

LOCAL PLANNING PANEL – THE HILLS SHIRE COUNCIL

DETERMINATION OF THE HILLS LOCAL PLANNING PANEL ON 17 APRIL 2024

PRESENT:

Pamela Soon	Chair
Elizabeth Kinkade	Expert
Patrick Hurley	Expert
Alan Haselden	Community Representative

DECLARATIONS OF INTEREST:

NIL

Elizabeth Kinkade declared a non-significant non-pecuniary interest for Item 2

COUNCIL STAFF:

The Panel were briefed by the following Council Staff on 17 April 2024:

Nicholas Carlton	-	Manager – Forward Planning
Megan Munari	-	Principal Coordinator, Forward Planning
Dragana Strbac	-	Senior Town Planner
Emma Langan	-	Senior Town Planner

**ITEM 1: LOCAL PLANNING PANEL – PLANNING PROPOSAL – NORWEST
MARKETOWN – 4-6 CENTURY CIRCUIT, NORWEST (4/2024/PLP)**

COUNCIL OFFICER'S RECOMMENDATION:

The planning proposal proceed to Gateway Determination.

PANEL'S ADVICE:

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:
 - a) Amendments to the proposed built form concepts to demonstrate achievement of the following urban design and amenity outcomes:
 - (i) Improved landscaping and public domain treatments along the site's interface with Norwest Boulevard, which may potentially require increased setback distance;
 - (ii) Maximum residential tower floor plate of 750m² (rather than 1,050m²);
 - (iii) Maximum podium length of 65 metres (rather than 84 metres);
 - (iv) Maximum tower length of 50 metres (rather than 63 metres);
 - (v) Minimum tower setbacks above podium of 5 metres (rather than 1.5 metres);
 - (vi) Minimum building separation of 24 metres above 8 storeys (rather than 20 metres);
 - (vii) Adequate private communal open space to service residential development, separate to the proposed publicly accessible open space;
 - (viii) Adequate solar access to Norwest Station Site, communal open space and public domain areas at the ground plane;
 - 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.
 - c) Submission of a revised Traffic Study that utilises an appropriate traffic generation model and assess the cumulative traffic impacts of surrounding planned developments.
 - 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.
 - 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.

VOTING:

Unanimous

ITEM **LOCAL PLANNING PANEL – PLANNING PROPOSAL – NORWEST MARKETOWN – 4-6 CENTURY CIRCUIT, NORWEST (4/2024/PLP)**

THEME: Shaping Growth

MEETING DATE: 17 APRIL 2024

LOCAL PLANNING PANEL

GROUP: SHIRE STRATEGY

SENIOR TOWN PLANNER

AUTHOR: EMMA LANGAN

RESPONSIBLE OFFICER: **MANAGER – FORWARD PLANNING**
NICHOLAS CARLTON

PURPOSE

This report presents the planning proposal for land at 4-6 Century Circuit, Norwest ('Norwest Marketown') (4/2024/PLP) to the Local Planning Panel (LPP) for advice in accordance with Section 2.19 of the Environmental Planning and Assessment Act 1979. The planning proposal seeks to facilitate a high-density mixed-use development comprising 117,330m² of retail and commercial floor space and up to 854 residential dwellings within a built form of up to 36 storeys, as well as a 6,000m² publicly accessible park adjoining Norwest Lake.



RECOMMENDATION

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:
 - a) Amendments to the proposed built form concepts to demonstrate achievement of the following urban design and amenity outcomes:
 - (i) Improved landscaping and public domain treatments along the site's interface with Norwest Boulevard, which may potentially require increased setback distance;
 - (ii) Maximum residential tower floor plate of 750m² (rather than 1,050m²);
 - (iii) Maximum podium length of 65 metres (rather than 84 metres);
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 - (vi) Minimum building separation of 24 metres above 8 storeys (rather than 20 metres);

- (vii) Adequate private communal open space to service residential development, separate to the proposed publicly accessible open space;
- (viii) Adequate solar access to Norwest Station Site, communal open space and public domain areas at the ground plane;

- 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.
- c) Submission of a revised Traffic Study that utilises an appropriate traffic generation model and assess the cumulative traffic impacts of surrounding planned developments.
- 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.
- e) Revision of the Voluntary Planning Agreement offer to provide further clarity and sufficiently address infrastructure demand arising from the planning proposal.

Proponent	Ethos Urban on behalf of Mulpha
Owner	Mulpha
Planning Consultant	Ethos Urban
Urban Design and Architecture Consultant	Fjcstudio
Economic and Social Impact Consultant	WSP
Social Strategy Consultant	Cred Consulting
Visual Impact Consultant	AE Design Studio
Transport Consultant	Gennaoui Consulting
Landscape Consultant	Realm Studios
Utilities Consultant	J.Wyndham Prince
Geotechnical Consultant	Geotechnique
Stormwater Consultant	EGIS
Heritage Consultant	Advisian
Wind Consultant	Windtech
Infrastructure Consultant	GLN
Sustainability Consultant	Finding Infinity
Survey Consultant	Land Partners
Quantity Surveyor Consultant	Rider Levett Bucknall
Site Area	4.65 hectares
List of Relevant Strategic Planning Documents	Greater Sydney Region Plan Central City District Plan Section 9.1 Ministerial Directions North West Rail Link Corridor Strategy The Hills Corridor Strategy

	Local Strategic Planning Statement and Supporting Strategies Draft Norwest Precinct Plan
Political Donation	None Disclosed

1. STRATEGIC CONTEXT

A comparison between the outcomes envisaged under the Local Strategic Planning Statement (LSPS), Corridor Strategies, draft Norwest Precinct Plan and the planning proposal is shown in Table 1 below.

	LSPS	NWRL Corridor Strategy	Hills Corridor Strategy	Draft Norwest Precinct Plan¹	Proposed
Land Use	Mixed Use	Local Centre	Mixed Use	Mixed Use	MU1 Mixed Use SP2 Infrastructure (Drainage) (retained)
Height	N/A ²	N/A ²	22 storeys	8 – 35 storeys	5 – 36 storeys
FSR	N/A ²	2:1 - 4:1 ³	4.7:1 53% employment / 47% residential	2.5:1 – 4.5:1 Min. 50% employment floor space	5:1 (5.2:1 excluding SP2 Land) 51% employment / 44% residential / 5% community
Employment GFA (Jobs)⁴	N/A ²	46,400 - 92,800m ² (1,860 - 3,710 jobs)	116,000m ² (4,640 jobs)	100,700m ² (4,030 jobs)	117,330m ² (4,690 jobs ⁵)
Residential GFA (Dwelling Yield⁶)	N/A ²	46,400 – 92,800m ² (460 – 930 dwellings)	102,600m ² (1026 dwellings)	Up to 100,700m ² (1,010 dwellings)	102,523m ² (854 dwellings ⁷)

Notes:

¹ Draft Plan considered by Council on 8 November 2022 and publicly exhibited during May 2023 - July 2023.

² The LSPS and NWRL Corridor Strategy do not articulate a specific yield or built form outcomes.

³ The NWRL Corridor Strategy does not stipulate a specified mix of residential, retail and commercial land uses. For comparison, a 50/50 split of residential and non-residential land uses is assumed.

⁴ Employment ratios are based on a rate of 1 job per 25m² of commercial GFA per the NWRL Corridor Strategy and Draft Norwest Precinct Plan Assumptions to allow for comparison.

⁵ The Proponent's material assumes a commercial job rate of 1 job per 16m² and retail/hotel job rate of 1 job per 30m² (6,190 jobs).

⁶ For comparison purposes, the dwelling yield assumptions are based on an average of 100m² of gross floor area per dwelling. This is the average gross floor area per dwelling for development that complies with Council's dwelling size and mix requirements.

⁷ While the application seeks to enable an amount of residential gross floor area generally aligned with the Hills Corridor Strategy and draft Norwest Precinct Plan, the number of dwellings achieved is less than articulated in these strategies as the Proponent has assumed an average of 120m² of gross floor area per dwelling, reflecting their intention to provide apartment sizes which are in excess of the minimum required under Council's housing mix and diversity provision.

Table 1

Comparison between subject planning proposal and outcomes envisaged under the strategic planning framework

2. HISTORY

- 27/06/2017** Council considered a previous planning proposal (7/2017/PLP) for 4 Century Circuit (Marketown) and resolved that the proposal be held in abeyance, pending the submission of additional information from the Proponent including a cumulative traffic and parking study for the Norwest locality, a 3D model of the proposed development, detailed shadow diagrams, view analysis (particularly with respect to heritage views to and from Bella Vista Farm), additional details regarding ownership and access arrangements around the Norwest Lake and a draft VPA to address increased demand for local infrastructure. Following this, the Proponent lodged a Rezoning Review application on the basis of a “deemed refusal”.
- 21/09/2017** The Sydney West Central Planning Panel considered a rezoning review application and determined that the previous planning proposal (7/2017/PLP) should *not* be submitted for Gateway Determination, as it had not demonstrated strategic merit.
- While the Panel acknowledged the proposal has some strategic merit, there were concerns with respect to the height and scale of the development, its impact on local and state infrastructure and the absence of necessary information and justification to enable an appropriately informed decision to be made.
- 07/07/2022** Pre-lodgement meeting held with Council officers with respect to a new planning proposal application. The preliminary development concept included 900 dwellings and 110,000m² of commercial floor space.
- 05/03/2022** Council Officer pre-lodgement feedback letter provided to Proponent (Attachment 1). This letter included process and submission requirements for the formal Scoping and Pre-lodgement process. Concerns were also raised regarding the certainty of delivery of the commercial outcomes envisaged under the strategic framework.
- 08/11/2022** Council considered the draft Norwest Precinct Plan and resolved to publicly exhibit the draft Precinct Plan for comment.
- 28/11/2022** Formal Scoping and pre-lodgement meeting held with Council officers. The subject site area was expanded to include the Carlile Swimming Centre site.
- 06/12/2022** Council Officer Scoping and pre-lodgement feedback letter provided to Proponent (Attachment 2). This letter indicated that the proposal has the potential to demonstrate strategic merit. The letter also provided advice on submission requirements and further issues to resolve, such as infrastructure delivery and certainty of development outcomes within the proposed planning mechanisms.
- 02/05/2023 – 31/07/2023** Draft Norwest Precinct Plan publicly exhibited for comment.
- 22/01/2024** Planning proposal lodged with Council.
- 05/03/2024** Proponent presented the planning proposal at a Councillor Briefing session.

