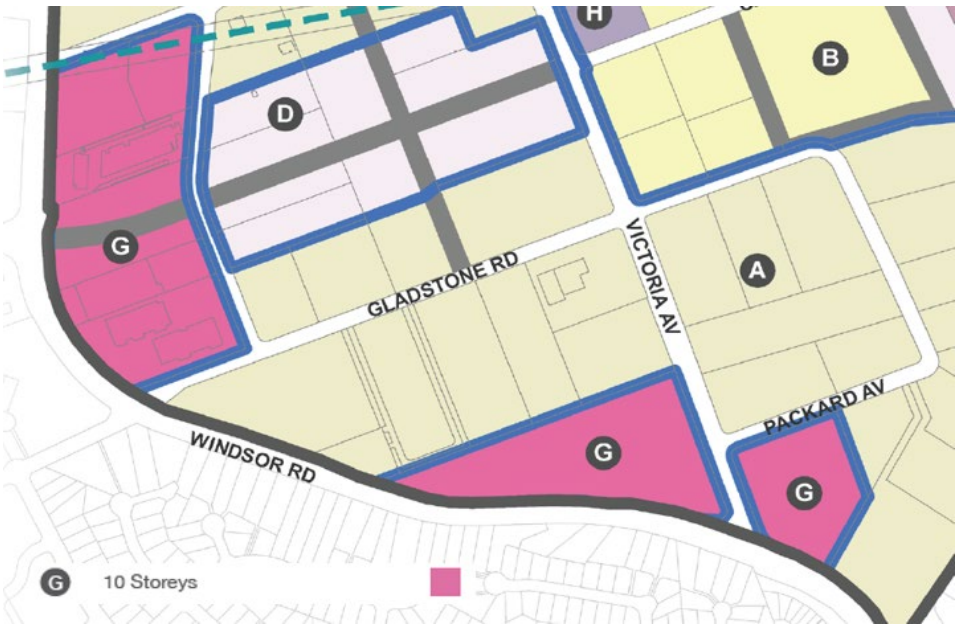

Figure 10
Extract from Norwest Precinct Plan – Built Form Map – Showground Employment

Action C2: Amendments to Local Roads, Rear Laneways and Pedestrian Links

The Precinct Plan identifies the need to amend the road layout identified in the Showground Precinct DCP as follows:

1. Replacement of proposed future road link connecting Chapman Avenue and Showground Road at the junction of Britannia Road with a pedestrian link;

2. Deletion of proposed future road link connecting Chapman Avenue and Cecil Avenue; and

3. Remove the requirement for rear laneways within medium density land.

The DCP amendments being progressed concurrent with the planning proposal will give effect to this action within Council's Precinct Plan.

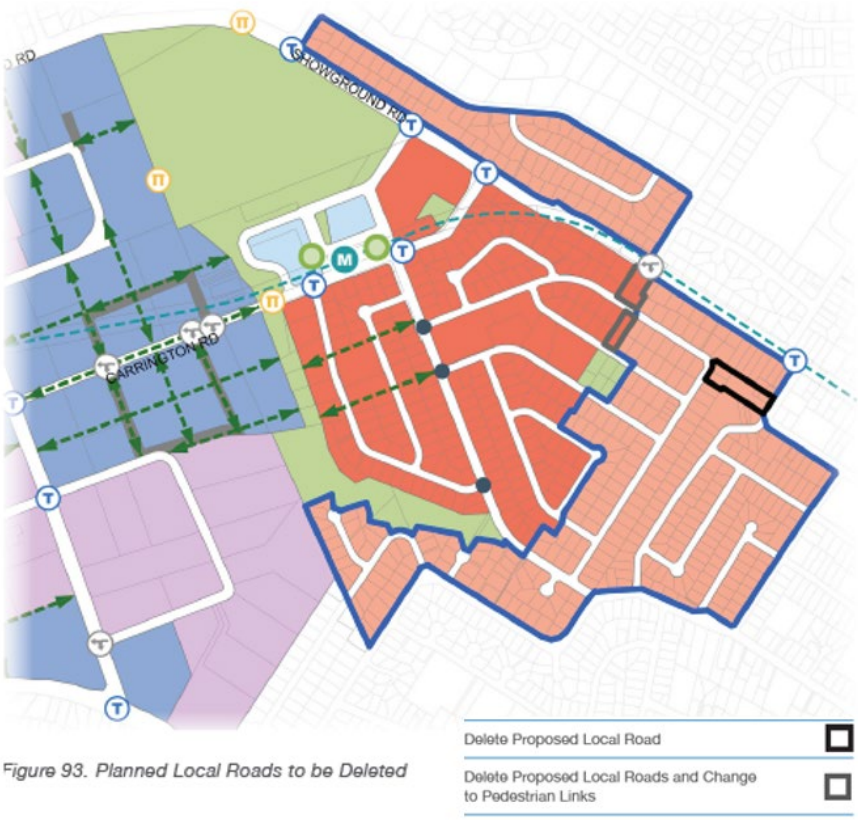

Figure 93. Planned Local Roads to be Deleted

Figure 11
Extract from the Norwest Precinct Plan – Planned Local Roads to be Deleted

