



IRF25/1464

Gateway determination report – PP-2025-1236

Increase the maximum height of building for certain land in Norwest Service/ Showground precinct.

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Planning proposal
Attachment B – Council report and resolution 13 May 2025
Attachment C – Local Planning Panel report and advice 18 June 2025

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	The Hills Shire
PPA	The Hills Shire Council
NAME	Norwest Service/Showground Precinct
NUMBER	PP-2025-1236
LEP TO BE AMENDED	The Hills Local Environmental Plan 2019
ADDRESS AND DESCRIPTION	Employment land along Hudson Avenue, 1 Packard Avenue and 2A Victoria Avenue and land within the R4 high-density residential area surrounding Hills Showground Station
RECEIVED	1/07/2025
FILE NO.	IRF25/1464
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The objectives of the planning proposal are to:

- Facilitate improved built form outcomes within the Norwest Service/Showground Precinct by increasing height of building controls in The Hills LEP 2019;
- Correct a height mismatch that exists between the maximum floor space ratio control and height of building control; and
- Implement actions from Council's Norwest Precinct Plan which identified a number of issues with the application of the current planning controls in these areas.

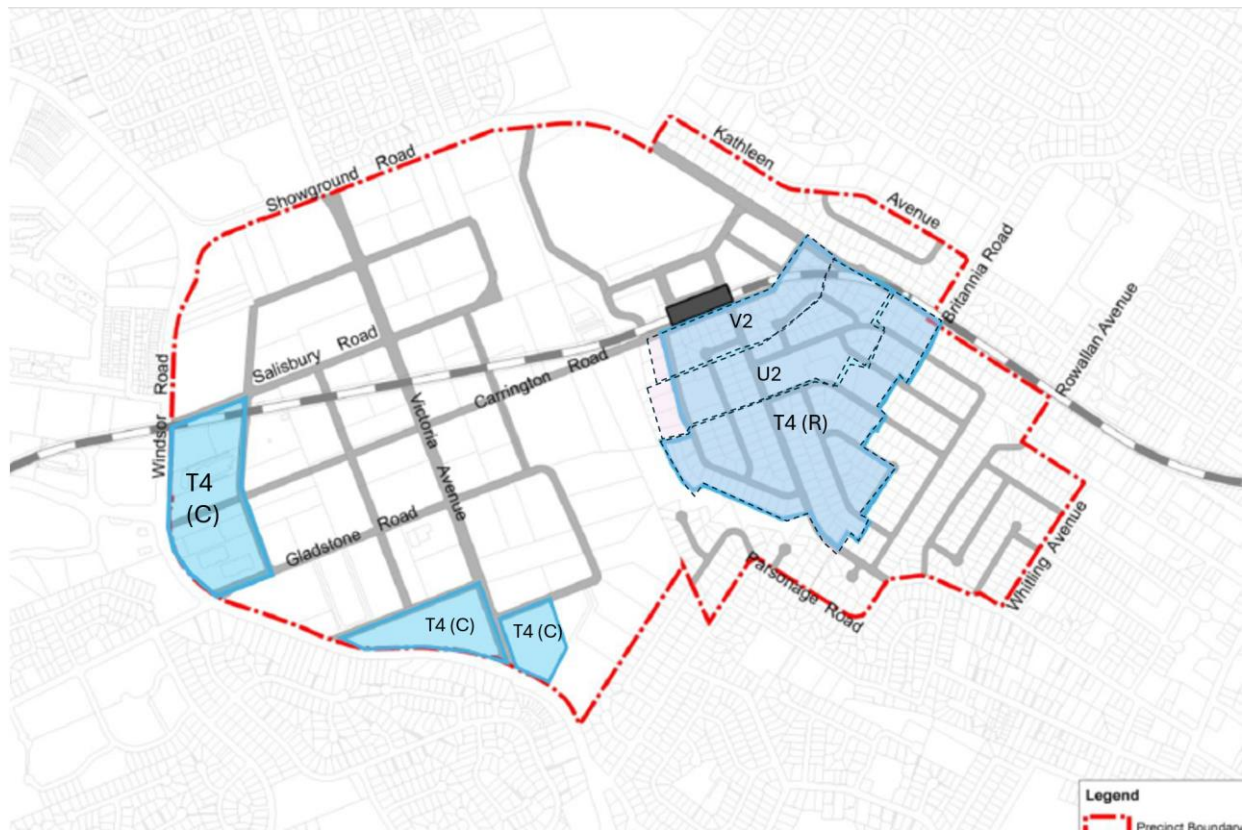
The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