3. THE SITE

The site is known as 4-6 Century Circuit, Norwest (Lot 2 DP 1213272 and Lot 5080 DP 1008602). It comprises two land parcels with a combined area of approximately 4.65 hectares and currently contains the Norwest Markettown shopping centre and Carlile Swimming Centre. The subject site and the surrounding context are depicted in Figure 1.

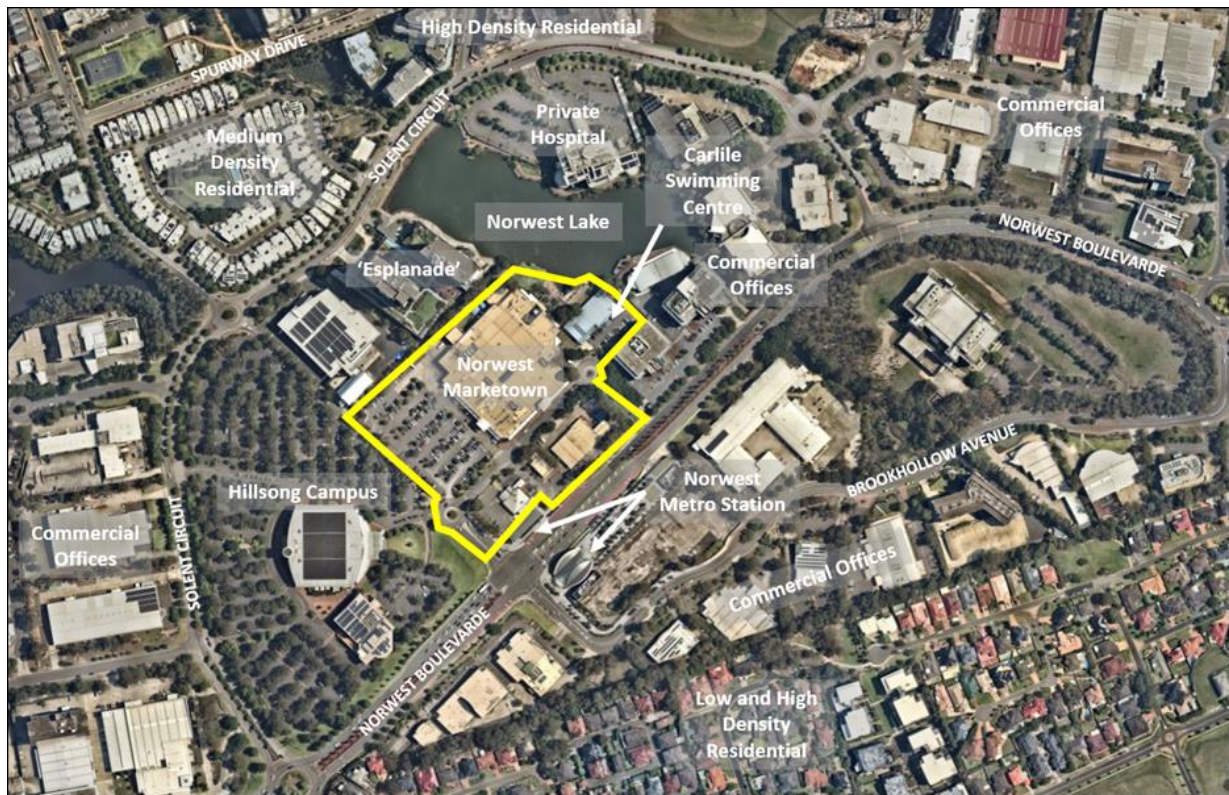


Figure 1

Aerial view of subject site (yellow) and surrounds

The site is surrounded by Norwest Lake to the north, the Esplanade mixed use development to the north west, Hillsong Campus to the south west and commercial office buildings to the east. To the south, the site directly adjoins the entrance to the Norwest Metro Station (with an underground pedestrian link beneath Norwest Boulevard). The site has a frontage of approximately 185m to Norwest Boulevard.

The existing Norwest Markettown development contains a ground floor retail shopping centre comprising a 4,000m² Coles supermarket, 1,500m² of smaller specialty retail shops and food and drinks premises, and approximately 1,400m² of non-retail land uses, basement car parking and childcare services. Additionally, there are several standalone businesses located on the southern portion of the site such as Shell Service Station and food and beverage premises. The Carlile Swimming Centre comprises an indoor swimming pool and associated facilities, as well as at grade car parking for the swimming centre. The subject site currently facilitates approximately 500 jobs.

4. DESCRIPTION OF PLANNING PROPOSAL

The planning proposal seeks to facilitate a high-density mixed-use development comprising 117,330m² of retail and commercial floor space and up to 854 residential dwellings within a built form of up to 36 storeys, as well as a 6,000m² publicly accessible park adjoining Norwest Lake. The development concept includes a hotel, childcare centre, recreation centre, community centre, library, exhibition space and public plazas. The land use mix included in the development concept is provided in the table below.

Land Use		Gross Floor Area	Proportion of Land Use
Employment	Commercial Office	80,591m ²	35%
	Retail	28,153m ²	12%
	Hotel Accommodation	8,584m ²	4%
Residential		102,523m ²	44%
Community	Indoor Recreation, Civic and Education	12,523m ²	5%
Total		232,374m ²	100%

Table 2
Land Use Mix

The development concept includes basement car parking as well as a Lower Ground level that provides direct access between Norwest Lake and Norwest Metro Station via an underground pedestrian tunnel, with a variety retail and food and beverage opportunities.

Access to the development is proposed from the existing access locations along Norwest Boulevard, through Century Circuit. The planning proposal includes upgrades to the intersection of Century Circuit with Norwest Boulevard and retains the opportunity to facilitate a future northern road connection through to Fairway Drive, subject to future development outcomes by the adjoining landowner (Hillsong Campus), as currently set out in Council's draft Norwest Strategic Centre Precinct Plan.

A comparison between the existing and proposed controls under The Hills Local Environmental Plan 2019 (LEP 2019) is provided in the table below.

Planning Control	Existing	Proposed
Land Zone	E1 Local Centre SP2 Drainage	MU1 Mixed Use SP2 Drainage (retained)
Height of Building	RL 116 (approx. 9 storeys)	RL 216m (36 storeys)
Floor Space Ratio	1.49:1	5:1 (Incentivised)
Additional Permitted Uses	On SP2 land: none On E1 land: Residential Flat Buildings	On SP2 land: recreation area, retail premises, recreation facility (outdoor), water recreation structure, waterbody (artificial) and wharf or boating facilities. On MU1 Mixed Use land: none (as residential flat buildings are permitted on MU1 land, the current additional permitted use would be removed).

Table 3
Existing and proposed development controls under LEP 2019

The maximum FSR would be expressed as an incentivised FSR, whereby the maximum floor space would only be achievable subject to compliance with a new site-specific local clause, which sets out the following minimum employment floor space, maximum dwelling floor space and cap, housing mix and car parking provisions:

- Minimum employment FSR of 2.5:1 (50% of total floor space proposed).
- Maximum residential flat buildings and shop top housing FSR of 2.21:1 (44% of total floor space proposed).
- Maximum dwelling cap of 854 dwellings, compliant with the following:
 - No more than 25% of dwellings are to be 1-bedroom dwellings.
 - At least 20% of dwellings are to be 3 or more-bedroom dwellings.

- At least 40% of all 2-bedroom dwellings will have a minimum floor area of 110sqm.
- At least 40% of all 3-bedroom dwellings will have a minimum floor area of 135sqm.
- Car parking spaces compliant with the following:
 - Minimum 1 car space per dwelling.
 - Minimum 1 additional car space per twelve dwellings.
 - Maximum 1 space per 37m² of retail gross floor area.
 - Maximum 1 space per 100m² of commercial gross floor area.

The proposed housing diversity divisions are consistent with Council's preferred housing size and mix under Clause 7.11 of LEP 2019.

The proposal indicates the intention to provide approximately 2,600 car parking spaces, based on the above parking rates.

The proposed LEP map amendments are shown in Figures 2-6 below.

