



New South Wales

State Environmental Planning Policy Amendment (Showground Station Precinct) 2017

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

Minister for Planning

State Environmental Planning Policy Amendment (Showground Station Precinct) 2017

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Showground Station Precinct) 2017*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Maps

The maps adopted by the following environmental planning instruments are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Policy:

- (a) *State Environmental Planning Policy (State and Regional Development) 2011*,
- (b) *The Hills Local Environmental Plan 2012*.

4 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of State Environmental Planning Policy (State and Regional Development) 2011

Schedule 2 State significant development—identified sites

Insert after clause 13:

14 Development at Showground Station Precinct Site

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:

- (a) a principal subdivision establishing major lots or public domain areas,
or
- (b) the creation of new roadways and associated works.

Schedule 2 Amendment of The Hills Local Environmental Plan 2012

[1] Part 9

Insert after Part 8:

Part 9 Showground Station Precinct

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

Despite any other provision of this Plan, development consent may be granted to development on a lot within the Showground Station Precinct in a zone shown in Column 2 of the table to this clause for a purpose shown in Column 1 of the table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the table.

Column 1	Column 2	Column 3
Residential flat building with a building height of 21 metres or more	Zone R1 General Residential	3,600 square metres
	Zone R4 High Density Residential	3,600 square metres
	Zone B2 Local Centre	3,600 square metres
Residential flat building with a building height of less than 21 metres	Zone R1 General Residential	1,800 square metres
	Zone R4 High Density Residential	1,800 square metres
Shop top housing with a building height of 21 metres or more	Zone R1 General Residential	3,600 square metres
	Zone R4 High Density Residential	3,600 square metres
	Zone B2 Local Centre	3,600 square metres
Shop top housing with a building height of less than 21 metres	Zone R1 General Residential	1,800 square metres
	Zone R4 High Density Residential	1,800 square metres
	Zone B2 Local Centre	1,800 square metres

9.2 Site area of proposed development includes dedicated land

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

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

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 Setback Map.

9.4 Development requiring the preparation of a development control plan

- (1) The objective of this clause is to ensure that development within the Showground Station Precinct occurs in accordance with a site-specific development control plan.

- (2) Development consent must not be granted for development on land within the Showground Station Precinct unless:
 - (a) a development control plan that provides for the matters specified in subclause (3) 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.
- (3) The development control plan must provide for all of the following:
 - (a) design principles drawn from an analysis of the site and its context,
 - (b) distribution of land uses, including open space (its function and landscaping) and environment protection areas,
 - (c) heritage conservation, including both Aboriginal and European heritage,
 - (d) encouraging sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network and car parking provision, including integrated options to reduce car use,
 - (e) the impact on, and improvements to, the public domain,
 - (f) identification and conservation of native flora and fauna habitat and habitat corridors on the site, including any threatened species, populations or ecological communities,
 - (g) the application of the principles of ecologically sustainable development,
 - (h) identification, extent and management of watercourses, wetlands and riparian lands and any buffer areas,
 - (i) environmental constraints, including climate change, acid sulfate soils, flooding, contamination and remediation,
 - (j) opportunities to apply integrated natural water-cycle design and integrated renewable energy design.

9.5 Design excellence

- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
- (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 unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors,

- (d) whether the development detrimentally impacts on any land protected by solar access controls established in the development control plan referred to in clause 9.4,
- (e) the requirements of the development control plan referred to in clause 9.4,
- (f) how the development addresses the following matters:
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (x) the impact on, and any proposed improvements to, the public domain,
 - (xi) the impact on any special character area,
 - (xii) achieving appropriate interfaces at ground level between the building and the public domain,
 - (xiii) excellence and integration of landscape design.
- (5) In addition, development consent must not be granted to development to which this clause applies unless:
 - (a) if the development is in respect of a building that is, or will be, higher than 11 metres or 3 storeys (or both) but not higher than 66 metres or 20 storeys (or both):
 - (i) a design review panel reviews the development, and
 - (ii) the consent authority takes into account the findings of the design review panel, or
 - (b) if the development is in respect of a building that is, or will be, higher than 66 metres or 20 storeys (or both):
 - (i) an architectural design competition is held in relation to the development, and
 - (ii) the consent authority takes into account the results of the architectural design competition.
- (6) Subclause (5) (b) does not apply if:
 - (a) the NSW Government Architect certifies in writing that an architectural design competition need not be held but that a design review panel should instead review the development, and
 - (b) a design review panel reviews the development, and
 - (c) the consent authority takes into account the findings of the design review panel.

(7) In this clause:

architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.

Design Excellence Guidelines means the Design Excellence Guidelines issued by the Secretary and as in force at the commencement of this clause.

design review panel means a panel of 3 or more persons established by the consent authority for the purposes of this clause and approved by the NSW Government Architect.

9.6 Active street frontages in Zones R1 and B2

- (1) This clause applies to land within the Showground Station Precinct identified as “Active street frontage” on the Active Street Frontages Map.
- (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.
- (3) Despite subclause (2), an active street frontage is not required for any part of a building that is used for any of the following:
 - (a) entrances and lobbies (including as part of mixed use development),
 - (b) access for fire services,
 - (c) vehicular access.

9.7 Residential development yield on certain land

- (1) This clause applies to development that involves the erection of one or more buildings that contain dwellings on land within the Showground Station Precinct.
- (2) Despite clause 4.4, the consent authority may consent to development to which this clause applies with a floor space ratio that does not exceed the increased floor space ratio identified on the Floor Space Ratio Incentive Map, if the consent authority is satisfied that:
 - (a) no more than 30% of the total number of dwellings (to the nearest whole number of dwellings) on the site of the proposed development are to be studio or 1 bedroom dwellings, or both, and
 - (b) at least 20% of the total number of dwellings (to the nearest whole number of dwellings) on the site of the proposed development are to be 3 or more bedroom dwellings, and
 - (c) at least 20% of all 2 bedroom dwellings on the site of the proposed development will have a minimum internal floor area of 110 square metres, and
 - (d) at least 20% of all 3 bedroom dwellings on the site of the proposed development will have a minimum internal floor area of 135 square metres, and
 - (e) the following minimum number of car parking spaces are to be provided on the site of the proposed development:
 - (i) for each dwelling—1 car parking space, and
 - (ii) for every 5 dwellings—1 car parking space, in addition to the car parking space required for the individual dwelling.
- (3) In this clause:

internal floor area does not include the floor area of any balcony.

[2] Dictionary

Insert in alphabetical order:

Setback Map means The Hills Local Environmental Plan 2012 Setback Map.

Showground Station Precinct means the land identified as “Showground Station Precinct” on the Sydney Metro Northwest Map.