

24 May 2024

Megan Munari
Acting Manager, Forward Planning
The Hills Shire Council
3 Columbia Court, Norwest

Dear Megan,

Norwest Marketown Planning Proposal (4/2024/PLP)

We write on behalf of Norwest City Pty Limited (Mulpha), the proponent for the Marketown Planning Proposal relating to 4-6 Century Circuit seeking changes to The Hills Local Environmental Plan 2019 to redevelop the site into a contemporary transit-oriented and mixed use precinct.

This letter has been prepared in response to a Request for Information (RFI) received from The Hills Shire Council (Council) on 26 April 2024 on 4/2024/PLP which details requests made by the Local Planning Panel on 17 April 2024. Two meetings were subsequently held. The first was held on 9 May 2024 with Council and Mulpha's project team to discuss the RFI. Subsequent email correspondence was received from Council which provided more information relating to the matters raised by the LPP. The second meeting was held on 20 May 2024 with Council and Mulpha's project team to discuss the matters relating to the VPA specifically.

Mulpha commends Council's prompt assessment of the Planning Proposal and look forward to working collaboratively following Gateway. Separate correspondence relating to the Voluntary Planning Agreement will be issued to Council in due course.

Council's request and responses to each of the items is provided in **Table 1** below. This letter is also accompanied by the following documents:

- Design Response Package prepared by FJC (**Attachment A**);
- Updated Draft Development Control Plan prepared by Ethos Urban (**Attachment B**);
- Stormwater Statement prepared by Egis (**Attachment C**); and
- Traffic Statement prepared by Gennaoui Consulting (**Attachment D**).

Table 1 **Response to The Hills Shire Council's Request for Further Information**

Council comment	Response
<p>1. The planning proposal has adequate strategic merit and the capability to demonstrate adequate site-specific merit to warrant progression to Gateway Determination, subject to the following matters being resolved to Council's satisfaction:</p> <p>a. Amendments to the proposed built form concepts to demonstrate achievement of the following urban design and amenity outcomes:</p>	
<p>i. Improved landscaping and public domain treatments along the site's interface with Norwest Boulevard, which may potentially require increased setback distance;</p>	<p>The submitted Landscape Drawings capture the landscaping intent for Norwest Boulevard. It is acknowledged that the renders which were provided within the Design Report did not show the correct kerb line, trees and planting beds. In addition to the colonnade provided in the Indicative Reference Scheme, a clear width of 7.5m is achieved from the proposed building line to the existing kerb line. The Design Response Package illustrates the tree trunks can fit within the site to achieve the vision of the Planning Proposal. Refer to Attachment A for further information.</p>
<p>ii. Maximum residential tower floor plate of 750m² (rather than 1,050m²);</p>	<p>It should be noted that the maximum floor plate of 1,050m² refers to Gross Building Area which equates to 750m² Gross Floor Area, based on the assumption of 75% efficiency.</p>
<p>iii. Maximum podium length of 65 metres (rather than 84 metres);</p>	<p>The Design Response Package at Attachment A provides an illustration of how the indicative reference scheme can accommodate a maximum continuous podium length of 65m. The Draft Development Control Plan has been updated accordingly and will guide future detailed development applications (refer to Attachment B).</p>
<p>iv. Maximum tower length of 50 metres (rather than 63 metres);</p>	<p>Council has noted the comment regarding the tower lengths relates specifically to the residential flat buildings and the implications of façade lengths on residential amenity. The residential floorplates have been designed to minimise mid-morning shadow to the public domain and to maximise solar to apartments.</p> <p>The Design Response Package at Attachment A provides an illustration of how the indicative reference scheme can accommodate a maximum continuous tower length of 50m. The Draft Development Control Plan has been updated accordingly and will guide future detailed development applications (refer to Attachment B).</p>
<p>v. Minimum tower setbacks above podium of 5 metres (rather than 1.5 metres);</p>	<p>A minimum tower setback above podium of 5m is not considered necessary and will impact tower floorplate sizes. Alternatively, a minimum tower setback of 3m is proposed for residential and mixed use buildings. An additional 2m waistline setback to the floor directly above the podium level is also proposed to the long frontage of each buildings. The waistline setback of 5m will provide for a break in the built form and allow for sunlight access to podium rooftop communal open</p>