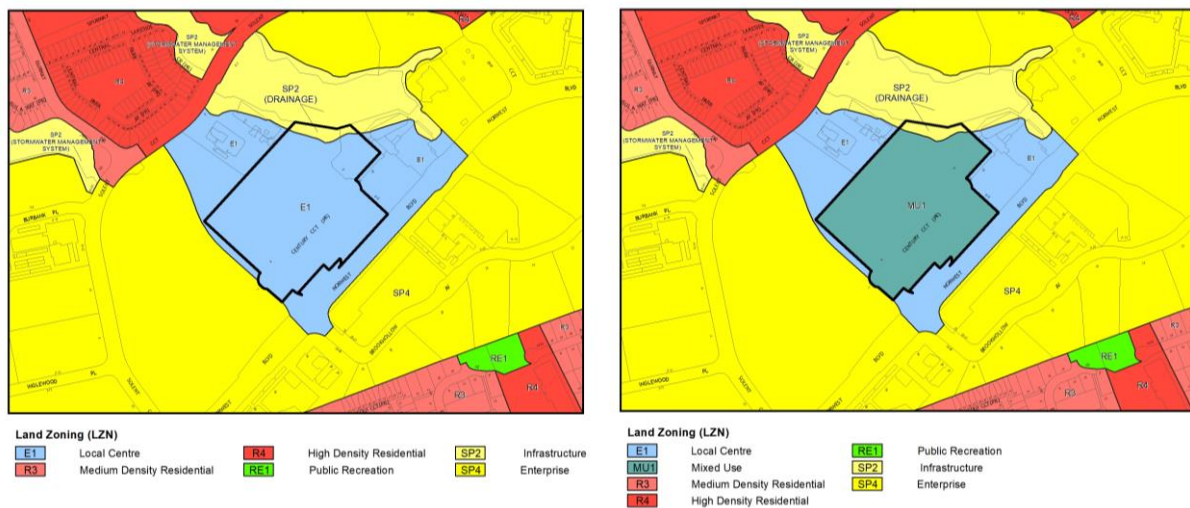


Figure 2
Existing (left) and proposed (right) land use zone maps



Figure 3
Existing (left) and proposed (right) maximum height of building maps

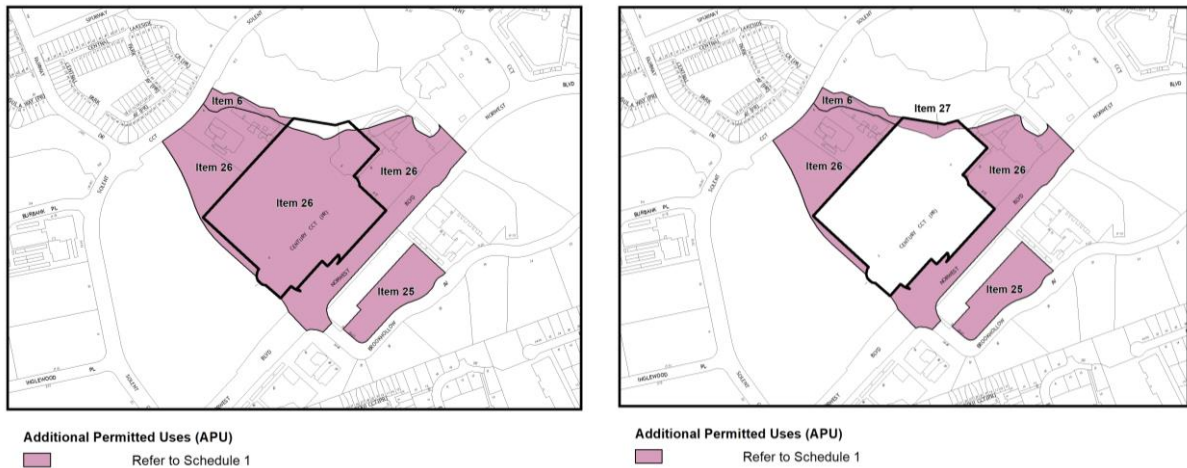


Figure 4

Existing (left) and proposed (right) additional permitted use maps

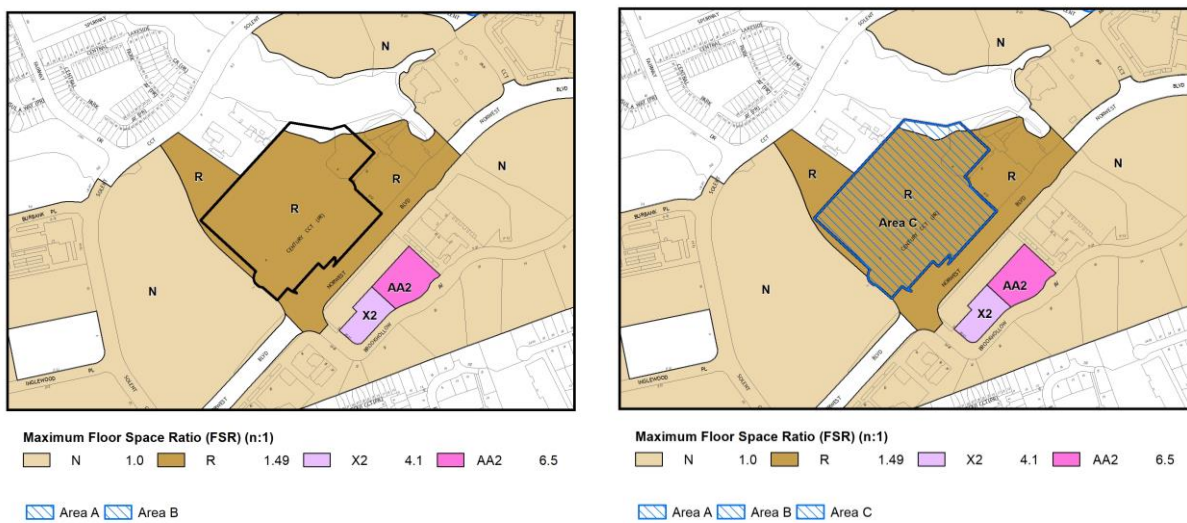


Figure 5

Existing (left) and proposed (right) maximum floor space ratio maps

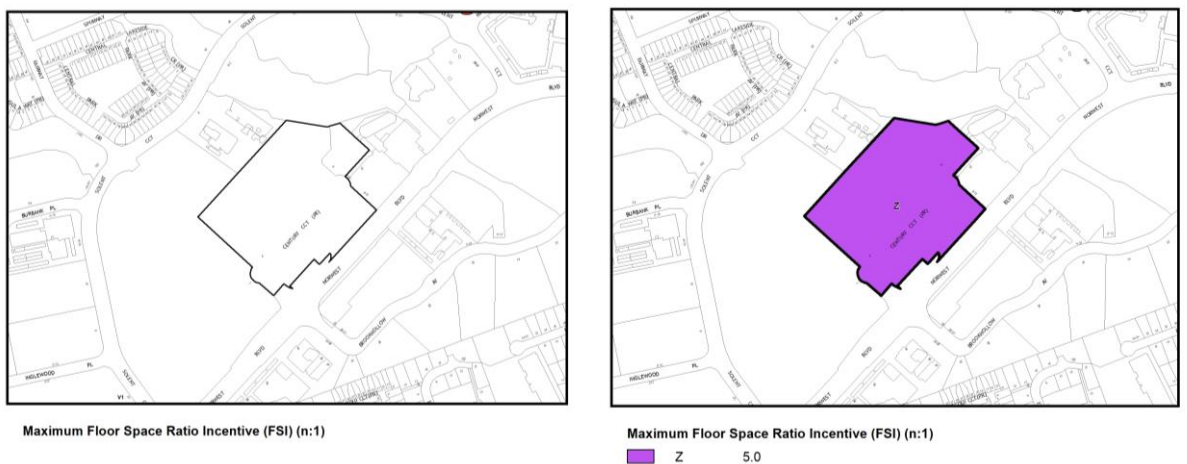


Figure 6

Existing (left) and proposed (right) maximum floor space ratio incentive maps

Extracts of the proposed development concept submitted by the Proponent in support of the planning proposal are provided in the following figures.



Figure 7

Aerial perspective looking north, depicting relationship to Hillsong Campus (lower left) and Norwest Station (mid right)



Figure 8

Development concept as viewed from Norwest Lake



Figure 9
Development concept depicting open space areas and plazas

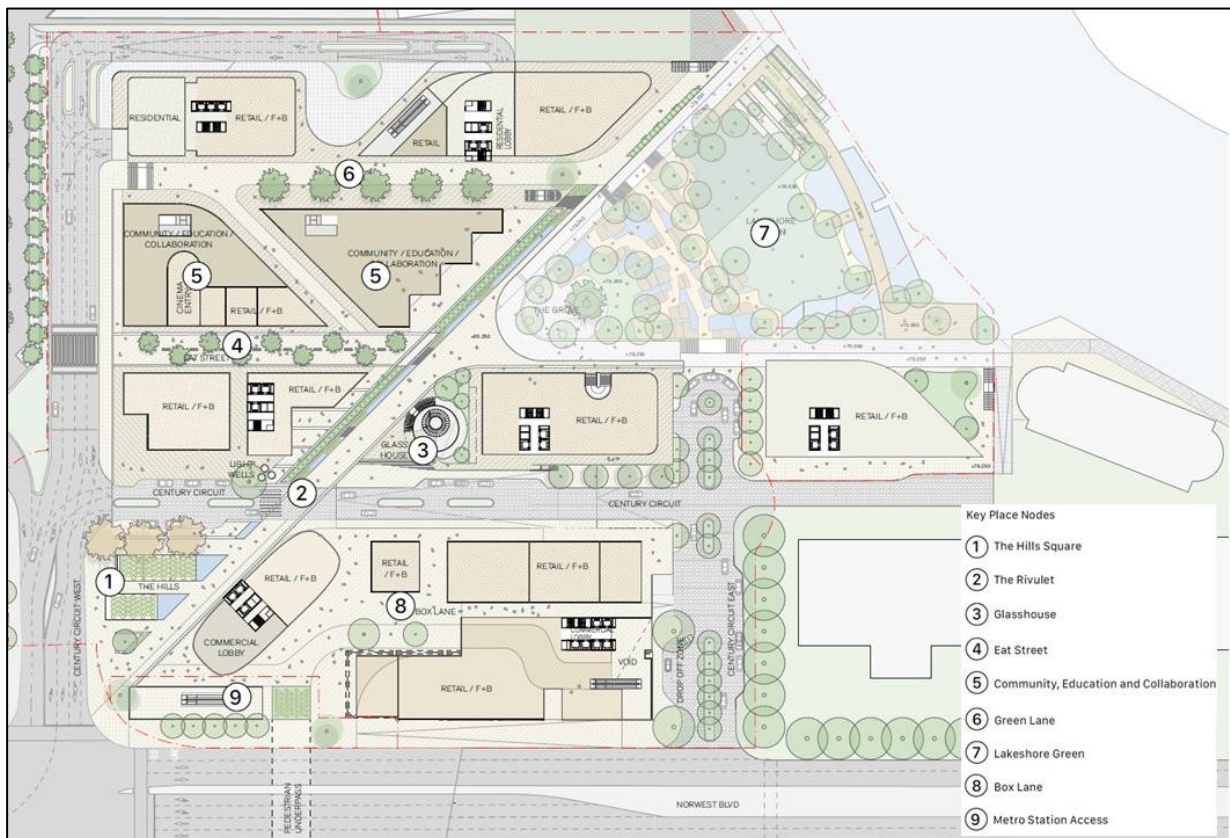


Figure 10
Ground Floor Plan depicting open space areas and plazas

The planning proposal is accompanied by a draft site-specific Development Control Plan (DCP) to guide built form outcomes on the subject site. The draft DCP includes sections relating to urban context, desired future character, development principles, general controls, public domain and open space, built form, active frontages, solar access and overshadowing, vehicle access and connectivity, landscaping, design excellence, sustainability and wind.