1.3 Explanation of provisions

The planning proposal seeks to correct the identified mismatch between maximum incentive floor space (FSR) ratio and building height controls within the Norwest Service/Showground Precinct by increasing maximum building heights in The Hills LEP 2019, as per Table 3 below.

Table 3 Current and proposed controls.

Location (see figure 1)	Existing height of building	Proposed height of building
T4 Area (Commercial)	27m (6 storeys)	42m (10 storeys)
T4 Area (Residential)	21m (6 storeys)	26.3m (7 storeys)
U2 Area (Residential)	27m (8 storeys)	32.5m (9 storeys)
V2 Area (Residential)	40m (12 storeys)	41.8m (12 storeys)

**Figure 1 Land subject to planning proposal (source: base image from planning proposal marked up by DPHI).**

There are no proposed changes to the zoning or FSR controls. This planning proposal will not result in any additional development yield as it is set by the FSR control. It is noted the precinct was rezoned with two applicable FSRs and one HOB control. A base FSR control applies, and residential flat buildings are eligible to achieve a higher incentive FSR if it meets a minimum site area of 10,000m², minimum car parking rates and diverse apartment mix.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

Concurrent to the planning proposal, Council is also progressing amendments to local roads, rear laneways and pedestrian links in the DCP. This is not directly facilitated by the planning proposal but will complement the proposed LEP changes to create positive built form outcomes.

1.4 Site description and surrounding area

The Showground Precinct was rezoned by the Department in 2017, the location and extent of the Showground Precinct is included in the following figure. In Council's adopted Norwest Precinct Plan Showground Precinct is referred to as the "Norwest Service" area within the broader Norwest Strategic Centre.

The precinct is bound by Showground Road and Kathleen Avenue to the north, Windsor Road to the west and south and Whiting Avenue to the east and has an area of approximately 277 hectares. Generally, the precinct features:

- an employment area west of Cattai Creek, characterised by light industrial uses, specialised retail (bulky goods retail) and warehousing and;
- land east of Cattai Creek (south of Carrington Road) is a well-established low density residential area, generally comprising free-standing dwellings. The area is evolving as some high density residential developments are under construction following the NSW Government's rezoning in late 2017.

The proposal applies to employment land along Hudson Avenue, 1 Packard Avenue and 2A Victoria Avenue and land within the high-density residential area surrounding Hills Showground Station (see Figure 2). It's noted the planning proposal refers to 1-3 Packard Avenue, however only No. 1 Packard Avenue is shown in Council's mapping. The Gateway has been conditioned for the application to properties in Packard Avenue to be clarified.