		space. Further information is provided in the Design Response Package at Attachment A .
vi.	Minimum building separation of 24 metres above 8 storeys (rather than 20 metres);	It is the intention that all residential components of the Planning Proposal and the associated Indicative Reference Scheme align with the building separation requirements of the Apartment Design Guide. The Indicative Reference Scheme provides for one specific building typology which will be subject to further detailed design to ensure adequate building separation is achieved dependant on the location of habitable and non-habitable rooms within the respective buildings. Refer to the Design Response Package at Attachment A .
vii.	Adequate private communal open space to service residential development, separate to the proposed publicly accessible open space;	It should be noted that residents will have access to communal facilities within each of the residential flat buildings. Future development applications will be subject to achieving consistency against the Apartment Design Guide which guides the provision of communal open space within residential development. Notwithstanding, indicative zones for indoor and outdoor communal facilities at podium rooftop level have been identified within the Design Response Package at Attachment A .
viii.	Adequate solar access to Norwest Station Site, communal open space and public domain areas at the ground plane;	The proposed built form envelopes have been arranged to optimise solar access to public open space, public domain areas and Norwest Station. The primary open space (Lakeshore Green) and pedestrian lanes will receive full sunlight between 9am and 10am on 21 June. Eat Street will be afforded morning sunlight from 8am, making the space a popular spot to pick up a coffee or breakfast at the start of the day. Between 11am and 1pm, the Lakeshore Green continues to receive full sun. At 2pm, the Lakeshore Green solar access is reduced however new areas of public domain adjacent Century Circuit will be afforded sunlight. Norwest Station site will be afforded generous sunlight outside of the station and into the station hall through the roof skylights. Full sunlight is provided to the area between 9am and 10am. The amount of solar access provided to the Norwest Station site begins to diminish from 12pm onwards. Illustrations of the solar access provided to both the Planning Proposal site and the Norwest Station site are provided within the Design Response Package at Attachment A .
b.	Submission of a revised Flooding Assessment Study, which more accurately considers the stormwater catchment area (including taller building forms) as well as further information regarding proposed measures to improve the water quality of Norwest Lake.	A Flooding Statement has been prepared by Egis responding to the matters raised by Council relating to stormwater. Refer to Attachment C .
	<p>Additional information provided via email correspondence:</p> <p>The assessment of the proposal from a flooding perspective is generally satisfactory, noting that the Stormwater Management Report concludes that without on-site detention, in a 1% Annual Exceedance Probability event, the planning proposal would increase flood levels in Norwest Lake by 10mm and</p>	

would not have a negative impact on any surrounding properties. However, the Stormwater Management Report has not accounted for the increase in stormwater catchment, as taller buildings increase the aerial coverage for rain capture. Wind which blows rain horizontally against the vertical walls of the high-rise building will cause the site to capture more rainfall than the plan catchment area. Based on the recommendation of AS/NZS 3500.3, the effective catchment area considered in the hydrologic calculations is to be increased by 50% of the exposed building walls. The Stormwater Management Report should be amended to consider the larger stormwater catchment areas of the proposed high-density development.

The planning proposal material is inconsistent in regard to the proposed stormwater detention and treatment measures. The Stormwater Management Report includes either two separated On-Site Detention (OSD) systems or a bioretention basin to treat stormwater before discharging into the Lake. Council typically prefers development to include one centralised or integrated OSD system to manage the quantity and quality of stormwater to facilitate easy monitoring and maintenance. At the development application stage, further flooding and stormwater studies will be required to include higher potential flood events, further analysis on the existing storage capacity of the lake, consideration of existing Sydney Water sewer manholes located near the lakefront and a Flood Emergency Plan.

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- c. Submission of a revised Traffic Study that utilises an appropriate traffic generation model and assess the cumulative traffic impacts of surrounding planned developments.

A Traffic Statement has been prepared by Gennaoui Consulting Pty Ltd responding to the matters raised by Council relating to traffic. Refer to **Attachment C**.

Additional information provided via email correspondence:

The Traffic and Parking Study does not utilise an appropriate traffic generation model and does not assess the cumulative traffic impacts of any surrounding planned developments. In particular, the SIDRA modelling will need to be undertaken as a network model, rather than individual intersections, in order to appropriately determine the impacts of the development. The study will need to specify appropriate signal phasing and cycle times and provide clarity regarding the future year scenarios and how the background traffic growth was calculated. Typically, TfNSW require 10 year and 20 year post development operation models, which has not been provided. The discounted traffic generation rates used for some of the uses have not been explained or justified and are not able to be supported without appropriate justification, such as comparisons to similar development. The level of service tables included in Appendix D require further explanation. Once a revised model is prepared, the SIDRA modelling file will need to be provided to Council for review. Clarification is needed regarding the proposed left turn lane from Brookhollow Avenue onto Norwest Boulevard and the impact of its improvements of the operation of the

intersection and its likelihood of it being delivered, noting that it will require land that is not part of the planning proposal site.

An updated Traffic Study is required to further understand the impact of the proposed development on the surrounding road network. This would need to be prepared in consultation with, and assessed by, Transport for NSW, which would occur as part of the public agency consultation phase should a Gateway Determination be issued. This would also need to account for the outcomes of ongoing regional traffic modelling being completed by State Government, to confirm the capacity of the road network to accommodate this development, as well as the necessary upgrades and apportionment of costs to this development.

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- d. Revision of the draft site-specific Development Control Plan to include additional controls in relation to built form, landscaping, solar access and traffic, as well as the matters identified in Item 1 a) of this recommendation.

Amendments have been made to Section 4.2 (Built Form) of the Draft Development Control Plan to respond to the items raised by Council Refer to **Attachment D**.

- e. Revision of the Voluntary Planning Agreement offer to provide further clarity and sufficiently address infrastructure demand arising from the planning proposal. The Panel notes that there is significant work remaining to resolve the infrastructure necessary to support the proposal and provide appropriate community infrastructure. The Voluntary Planning Agreement Offer should reflect the true value of the proposed items and provide clear differentiation between what is a public benefit associated with the proposal versus the works that are simply a consequence of undertaking development.

Separate correspondence will be provided to Council in due course responding to the matters related to the Voluntary Planning Agreement.

We trust the above and attached documentation is sufficient to allow Council to enable the Planning Proposal to be sent to the Department of Planning, Housing and Infrastructure for Gateway Determination. Should you require anything further, please do not hesitate to contact the undersigned.



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