The planning proposal is also accompanied by a letter of offer to enter into a Voluntary Planning Agreement (VPA) to address the infrastructure demand generated by the proposal. The letter of offer includes preliminary details of infrastructure and public benefits the developer intends to deliver in association with the development. The letter of offer includes the following:

- Construction of a 3,000m² community facility and dedication of the associated floor space;
- Open space and public domain works including a water park, foreshore recreation works and public plaza space;
- Monetary contributions towards offsite active open space/sports fields; and
- A 'first and last mile' travel initiative.

The Proponent has valued the works, land and monetary contributions at \$35,000,000 in total. Infrastructure and contributions mechanisms are discussed further in Section 6 (h) of this report.

5. STRATEGIC MERIT CONSIDERATIONS

The planning proposal has been assessed having regard to the following strategic merit considerations:

- a) Greater Sydney Region Plan and Central City District Plan;
- b) North West Rail Link Corridor Strategy;
- c) The Hills Corridor Strategy;
- d) The Hills Future 2036 – Local Strategic Planning Statement and Supporting Strategies;
- e) Section 9.1 Ministerial Directions; and
- f) Draft Norwest Precinct Plan.

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

a) Greater Sydney Region Plan and Central City District Plan

Objective 22 of the Greater Sydney Region Plan and Planning Priority C10 of the Central City District Plan seek to grow investment, business opportunities and jobs in strategic centres. Objective 14 of the Region Plan and Planning Priority C9 of the District Plan seek to integrate land use planning with transport and infrastructure corridors to facilitate a 30-minute city where houses, jobs, goods and services are co-located and supported by public infrastructure.

Whilst Norwest is already an established commercial centre, the Sydney Metro Northwest is flagged as a key catalyst for growth that will enable the centre to transform into a thriving strategic centre offering diverse employment opportunities. The District Plan establishes a job target for Norwest Strategic Centre to contain at least 49,000 - 53,000 jobs by 2036. Based on Travel Zone data for 2016, achievement of this target would require an additional 16,600 – 20,600 jobs within Norwest.

Ensuring that Strategic Centres within an area have sufficient ability to accommodate new facilities, services and employment opportunities to keep pace with rapid residential growth is fundamental to achieving the 30-minute city vision. The planning proposal would increase employment opportunities in a central location in close proximity to Norwest Metro Station. The planning proposal seeks to provide 117,330m² of retail and commercial floor space and approximately 4,690 jobs. The subject site directly adjoins access to Norwest Metro Station and will include an underground pedestrian tunnel between the Station and the proposed development. The proposal seeks to integrate land use development with transport planning and a 30 minute city.

Objectives 10 and 11 of the Region Plan and Planning Priority C5 of the District Plan seek to encourage provision of greater housing supply that is diverse and affordable with access to jobs, services and public transport. The planning proposal would also deliver increased housing

supply, in a location with access to employment opportunities, frequent bus services and the Northwest Metro line.

The planning proposal includes the delivery of approximately 854 dwellings comprising high density residential apartments, which will benefit from access to the employment opportunities and retail services included within the planning proposal. The District Plan states that the inclusion of residential uses in strategic centres should not constrain commercial and retail activities.

The subject site has consistently been identified for mixed use development outcomes surrounding Norwest Lake, at the heart of the surrounding specialised office precinct in Norwest Strategic Centre. The site is centrally positioned within the suburb of Norwest, surrounding Norwest Lake and directly adjoining the Norwest Metro Station entrance, which allows the site to support the surrounding commercial core more broadly within the Strategic Centre through a combination of retail, commercial and residential land uses. The site has an important role and function in the context of the Norwest Strategic Centre and is strategically located to provide an appropriate land use transition between the surrounding employment areas and the emerging high density residential area to the north of the site and Norwest Lake.

With at least 50% employment floor space proposed on the site, the planning proposal demonstrates an effective balance between commercial and residential land uses whilst continuing to serve its critical function as a centre for residents and workers in the area. While other landholdings within Norwest are identified for employment outcomes only, the Norwest Marketown site has a unique designation and characteristics, which have led to its dual function as a local centre with retail and entertainment opportunities, supporting residential development and increased employment opportunities. These outcomes are appropriate (and have long been identified) for this specific site given its unique designation, function and location. It would not be appropriate for other sites within the adjoining designated employment area to provide similar retail offerings or residential outcomes.

The proposal is generally consistent with the Region and District Plan as the planning proposal seeks to deliver the strategically envisaged employment outcomes as well as deliver increased housing supply in a central location with good access to public transport.

b) North West Rail Link Corridor Strategy

The North West Rail Link Corridor Strategy seeks to promote transit-oriented development and manage growth along the Sydney Metro Northwest Corridor. The Corridor Strategy identifies the site as existing local centre, with the opportunity to integrate expanded retailing, community uses and cultural facilities.

The Corridor Strategy envisages approximately 92,800m² – 185,600m² of residential, commercial and retail GFA on the subject site. This is a result of the envisaged FSR ranging from between 2:1 – 4:1 for local centre land along the Metro Corridor, with the higher end of the density range being in closest proximity to the station and the lower end of the density range being on peripheral sites. The Strategy does not stipulate a building height outcome for this land or any specific mix of residential, retail and commercial land uses.

The planning proposal is consistent with the Corridor Strategy as it generally seeks to deliver the employment and residential outcomes identified under The Strategy.

c) The Hills Corridor Strategy

The Hills Corridor Strategy seeks to guide future development along the Sydney Metro Norwest Corridor. It was adopted in 2015 and is Council's response to the State Government's North West Rail Link Corridor Strategy.

The Hills Corridor Strategy envisages a mixed-use outcome and anticipates a minimum employment FSR of 2.5:1 and maximum residential density of 240 dwellings per hectare (approximately 2.4:1, being around 1,026 dwellings). The Corridor Strategy does not identify any residential uplift on the Carlile Swimming portion of the site. The Strategy anticipates higher density commercial and mixed-use development at a maximum of 22 storeys located closer to the station.

The planning proposal generally aligns with the land use mix and yield outcomes articulated within The Hills Corridor Strategy. It seeks to facilitate the minimum 2.5:1 employment FSR outcome on the site and does not exceed the extent of residential yield identified for this land.

The proposed height of development is beyond that anticipated in the Strategy (which identified 20-22 storeys in the immediate vicinity of the station). However, the Strategy does encourage distinctive buildings with a need for a transition of heights across the precinct to facilitate a varied and interesting skyline that also has regard to view corridors through the Precinct. The planning proposal is generally consistent with The Corridor Strategy, as it proposes a relatively similar mix of land uses, comprising commercial, retail and residential. Through site specific design, the planning proposal also demonstrates the potential benefits of achieving the density on the site with slightly taller built form outcomes, in order to prioritise improved outcomes at the ground plane and within the public domain. This is discussed further in Section 6(a) of this report.

d) The Hills Future 2036 – Local Strategic Planning Statement

The key planning priorities within the Local Strategic Planning Statement (LSPS) that are relevant to this proposal are:

- *Planning Priority 1 – Plan for sufficient jobs, targeted to suit the skills of the workforce*

Council's LSPS seeks to promote the creation of local employment opportunities as the population continues to grow. The LSPS identifies that 23,900 additional jobs need to be created by 2036 in Norwest to ensure the rapid growth in residential population in the Hills Shire is matched with proportionate growth in local job opportunities.

Protecting the role and function of strategic centres and the extent of employment lands is a key objective of the LSPS as these Strategic Centres are the key areas where new employment opportunities of the necessary scale and type will occur. The proposed commercial and retail floor space included in the planning proposal would result in approximately 4,690 jobs. Compared to the existing development, the planning proposal would result in 4,193 additional job opportunities. The minimum employment FSR mechanism proposed within the application would assist in protecting the strategically identified employment land.

- *Planning Priority 2 – Build strategic centres to realise their potential*

The subject site is identified in Council's LSPS as being suitable for mixed use development (office/retail/restaurants/residential) to enhance the existing local centre and hub around the Norwest Lake and improve connectivity to Norwest Metro Station. Marketown is envisaged to be the vibrant and active heart of the strategic centre, with an enhanced network of footpaths, forecourts and boardwalks that creates an attractive environment for pedestrians and cyclists.

The desired outcomes for mixed use areas are articulated within Council's Productivity and Centres Strategy, which specifies that the appropriate provision of residential development for mixed use areas should not be at the expense of potential commercial

floor space. The planning proposal is consistent with the structure plan included in the LSPS, in that it proposes a genuine mixed-use development with a relatively balanced land use split between employment and residential land uses.