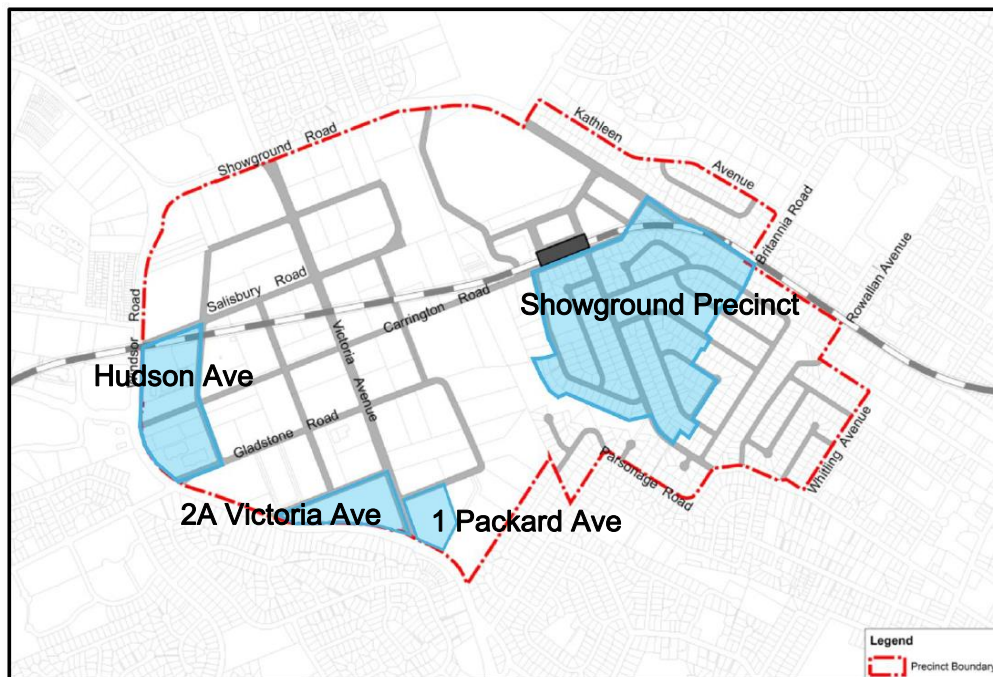


Figure 2 Land application plan (subject land shaded in blue) within the Showground/Norwest Service Precinct (source: Planning Proposal).

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to The Hills LEP 2019 maps, which are suitable for community consultation.

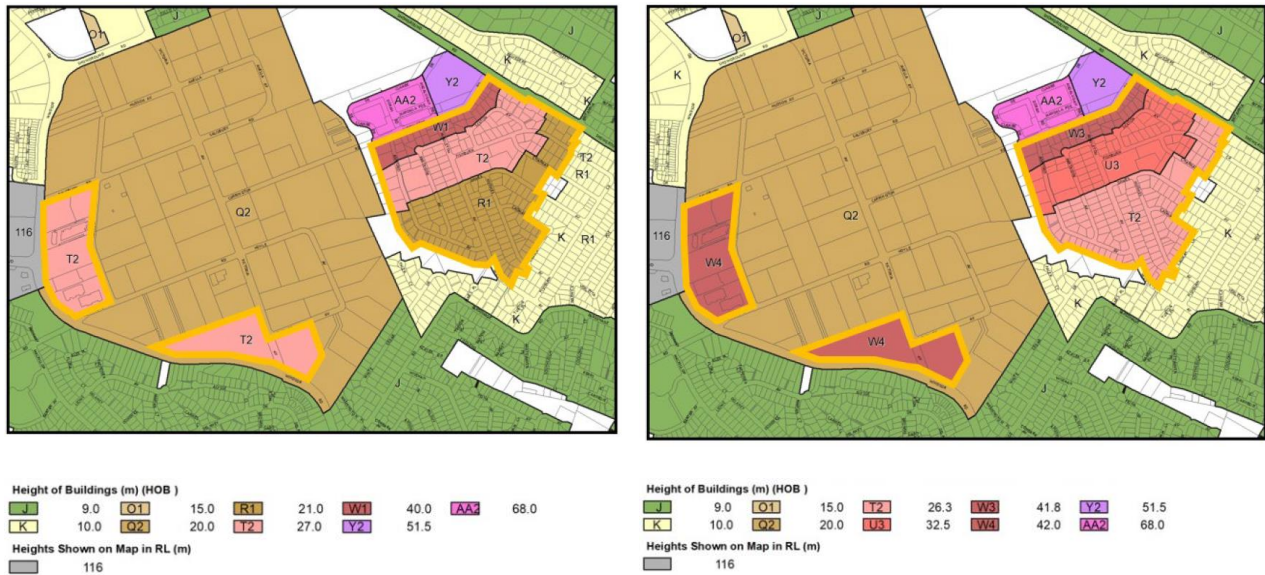


Figure 3 Existing (L) and proposed (R) height of building map.