As detailed above, the planning proposal will implement actions arising from Council's Norwest Precinct Plan (Actions C1, C2 and C3) by facilitating the desired number of storeys referenced within the Plan for each respective density zone. Supporting amendments proposed to The Hills DCP and Showground PDP will reflect the revised road layout and removal of rear laneway requirements for medium density residential land, giving effect to Action C2 of the Precinct Plan. The site specific merit of these changes is discussed in further detail in Section 4 of this report.

As such, the planning proposal is considered to be consistent with the Precinct Plan.

d) Section 9.1 Ministerial Directions

The following Section 9.1 Ministerial Directions are applicable to the subject planning proposal:

- *Direction 1.16 North West Rail Link Corridor Strategy*;
- *Direction 6.1 Residential Zones; and*
- *Direction 7.1 Employment Zones.*

A discussion on consistency with the Ministerial Directions are provided below.

- *Direction 1.16 North West Rail Link Corridor Strategy*

The objective of this Direction is to promote transit oriented development around the eight stations of the North West Rail Link (NWRL) and ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.

This planning proposal does not seek to amend the permissible land uses or yields as already established by the existing FSR controls put in place by Government. It simply seeks to correct a mismatch between building height and FSR controls within the LEP. The planning proposal

will facilitate more orderly development and improved built form outcomes while continuing to achieve the principles of transit oriented development.

- *Direction 6.1 Residential Zones*

The objective of this Direction is to encourage a variety and choice of housing types, provide for existing and future housing needs, make efficient use of infrastructure and minimise the impact of residential development on the environment and resource lands.

This planning proposal seeks to rectify a FSR and height mismatch within the high density residential area surrounding Hills Showground Station by increasing the maximum permitted height of buildings control. Allowing a small height increase will enable the maximum FSRs in the LEP to be achieved whilst also complying with the key urban design criteria within Council's DCP. This will encourage developments to achieve more desirable built form and urban design outcomes. Importantly, the planning proposal will not reduce the permissible yield as already established by existing FSR controls. It largely seeks to enable that the residential yields envisaged for this area can actually now be achieved, within an acceptable built form outcome.

An alternative theoretical solution to this built form problem would be to reduce the maximum permitted FSRs within the Precinct. However, this approach is highly unlikely to obtain the necessary support and approval from State Government. A reduction in the FSRs would reduce the achievable yield within the Precinct. This would be inconsistent with the current Ministerial Directions in relation to residential land and, given the current policy agenda of Government is to increase and speed-up housing supply, any proposal that seeks to restrict housing supply or reduce the capacity of land to accommodate housing is unlikely to obtain support from the Department of Planning, Housing and Infrastructure. This potential approach has *not* been pursued.

- *Direction 7.1 Employment Zones*

The objective of this Direction is to encourage employment growth in suitable locations, protect employment land in employment zones and support the viability of identified centres.

This planning proposal seeks to rectify a FSR and height mismatch by increasing the maximum permitted building heights for employment land along Hudson Avenue, 1-3 Packard Avenue and 2A Victoria Avenue. Importantly, the planning proposal will not reduce the permissible employment yield as already established by existing FSR controls. Rather, it will ensure that the planning framework applicable to this area is clear, consistent and facilitates orderly development and optimal built form outcomes.

4. SITE SPECIFIC MERIT CONSIDERATIONS

The planning proposal requires consideration of the following site-specific matters:

a) Increase in Maximum Height Limit

b) Development Control Plan and Public Domain Plan Amendments

   i. Rear Laneways, Local Roads and Pedestrian Links
   ii. Low and Mid-Rise Housing

c) Contributions Framework

a) Increase in Maximum Height Limit

The merits and benefits of increasing the maximum height limit through the planning proposal are set out within Section 1 of this report and Attachment 3 (including the testing and modelling

contained within). Noting the inability for Council to reduce the applicable FSRs and the remaining alternatives to address the identified problem, the proposed increases to the maximum building heights are the most logical and suitable pathway forward.

In this context, the changes will lead to an overall improvement in built form and urban design outcomes within the Precinct, in comparison to the outcomes being achieved under the current planning controls. Further detailed consideration of key height-related amenity outcomes such as solar access will continue to form part of the detailed development assessment process for each individual site. However, as demonstrated within the testing and modelling, further flexibility in the height limits applicable to the land as proposed will provide for greater opportunity and flexibility for developers to achieve improved design excellence and optimal urban design outcomes in comparison to the current planning settings.

b) Rear Laneways, Local Roads and Pedestrian Links

Existing DCP controls for the Showground Precinct require rear laneways to be provided on medium density residential land where terrace outcomes are anticipated. The DCP controls were developed to encourage better design in medium density development to avoid outcomes where there is excessive hard stand areas, 'gun barrel' driveways, undesirable street-address and low quality private open space.