- *Planning Priority 7 – Plan for housing in the right locations*

The LSPS and supporting Housing Strategy identify that an additional 11,000 dwellings are anticipated within the Norwest Strategic Centre by 2036. The planning proposal will provide additional housing in Norwest which is consistent with this priority. Furthermore, the provision of residential development uplift on the site is not at the expense of providing employment floor space facilitating the job growth identified in Norwest Station Precinct. The planning proposal would support the delivery of housing supply, in a location with access to employment opportunities, retail services, frequent bus services and the Northwest Metro line. As detailed earlier within this report, this particular site comprises the local centre for the Norwest Central Precinct, which has consistently been identified as suitable for a mixture of land use outcomes surrounding the lake within the preceding strategic planning policies, as distinct from the remainder of the commercial and designated employment areas of Norwest.

The LSPS states that the Norwest Station Precinct will be subject to detailed precinct planning that considers the services that should support an uplift in housing and that Council will prepare a precinct plan for Norwest. The draft Norwest Precinct Plan, which constitutes this more detailed planning work, has since been prepared and is discussed later in this report.

- *Planning Priority 8 – Plan for a diversity of housing*

The LSPS identifies that diverse housing is required to support future populations. The planning proposal includes an LEP mechanism to ensure residential development is compliant with Council's preferred dwelling size and mix. The LEP mechanism ensures a variety of apartment sizes beyond the requirements of SEPP 65, matching the future demographic needs of The Hills Shire. The planning proposal is generally consistent with this planning priority.

In summary, the planning proposal is generally consistent within Council's LSPS in regard to the retention of employment land and delivery of housing supply. The planning proposal seeks to protect the strategically identified employment outcomes as well as deliver increased housing supply in a location which has long been identified as a mixed use local centre surrounding the lake with access to public transport.

e) Section 9.1 Ministerial Directions

- *Direction 1.1 Implementation of Region Plans & 1.16 North West Rail Link Corridor*

These Ministerial Directions seek to ensure that development is consistent with the applicable Region Plan and the North West Rail Link Corridor Strategy. A planning proposal must give effect to the vision, land use strategy and goals contained in the Region Plan and Corridor Strategy. As discussed earlier in this report, the planning proposal is generally consistent with the objectives, growth targets and proposed future character for the Precinct outlined within the Greater Sydney Region Plan and the North West Rail Link Corridor Strategy.

- *Direction 3.2 Heritage Conservation*

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous significance. The site does not contain any heritage items. However, the proposed development is visible from the state heritage item Bella Vista Farm.

The Proponent has submitted a Heritage Assessment Report in support of the planning proposal.

The subject site is located approximately 1 kilometre from Bella Vista Farm. The distance from the heritage item as well as the slender built forms depicted in the development concept would reduce the potential impact of the planning proposal on view corridors from Bella Vista Farm. The potential heritage impacts of the proposal are discussed in further detail in Section 6(c) of this report.

- *Direction 4.1 Flooding*

This Direction ensures that planning proposals consider the potential flood impacts both on and off the subject land. The Hills Development Control Plan 2012 identifies the site as a flood control lot. The Proponent has provided a Stormwater Management Report in support of the proposal.

The Stormwater Management Report concludes that the proposed development would not have a negative impact on Norwest Lake or the surrounding properties. However, the Report has not considered the impact of the taller buildings on the stormwater catchment area. Therefore, an updated Stormwater Management Report will be required to confirm consistency with this Direction. The flooding impacts of the proposal are discussed further in Section 6(d) of this report.

- *Direction 4.4 Remediation of Contaminated Land*

The purpose of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities. The site currently contains a Petrol Station adjoining Norwest Boulevard. The Proponent has submitted a Preliminary Contamination Assessment. The Report provides recommendations for remediating contamination and further assessment required at the development application stage that would render the site suitable for the proposed development. It is considered that the proposal is consistent with this Direction.

- *Direction 5.1 Integrated Land Use and Transport*

This Direction aims to improve access to housing, jobs and services by co-locating development with walking, cycling and public transport options. The redevelopment of the subject site for higher density mixed use development would be broadly consistent with this Direction as the site is well-located in close proximity to the Norwest Metro Station and seeks to promote transit-oriented residential and commercial development.

- *Direction 6.1 Residential Zones*

The objective of Direction 6.1 is to encourage a variety and choice of housing types to provide for existing and future housing needs. A planning proposal is expected to make efficient use of and provide appropriate access to existing infrastructure and services. The proposal is consistent with this Direction as the planning proposal seeks to provide a mix of housing typologies that will meet the needs of the family-dominated future demographic of The Hills Shire in a location with access to services and public transport.

- *Direction 7.1 Employment Zones*

This Direction aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres. The Direction specifically states that a planning proposal must '*not reduce the total potential floor area for employment uses and related public services in business zones.*' The proposal is

consistent with this Ministerial Direction. The land has historically been zoned to permit a mixture of employment, residential and retail uses, reflecting its status and role as the local centre for the Norwest Precinct. The proposal does not seek to reduce the strategically identified employment floor space potential on land.

f) Draft Norwest Precinct Plan

The draft Precinct Plan for Norwest Strategic Centre has been prepared in alignment with, and to give effect to the objectives, priorities and policy positions outlined within the existing state and local strategic planning policies, as they relate to the Norwest Strategic Centre. The draft Precinct Plan provides a vision for future development in Norwest over the next 20 years and beyond, with a focus on enabling investment in the provision of increased and diverse employment opportunities, continued housing delivery and improving infrastructure provision, connectivity, and amenity throughout the Centre.

The draft Norwest Precinct Plan was considered by the elected Council at its meeting on 8 November 2022 and was publicly exhibited between May 2023 and July 2023. Council officers are currently reviewing submissions and are in the process of preparing recommendations for the elected Council’s consideration with respect to potential post-exhibition changes to the draft Norwest Precinct Plan.

The subject site is identified within Focus Area 2 (Norwest Markettown and Surrounds) in Norwest Central within the draft Precinct Plan. The site is envisaged to transform into a vibrant mixed use hub, providing a range of offices, retail, restaurants and residential opportunities. The draft plan identifies that future planning proposals should include a future vehicular and pedestrian connection between Norwest Boulevard through to Fairway Drive.

The Plan articulates the need for commercial and retail land within the subject site to remain the predominate outcome, representing no less than 50% of the total future floor space. Furthermore, the Plan anticipates taller buildings (up to 35 storeys) to be located towards Norwest Boulevard and Century Circuit to signify the entrance to the mixed use heart of the Precinct. The Indicative Layout Plan for Norwest Markettown and Surrounds is depicted in the Figure below.



Figure 11
Focus Area 2 – Norwest Markettown and Surrounds Indicative Layout Plan
(subject site outlined yellow)

The planning proposal is generally consistent with the vision articulated within the draft Norwest Precinct Plan. The Markettown site is anticipated to have an FSR of 4.0:1 - 4.5:1 and the Carlile

Swimming site an FSR of 2.5:1. The draft Norwest Precinct Plan, as exhibited, envisaged capacity for 100,700m² of employment GFA (4,030 jobs) and potential for residential uplift (970 dwellings) on the site within a built form of 8 – 35 storeys. In comparison, the planning proposal includes 117,330m² of employment GFA (4,690 jobs) and 854 dwellings in a built form of 5 – 36 storeys. Overall, this represents marginally more jobs than originally anticipated and marginally less residential dwellings, which is acceptable and consistent with the objectives for this land.

The planning proposal includes the opportunity to facilitate a future northern road connection to Fairway Drive, as set out in the draft Precinct Plan, in a staged manner and contingent on outcomes on the adjoining land parcel (Hillsong).

The Precinct Plan as exhibited, also includes built form design principles including maximum residential floor plates (750m² GFA) and maximum building lengths (65m). The built form outcomes of the planning proposal are discussed in more detail in Section 6(a) of this report.

The Norwest Precinct Plan is currently in draft form and Council officers are working through the submissions received in order to finalise the draft Plan. Any post-exhibition amendments to the draft Norwest Precinct Plan will not be finalised until considered and adopted by the elected Council.

6. SITE SPECIFIC MERIT CONSIDERATIONS

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

- a) Built Form Outcomes;
- b) Solar Access;
- c) Heritage Impact;
- d) Water Quality and Flooding;
- e) Traffic, Transport and Parking;
- f) Proposed Planning Mechanisms;
- g) Development Control Plan; and
- h) Infrastructure Demand & Voluntary Planning Agreement.

a) Built Form Outcomes

For reference, a summary and overview of the key built form and scale outcomes of each proposed building is detailed in the table below.

	Building Height	Podium Land Use	Podium Building Length	Tower Land Use	Tower Building Length	Tower Floor Plate
B1	31 Storeys	Office & Retail	50m	Office	50m	1,097m ²
B2	23 Storeys	Hotel & Retail	63m	Office	63m	2,955m ²
B3	36 Storeys	Retail	77m	Residential	44m	1,050m ²
B4	33 Storeys	Office	54m	Residential	49m	980m ²
B5	23 Storeys	Residential	62m	Residential	41m	666m ²
B6	5 Storeys	Community	62m	N/A	N/A	N/A
B7	9 Storeys	Community	84m	N/A	N/A	N/A
B8	36 Storeys	Residential & Retail	52m	Residential	45m	886m ²
B9	29 Storeys	Office	65m	Residential	42m	984m ²

Table 4
Key built form and scale outcomes (approximate)

- Building Height

The built form outcomes articulated for Norwest in the draft Precinct Plan envisage the tallest building elements being located towards Norwest Boulevard and Century Circuit to signify the entrance to the mixed use centre of the Precinct. The draft Precinct Plan identifies a maximum indicative building height of 8-35 storeys on the existing Marketown site and 8-15 storeys on the Carlile Swimming site.