2 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

Yes. The planning proposal facilitates amendments that are actions in Council's adopted Norwest Precinct Plan (2024).

- Action C1 – Showground residential building heights.** Correct the mismatch between the maximum incentive FSR and HOB standards for R4 high density residential areas within the Showground Residential area.

The Plan identifies the height control mismatch results in poor built form outcomes as the floor area is compressed downwards, placing pressure on other DCP and ADG controls and resulting in: setback non-compliance, reduced building separation, bulky buildings with large floor plates, inadequate landscaped open space, excessive overshadowing of open space and adjoining sites, poor solar access for residents.
- Action C3 – Showground employment area building heights.** Increase the HOB so the FSR control can be achieved in E3 productivity zoned land with maximum HOB of 27m.

The Plan identifies the mismatch of controls would lead to excessive building bulk, excessive site coverage and breaches to key development controls.

In addition to the above, the Council report (**Attachment B**) states that since the precinct was rezoned in 2017, Council has approved 10 development applications for residential flat buildings seeking to achieve the maximum incentive FSR. 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, resulting in additional storeys on the development.

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. Applications are presenting with significant issues relating to bulk and scale and fail to provide exemplary residential amenity.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Council considered alternative options to improve built form outcomes on the subject land including:

- modifying setback controls.

Council concluded that it would have minimal impact as the amount of additional FSR generally is greater than what could be accommodated in these areas and requires an additional storey. Reduced setbacks also result in worsening of built form and urban design outcomes, especially at the ground plane and public domain.

- increasing the maximum site coverage from 50% to 55%.

This would enable some of the modelling scenarios to achieve the maximum incentive FSR. Council noted while this would facilitate less technical non-compliances with the controls, it is not desirable given a 50% site coverage can result in bulky development.

- reduce the maximum permitted FSR.

Council noted there were several issues with this approach as it would reduce the achievable yield within the precinct. This would be inconsistent with current Ministerial Directions and have implications for the current Contributions Plan.

The results of these alternative options demonstrated that the maximum incentivised FSR and compliance with relevant DCP controls is not possible.

The most effective option was to amend The Hills LEP 2019 HOB controls. The planning proposal is the best way to achieve the intended outcomes for the site.

3 Strategic assessment

3.1 Regional and District Plans

The Greater Sydney Region Plan – a metropolis of three cities (the Region Plan), released by the NSW Government in 2018, integrates land use, transport and infrastructure planning and sets a 40-year vision for Greater Sydney as a metropolis of three cities. The Region Plan contains objectives, strategies and actions which provide the strategic direction to manage growth and change across Greater Sydney over the next 20 years.

Under section 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) a planning proposal is to give effect to the relevant District Plan. By giving effect to the District Plan, the proposal is also consistent with the Regional Plan. Consistency with the District Plan is assessed in section 3.2 below.

3.2 District Plan

The site is within the Central River City District and the Greater Sydney Commission released the Central River City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for liveability and productivity as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 4 District Plan assessment

District Plan Priorities	Justification
C1: Planning for a city supported by infrastructure C10: Growing investment, business opportunities and jobs in strategic centre	Priority C1 states planning decisions need to support new infrastructure. In the Central City District, many areas have already been identified for, or are experiencing, significant growth such as planned precincts along the Sydney Metro Northwest Corridor. This is pertinent in Norwest Strategic Centre, where priority C10 states employment growth is the principal underlying economic goal for strategic centres and a balance must be struck providing residential and employment opportunities. The planning proposal supports these priorities by continuing to facilitate both residential and employment growth that maximises NSW Government investment in the Sydney Metro Northwest Corridor. The planning proposal also will help streamline development assessment processes by reducing the need for case-by-case clause 4.6 variations.
C6: Creating and renewing great places and local centres and respecting the District's heritage.	This priority states that to create great places, the built environment needs to be well-designed and exhibit design excellence. The planning proposal supports this priority as it intends to ensure better alignment of the density and built form standards under Council's LEP to encourage development with a more desirable built form. It will also assist in promoting superior urban design, public domain and amenity outcomes for future residents and community within the precinct.