However, further investigations have concluded that the delivery of these rear laneways is unlikely to be orderly or feasible due to the fragmented nature of land ownership. Should one lot not develop in accordance with the street network, it will prevent the provision of a rear laneway outcome for an entire street. It is also noted that some land take is required for the provision of rear laneways, which has historically made terraces a less attractive option for development than townhouses or small lot housing developments. Townhouses and small lot housing are less reliant on lot amalgamation within an urban infill context and do not require part of an amalgamated development site to be developed for laneways.

State Government planning controls also now permit various forms of medium density development as complying development, which would not need to have regard to Council's Development Control Plan or laneway requirements, meaning there are more development pathways available which do not require the provision of this coordinated road network.

A review of the local road network completed as part of the Norwest Precinct Plan also revealed that two proposed road links south of Showground Road are unlikely to be deliverable. Specifically, one of the links (between Fishburn Crescent and Cecil Avenue) is located within the medium density residential area and the additional cost of delivering this road connection, coupled with the reduced yield, will likely render redevelopment economically unviable. The link also crosses an existing strata medium density development which is unlikely to be redeveloped. The second proposed road link between Chapman Avenue and Showground Road includes a dog-leg which will impact on vehicular movement. The original intent was for the road to line-up with Britannia Road. However, this will create an isolated pocket of high density land and is unlikely to facilitate orderly development.

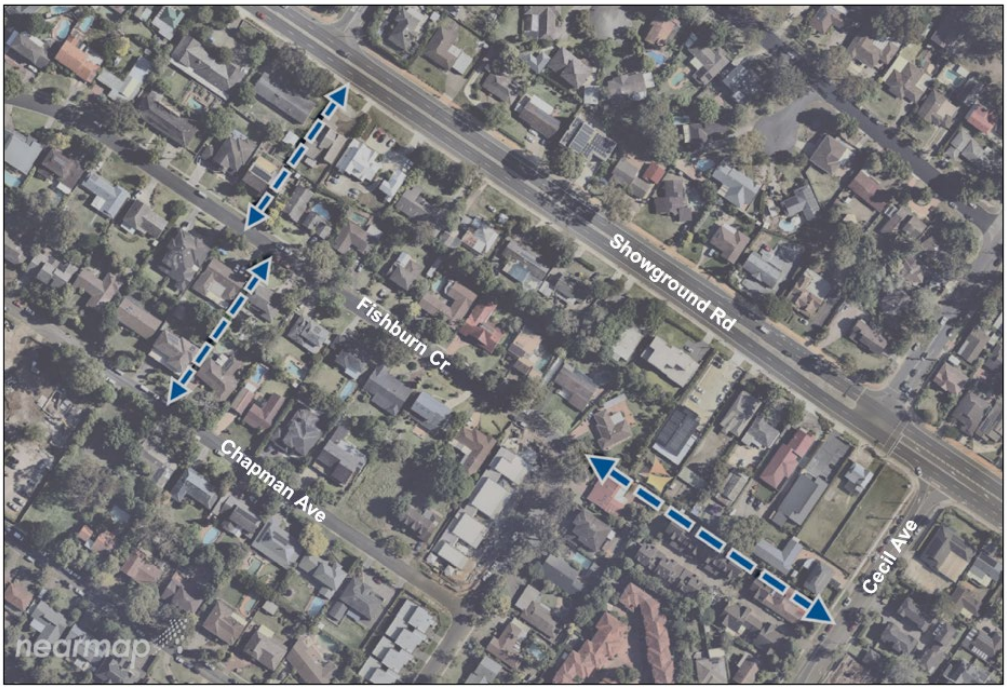

Figure 12
Location of Road Links to be Replaced or Deleted

Given the identified issues, draft amendments are proposed to The Hills DCP to remove the requirement for rear laneways on medium density residential land and the proposed future road link between Chapman Avenue and Cecil Avenue and replace the proposed road link connecting Chapman Avenue and Showground Road with a pedestrian through-site link. The removal of these proposed links is not anticipated to have an adverse impact on the road network.

It is also proposed to update the Showground PDP to reflect the revised road layout, pedestrian links and removal of rear laneways.

c) Low and Mid-Rise Housing

In light of the recent NSW Government reforms relating to low and mid-rise housing, draft amendments are proposed to the Showground Precinct section of the DCP and Showground PDP to reflect the development outcomes that are now permitted for the R3 zoned area north of Showground Avenue (along Kathleen and Belvedere Avenue) under the Housing SEPP.