The proposed outcomes for the existing Marketown site (36 storeys) and Carlile Swimming site (approximately 23 storeys) marginally exceed the built form outcomes in the draft Precinct Plan (up to 35 storeys). However, it is reasonable to further consider these built form outcomes as part of a site-specific planning proposal, especially where presented as a single large consolidated landholding that allows for greater master-planning and flexibility and where the proposal is supported by more detailed site analysis and design. In this instance, the application material has illustrated that exceeding the identified building height outcomes in the draft Precinct Plan may be appropriate in order to allow for quality, elegant and slender developments. Furthermore, an increased height on the Carlile Swimming site would appear to provide a more appropriate transition in height from Norwest Metro Station and the Marketown site to surrounding developments.

- Floor Plates

The built form design principles included in the draft Norwest Precinct Plan, as exhibited, identify that residential tower floor plates should be a maximum GFA of 750m². The planning proposal concept depicts residential floor plates ranging between approximately 666m² and 1,050m², resulting in some exceeding the typical maximum residential floor plate size expected to result in slender towers. These larger tower floor plates contribute to the overall perceived bulk and scale of the development, however, it is acknowledged that the larger residential floor plates do include articulation, which may assist somewhat in mitigating the perception of building bulk.

The draft site specific DCP includes a development control that residential floorplates are to be a maximum of 750m² GFA and a maximum of 1,000m² GBA. This draft control is reasonable to achieve tower forms for taller buildings however as noted above, the Proponent's submitted design concept would need to be amended to demonstrate compliance with this control.

- Building Length

Council's DCP typically requires a maximum podium length of 65m and tower length of 50m. Additionally, it is expected that any building greater than 30m in length is separated into at least two parts by a significant recess or distinct building elements with individual architectural expression and features. The building lengths included in the concept plan are generally consistent with this design principle, with the exception of the community podium B3 (77m), retail podium B7 (84m) and commercial tower B2 (63m). These building lengths present as long, straight, continuous forms.

The site specific DCP should include the above maximum building length requirements and the Proponent's development concepts should be updated to demonstrate the ability to achieve compliance with these controls.

- Setbacks

The development concept depicts a minimum 4m setback between the proposed hotel and Norwest Boulevard. Ideally, setbacks to Norwest Boulevard should be larger to ensure

there is sufficient space for meaningful landscaping and to mitigate any potential acoustic impacts for future visitors. However, it is noted that the hotel building has been sited on the land to maximise internal amenity with through site links and active street frontages at the internal ground plane and thoroughfare from the Metro Station entrance to the future public open space adjoining the Lake. In this regard, the reduced setbacks of the hotel to Norwest Boulevard may be appropriate, however the Proponent's material should be amended to demonstrate the type of landscaping and public domain treatments that can be achieved along this façade within a reduced setback of 4m. In particular, it should be demonstrated how a row of street trees can be planted along the site's frontage to Norwest Boulevard, which is consistent with the established and desired future character of landscaping on other sites (including the Station site) along this main thoroughfare of the Norwest Precinct. Depending on the outcomes of this further work, it may be necessary to consider marginally increasing this setback distance to Norwest Boulevard in order to facilitate appropriate public domain and landscaping outcomes.

Generally, Council's DCP requires residential towers to be setback a minimum of 5m from the podium building envelope. The development concept includes minimum tower setbacks of 1.5m. This reduced tower setback is not supported as it contributes to the overall perceived bulk and scale of the development, as there is minimal differentiation between the podium element and the tower element above.

▪ Building Separation

The Apartment Design Guide (ADG) provides controls in relation to building separation for residential developments, with up to 4 storeys separated by a minimum of 12m, 5-8 storeys separated by 18m and 9 storeys and above separated by 24m. Adequate building separation increases solar amenity and reduces privacy concerns. The below figure demonstrates the building separation for residential towers within the draft concepts.

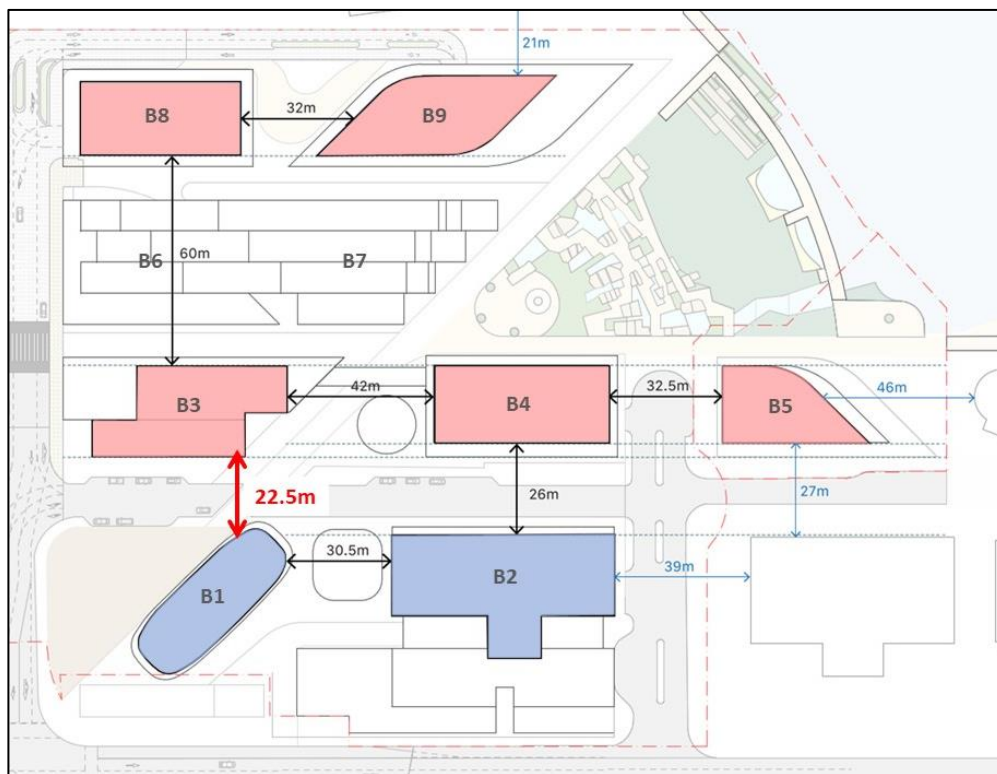


Figure 12
Building separation for residential towers (highlighted red)

The building separation for residential developments appears to comply with the ADG requirements with the exception of separation between the residential building B3 and commercial tower B1 which is a minimum ranging from 20m - 22.5m.

Should the planning proposal proceed to Gateway Determination the development concept should be amended to demonstrate the ability to achieve the minimum residential building separation of 24m for 9 storeys and above.

- Communal Open Space

The plans and reports supporting the planning proposal indicate that approximately 3,000m² of rooftop communal open space will be provided for residents. The draft DCP accompanying the proposal does not provide for specific controls for communal open space for residents. The planning proposal indicates that private communal open space areas will be detailed in future development applications.

Other high density residential developments in the Hills in centre locations are required to provide 10m² of communal open space per dwelling, with a total of 25% of this to be provided at the ground level in a singular large parcel. For the 854 dwellings proposed, similar controls would require 8,540m² of communal open space in total, with approximately 2,135m² of that being provided at the ground level.

The provision of only 3,000m² of rooftop space for the exclusive use of residents is likely to be insufficient to meet the needs of residents. If there is a reduced standard for the provision of communal open space, this would place increased pressure on public spaces. It is noted that there is a large publicly accessible park proposed as part of the planning proposal. The 'Lakeshore Green' park is approximately 6,000m² and provides an increase in public open space in the locality. However, the public benefits associated with the park would be reduced if the park is instead supplementing the lack of communal open space being provided in the development itself. The Proponent will need to address how the provision of communal open space is consistent with the standards, objectives and levels of service required by the Hills DCP and amend the draft DCP to provide clear controls regarding communal open space.

In comparison to other sites that accommodate high density residential development, this site is unique as it will accommodate such a broad range of land uses and will attract substantial public patronage due to its function as a local centre with a significant lake foreshore that will be publicly accessible. Given this, it may be appropriate in this unique instance for a greater proportion of residents' communal open space to be provided at the rooftop level, as opposed to requiring a minimum percentage to be provided at the ground level. This would recognise the site's multipurpose as a publicly accessible local centre with retail and commercial floor space and a strong focus on internal public domain, active and vibrant street frontages and publicly accessible through site connectivity between the Metro Station entrance, the retail centre, the large dedicated public open space at the lake foreshore and beyond the site to residential development in north of the Precinct. In this unique context, provision of private communal open space for residents at the ground plane could have the unintended impact of "privatising" and isolating key areas of the ground plane and undermining the vision for active and vibrant public domain outcomes, which can be enjoyed by residents and visitors to the site alike. Notwithstanding this, the overall quantum of communal open space should still be reconsidered and increased beyond the proposed area of 3,000m² to ensure that residents' open space needs are not being unreasonably supplemented by the broader public benefit of the public lakeside park.