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 5 Local strategic planning assessment

Local Strategies	Justification
Hills Future 2036 - Local Strategic Planning Statement and Housing Strategy	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 current maximum FSR (including incentive FSR for residential areas) and HOB controls are facilitating 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. The planning proposal supports the LSPS and Housing Strategy as the proposed 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.

Norwest Precinct Plan 2024

The Norwest Precinct Plan sets a vision for the evolution and development of Norwest Strategic Centre over the next 20 years and beyond. The planning proposal directly responds to the two following actions from the Plan:

- Action C1 – Showground residential building heights. Correct the mismatch between the maximum incentive FSR and HOB standards for high density residential areas within the Showground Residential area.
- Action C3 – Showground employment area building heights. Increase the HOB so the maximum FSR control can be achieved.

3.4 Local planning panel (LPP) recommendation

The planning proposal was referred to the Local Planning Panel on 18 June 2025. The Panel supported the proposal proceeding to Gateway with no further recommendations (**Attachment C**).

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 6 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	The proposal is generally consistent with the Greater Sydney Region Plan. The proposal supports the following objectives: • Objective 10: Greater housing supply and Objective 11: Housing is more diverse and affordable. The planning proposal contributes to facilitating housing supply. • Objective 22: Investment and business activity in centres. This planning proposal will facilitate improved built form outcomes for employment floorspace. • Objective 23: The Hills LGA is identified as being within the 'review and manage' approach for industrial and urban services land. This approach supports, amongst other matters, appropriate controls to maximise business and employment outcomes. The planning proposal is consistent with this approach.
1.16 North West Rail Link Corridor Strategy	Consistent	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. The planning proposal does not seek to amend the permissible land uses or overall yields established by the existing FSR controls. It does not compromise the growth projections and proposed future character of the Showground Precinct.

6.1 Residential zones	Consistent	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. The planning proposal seeks to rectify an FSR and height mismatch within the Norwest Service Precinct by increasing the maximum permitted height of buildings control. The planning proposal does not reduce the permissible yield achievable under the existing FSR controls. It will enable the residential yields planned for in this location to be achieved within an acceptable built form outcome.
7.1 Employment zones	Consistent	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. The planning proposal does not reduce the existing employment yield planned for in this location.

3.6 State environmental planning policies (SEPPs)

The planning proposal indicates only the Housing SEPP (2021) is relevant. 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.

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, as these allow for a greater FSR and yield (up to 3.1:1) than the Low and Mid-Rise Housing Reforms. Therefore, the planning proposal does not impact the application of the SEPP on the subject land.