The amendments to the DCP and PDP would extend the application of existing residential flat building controls to this R3 zoned area (mapped in the figure below) noting that the Housing SEPP now permits residential flat buildings of up to 4 storeys for R3 zoned areas that are within 800m walking catchment of a station. It is important that relevant development controls are applied to this land that relate to the likely development form and outcome, to assist with future development assessment.

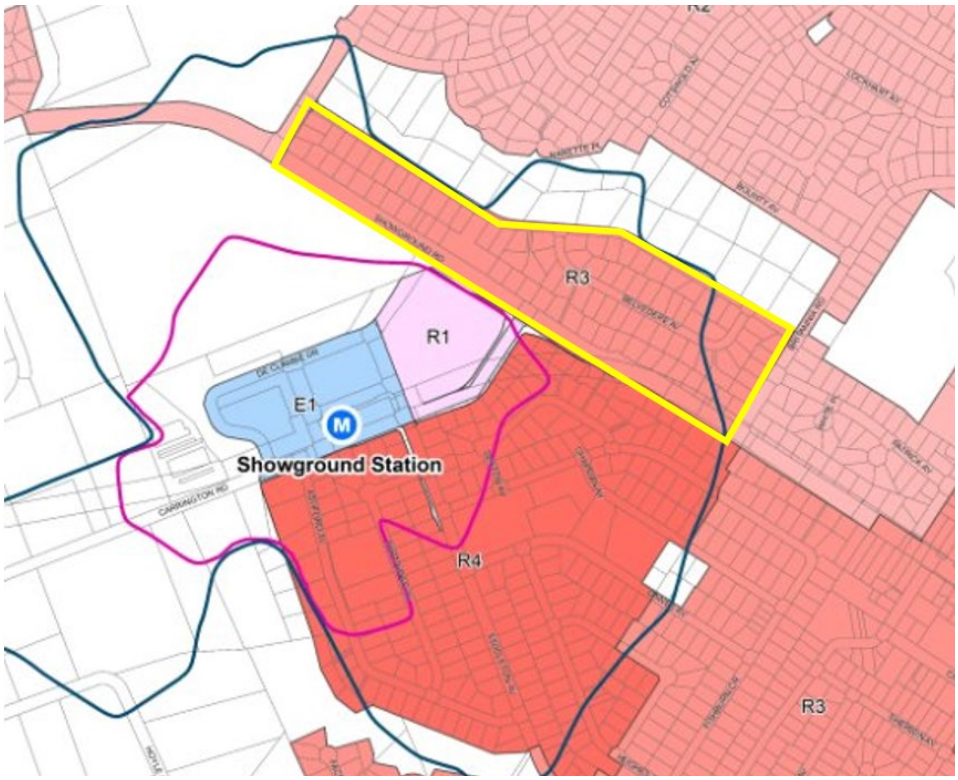

Figure 13
R3 zoned land that falls within 800m walking catchment of Showground Station (outlined in yellow)

The proposed amendments to The Hills DCP and PDP are summarised in Section 2 of this report and shown in full in Attachments 1 and 2 of this report.

d) Contributions Framework

No changes to the Contributions Framework are considered necessary in association with the proposed amendments. Whilst there will be some additional yield facilitated by the low & mid-rise housing reforms, it is more appropriate that this be considered as part of the upcoming holistic review of Contributions Plan No. 19 (CP19) which is underway and will occur as a separate project.

It is also important to note that reducing the FSRs within the Precinct (and resultant yield potential) as an alternative option to increasing building heights would have adverse implications in terms of infrastructure funding. CP19 currently applies to the Precinct and levies development to fund the delivery of local infrastructure required to support the future population. Given this framework is already now in place and development is being levied, reducing yields marginally within the Precinct would not change or reduce the value or extent of the infrastructure list needed to be provided for this precinct (such as the number of parks, playing fields or road upgrades). Accordingly, reducing the yield potential in the Precinct part way through the development cycle of the Precinct would simply reduce the extent of development which Council could levy to fund the necessary infrastructure, thereby impacting on Council's ability to recoup sufficient infrastructure contributions to fund the work program.

CONCLUSION

This planning proposal is the next step in implementing a number of 'housekeeping actions' as identified within Council's adopted Norwest Precinct Plan as well as responding to recent State Government policy reforms that will impact the Showground Precinct. The proposed amendments will ensure that the planning framework applicable to this area is clear, consistent and provides optimal built form and urban design outcomes. The planning proposal is capable of demonstrating adequate strategic and site-specific merit to warrant progression to Gateway Determination.

ATTACHMENTS

1. Draft Part D Section 19 – Showground Precinct of The Hills Development Control Plan 2012 (87 pages)
2. Draft Showground Precinct Public Domain Plan (73 pages)
3. Council Report and Resolution, 13 May 2025 (193 pages)