Based on the development concept submitted by the Proponent, some aspects of the development could be improved, including floor plates, building lengths, setbacks and tower setbacks (above podiums), in order to reduce the potential visual dominance and bulk of the

proposal. It is recommended that revised concept plans be prepared that demonstrate the ability to comply with some key development controls, as follows:

- Improved landscaping and public domain treatments along the site's interface with Norwest Boulevard, which may potentially require increased setback distance;
- Maximum residential tower floor plate of 750m² (rather than 1,050m²);
- Maximum podium length of 65 metres (rather than 84 metres);
- Maximum tower length of 50 metres (rather than 63 metres);
- Minimum tower setbacks above podium of 5 metres (rather than 1.5 metres);
- Minimum building separation of 24 metres above 8 storeys (rather than 20 metres);
- Adequate private communal open space to service residential development, separate to the proposed publicly accessible open space;
- Adequate solar access to Norwest Station Site, communal open space and public domain areas at the ground plane;

It is the view of Council officers that given the site is a large and relatively unconstrained site in single ownership, these issues could be readily overcome with an appropriate built form outcome within the proposed FSR on the site.

b) Solar Access

- Norwest Station Site

The Norwest Station Site is located directly across Norwest Boulevard from the subject site. The Station site includes significant public domain features on the ground plane and utilises the available solar access to illuminate the concourse and platform located below. The overshadowing impact of the proposed development in relation to the Norwest Station Site is depicted below.

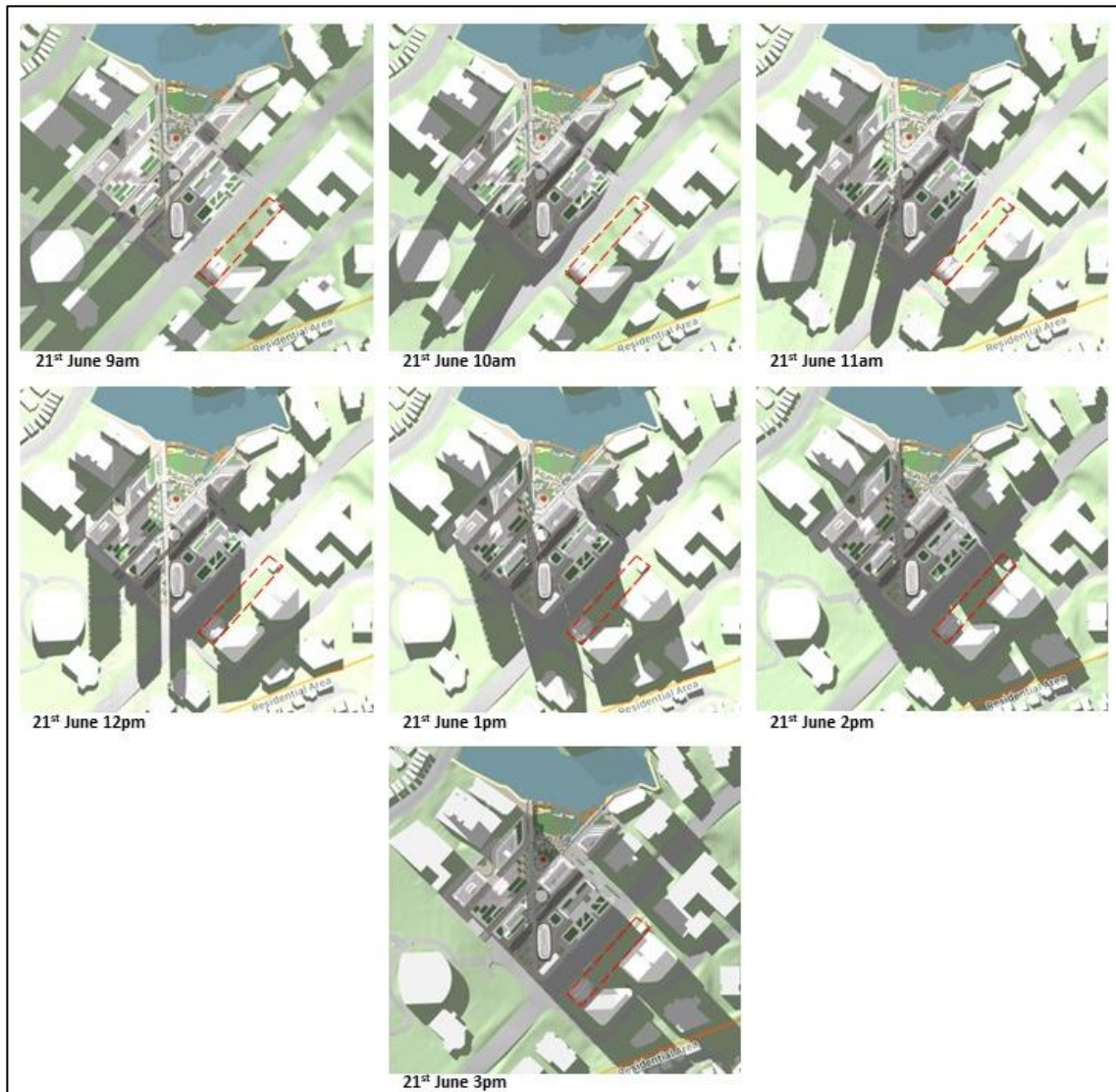


Figure 13

Overshadowing impact of proposed development between 9am and 3pm on June 21
(Station site highlighted in red)

The concept plans indicate that the Station Site is likely to experience significant overshadowing. Considering the other surrounding sites are also likely to redevelop, the proposed building heights and orientations may require modification to improve solar access to the Norwest Station Site and it is recommended that additional controls are included in the site specific DCP to ensure appropriate solar access to the Station Site is retained.

- Public Open Space

The planning proposal proposes a 6,000m² publicly accessible lakeshore park. The proposed park includes an outdoor fitness gym, BBQ facilities, water park, integrated play area and public art. Development surrounding the public space should be able to demonstrate that at least 50% of the park receives solar access between 11am and 2pm.

The concept plans demonstrate that the lakeshore park would receive reasonable access to sunlight during the lunchtime hours. While the park is impacted by overshadowing after 2pm, the hours before 2pm all receive uninterrupted solar access.

The draft Norwest Precinct Plan includes a design principle for the built form to maximise solar access throughout the site and to public spaces. The solar access throughout the site is depicted below.

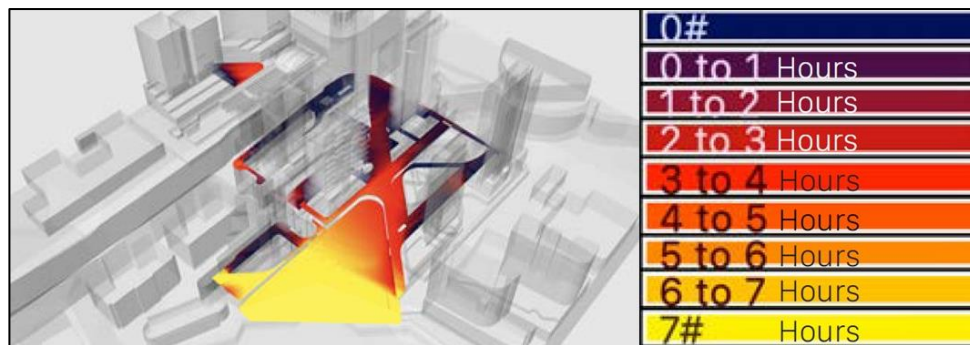


Figure 14
Solar access to Lakeshore Park and Public Space (viewed from Norwest Lake)

Whilst the Lakeshore Park receives sufficient solar access the remainder of the ground floor public domain appears to receive significant overshadowing. Lack of adequate solar access to the ground plane will impact the proposed landscaping and amenity of the outdoor areas. The proposed building heights and orientations may require modification to allow for increased solar access to the ground plane.

- Communal Open Space

The planning proposal includes 3,000m² of rooftop gardens which could be utilised for communal open space for residents and employees. The Hills DCP 2012 requires a minimum of 4 hours of solar access to be provided to communal open space between the hours of 9am and 3pm on 21 June. The ADG requires developments to achieve a minimum of 50% direct sunlight to the principal useable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June.

Portions of the proposed communal space experience significant overshadowing and are unlikely to be compliant with the ADG and The Hills DCP 2012. Communal open space that is constantly shaded will not sustain quality landscaping and will result in a cold unpleasant space, especially in the winter months.

- Solar and Daylight Access

The planning proposal material utilises a 3D analysis of the residential solar access to ascertain that 70% of apartments will receive more than 2 hours of direct sunlight in mid-winter. This is compliant with the solar access requirements contained within the ADG.

c) Heritage Impact

The planning proposal is within proximity to state heritage item 'Bella Vista Farm' as well as local heritage items 'Avenue of Trees to Castle Hill Country Club' (I25), 'St Joseph's Novitiate' (I7) and Windsor Road (I28). The Proponent has submitted a Heritage Assessment Report in support of the planning proposal. The Heritage Assessment concludes that the proposal will have minimal impact on the surrounding heritage items with the exception of modified views from Bella Vista Farm. The following figure shows the surrounding heritage items in relation to the site.