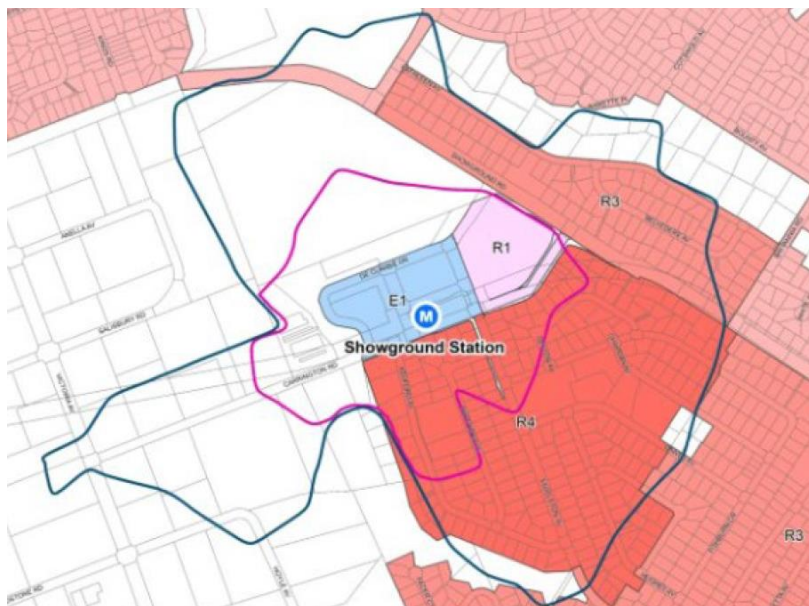


Figure 4 Showground Station walking catchments - 400m (pink) and 800m (blue) (source: Local Planning Panel Report).

The Department is satisfied with Council's assessment (**Attachment A**) and that future development can demonstrate consistency with relevant SEPPs at the DA stage.

4 Site-specific assessment

4.1 Urban design testing

4.1.1 Residential heights

Council undertook some internal testing and modelling of FSR and height standards as part of the preparation of its Norwest Precinct Plan to understand the extent of the mismatch between development standards. 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 2
Basic testing of height non-compliances utilising ADG guidance heights

Figure 5 Council's basic testing of height non-compliances (Source: Planning Proposal)

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.

Department assessment

The planning proposal demonstrates sufficient justification for the proposed amendment. The Department also notes the commentary under 'Section 2 Need for the Proposal' of this report which refers to the types of poor built form outcomes including reduced building separation, bulky buildings with larger floor plates, inadequate landscaped open space.

4.1.2 Commercial FSR and HOB

Council undertook similar urban design testing for the commercial land along Windsor Road. 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).

Department assessment

The planning proposal demonstrates sufficient justification for the proposed amendment.

4.2 Environmental

Due to the nature of the planning proposal, critical habitat or threatened species, populations or ecological communities or their habitats will not be adversely affected as a result of this planning proposal.

4.3 Social and economic

There are no direct social and economic impacts associated with the planning proposal.

4.4 Infrastructure

The planning proposal will not reduce the permissible yield as already established by existing floor space ratio controls. No assessment of the proposal's impact on infrastructure is required.

5 Consultation

5.1 Community

The planning proposal is categorised as a standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination. This does not preclude Council from exhibiting the planning proposal for 28 days, as suggested in the planning proposal.

5.2 Agencies

The planning proposal seeks a minor increase in the height of building standard for some land in the Showground/Norwest Service Precinct and does not result in additional residential or commercial yield. Agency consultation is not considered necessary for this proposal.

6 Timeframe

Council proposes a 8 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

The Department recommends an LEP completion date of 30 March 2026 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal is minor in nature the Department recommends that Council is authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed for the following reasons:

- The proposal has demonstrated strategic merit being consistent with objectives and priorities of the Central River City District Plan as it will continue to facilitate employment and residential growth in the Norwest Strategic Centre.
- The proposal directly responds to the priorities in The Hills Shire Local Strategic Planning Statement and adopted Norwest Precinct Plan.
- It is not considered to have significant adverse impacts including environmental, social, economic, traffic and infrastructure impacts.

- The proposal will result in improved built form outcomes and design excellence in Norwest Service/Showground Precinct.
- The proposal will result in a more streamlined development assessment process

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated to:
 - Clarify the application of the planning proposal to 1-3 Packard Avenue.
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 30 March 2026 be included on the Gateway.



28.07.2025

Elizabeth Kimbell

Manager, Local Planning and Council Support



1 August 2025

Tina Chappell

Director, Local Planning and Council Support (Central, West and South)

Assessment officer

Gabrielle Coleman

Senior Planning Officer, Local Planning and Council Support