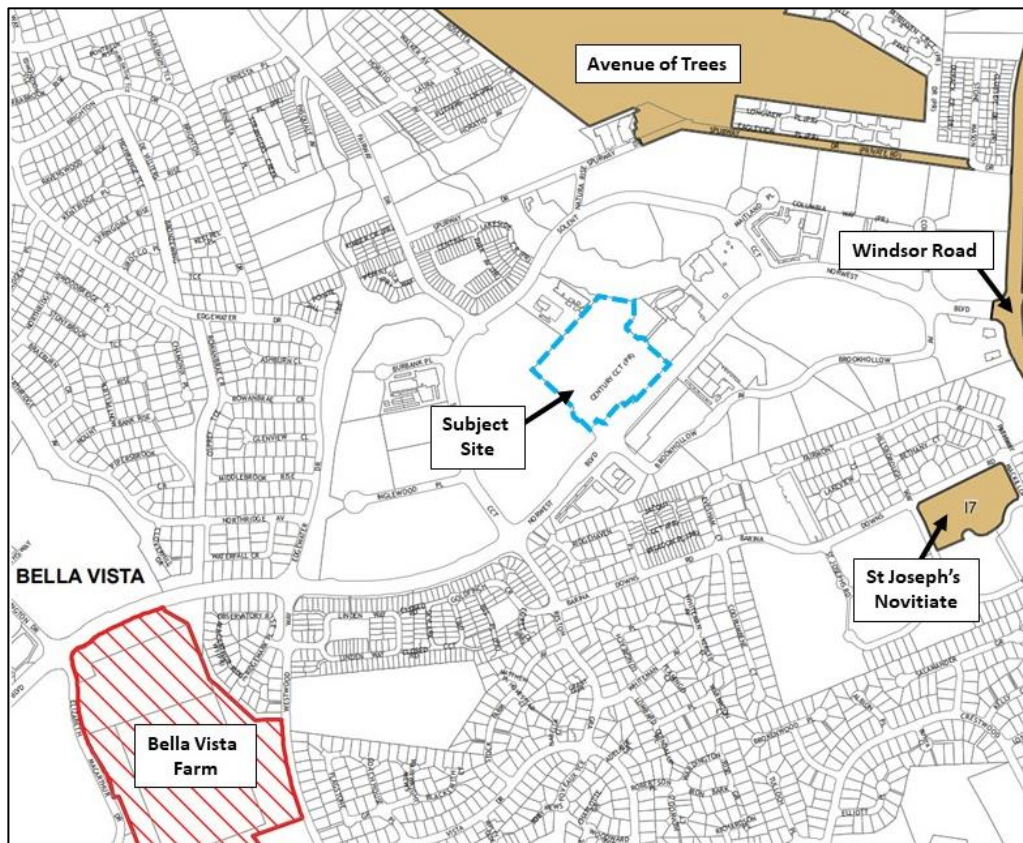


Figure 15
Surrounding heritage items

The State Heritage Listed Conservation Area Bella Vista Farm Park adjoins the Norwest Business Park and is a prominent cultural landmark with historical significance. Bella Vista Farm derives its significance from its deliberate and prominent siting and rural setting with vistas from the site and views into the site as well as its aesthetic values. The location of the Bella Vista Homestead is visible from a large visual catchment. In particular, views of the avenue of Bunya Pines planted on the site can be glimpsed from both within Norwest and from distant residential areas and roads. The visual impact of the planning proposal on views from Bella Vista Farm is demonstrated in the figure below.

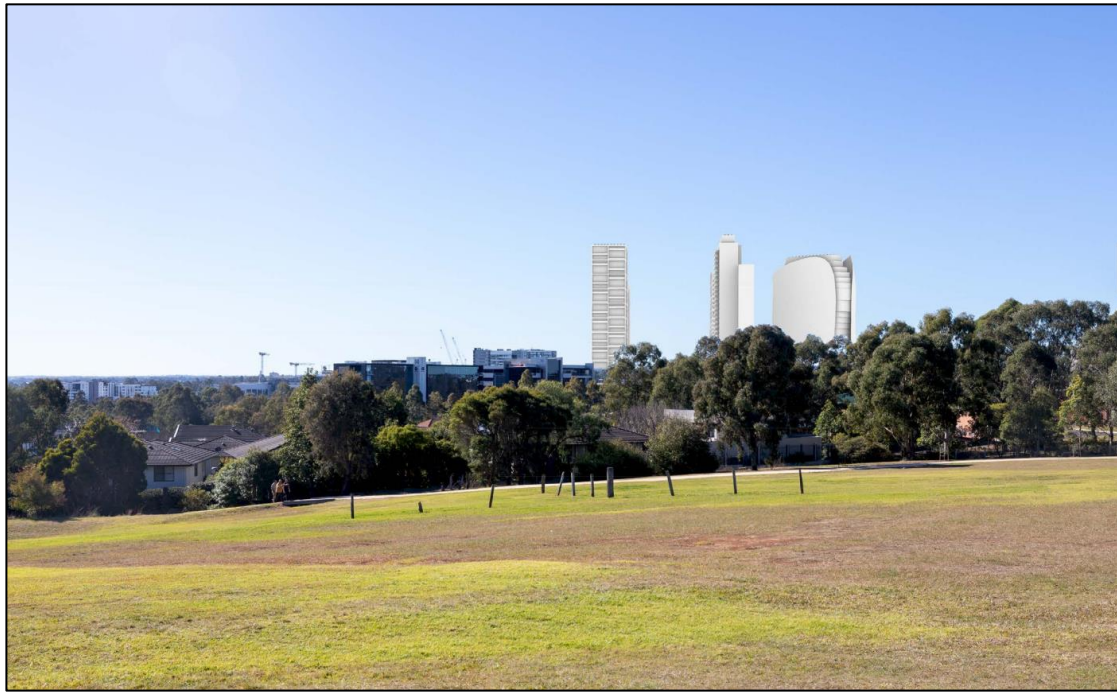


Figure 16

View from Bella Vista Farm towards proposed development (north-east)

The subject site is located approximately 1km from Bella Vista Farm. The distance from the heritage item as well as the slender built forms depicted in the development concept would reduce the potential impact of the planning proposal on view corridors from Bella Vista Farm. Furthermore, as Norwest has been identified as a key strategic centre, the Norwest skyline and future views from Bella Vista Farm towards Norwest Station are likely to undergo significant transformation as a result of the role, function and growth targets and projections for this area under Government planning policies. Should the planning proposal proceed to Gateway Determination, further consultation would be undertaken with Heritage NSW.

The local heritage item 'Avenue of Trees to Castle Hill Country Club' (I25) includes rows of Aracarias and Eucalyptus street trees that line Spurway Drive that are evidence of European settlement. The identified heritage trees are located approximately 450m north-east of the subject site. Development has been approved between the site and the 'Avenue of Trees' and as such the proposed development is unlikely to have a significant visual impact on the heritage item.

The planning proposal is located a considerable distance from local heritage items 'St Joseph's Novitiate' and Windsor Road and is unlikely to have a significant impact on the heritage value of these items.

d) Water Quality and Flooding

Norwest Lake is a central landscape feature as well as a significant stormwater basin used to manage flows from Norwest business park. The planning proposal seeks to introduce water recreation structure, waterbody (artificial) and wharf or boating facilities as additional permitted uses to the land zoned SP2 adjoining Norwest Lake. The water quality of Norwest Lake is currently in poor condition as a result of the lake's stormwater basin function and the existing large Carp population currently inhabiting the lake.

The water quality of Norwest Lake does not currently meet the standards for primary contact, active recreational and sporting uses. To safely accommodate the proposed water recreation activities, the water quality of Norwest Lake would require significant improvements, including the potential removal of the existing Carp population.

The VPA offer which accompanies the planning proposal includes improvements to the water quality of Norwest Lake as a VPA item. However, the material provided in support of the planning proposal does not provide a Water Quality Study or any detail regarding the proposed water quality measures. Should the planning proposal progress to Gateway Determination, further information is required in relation to water quality to accommodate the proposed additional permitted uses.

The subject site is identified as a flood control lot under the Hills Development Control Plan 2012. The existing development on the site is predominantly impervious surfaces and the current stormwater runoff is considerably polluted from the existing ground level carparks which cover the site.

The development concept includes modification of the existing lakefront to accommodate the Lakeshore Park and proposed additional permitted uses to accommodate water recreation activities. The Proponent has provided a Stormwater Management Report in support of the proposal. 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 would not have a negative impact on any surrounding properties.

High density developments result in an increased stormwater catchment as the taller buildings increase the aerial coverage for rain capture. The Stormwater Management Report should be amended to take into consideration 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.

e) Traffic, Transport and Parking

▪ Car Parking

The planning proposal includes a clause that the incentive FSR is only achievable subject to compliance with the specified parking provisions. The clause includes the following parking rates:

- Minimum 1 car space per dwelling.
- Minimum 1 additional car space per twelve dwellings.
- Maximum 1 space per 37m² of retail gross floor area.
- Maximum 1 space per 100m² of commercial gross floor area.

The concept plans depict a total of 2,597 basement car parking spaces. The below table provides a comparison between the currently applicable parking rates, the rates included in the draft Norwest Precinct Plan and the parking rates included in the planning proposal.

	Current Controls	Draft Norwest Precinct Plan		Planning Proposal
	Minimum	Minimum	Maximum	

Unit	1 space per dwelling (854 spaces)	1 space per dwelling (854 spaces)	N/A	Minimum 1 space per dwelling (854 spaces)
Visitor	1 space per 5 units (171 spaces)	1 space per 5 units (171 spaces)		Minimum 1 space per 12 units (71 spaces)
Office	1 space per 25m ² GFA (3,224 spaces)	1 space per 100m ² GFA (806 spaces)	1 space per 75m ² GFA (1,075 spaces)	Maximum 1 space per 100m ² GFA (806 spaces)
Retail	1 space per 18.5m ² GFA (1,522 spaces)	1 space per 60m ² GFA (469 spaces)	1 space per 30m ² GFA (938 spaces)	Maximum 1 space per 37m ² GFA (761 spaces)
Hotel	1 space per room & 1 space per 2 employees (220 spaces)	1 space per room & 1 space per 2 employees (220 spaces)	N/A	0.48 space per room & 1 space per 2 employees (96 spaces)
Childcare Centre	1 space per employee & 1 space per 6 children enrolled (29 spaces)	1 space per employee & 1 space per 6 children enrolled (29 spaces)	N/A	1 space per employee & 1 space per 6 children enrolled (29 spaces)
Gym	1 space per 25m ² GFA (50 spaces)	1 space per 25m ² GFA (50 spaces)	N/A	1 space per 25m ² GFA (50 spaces)
Other (Pool, Cinema, Community Centre)	NA*	NA*	NA*	130 spaces
Total Car Parking Spaces	Minimum of 6,069 spaces	Minimum of 2,599 and Maximum of approximately 3,337 spaces		2,817 spaces (Concept Plans propose 2,597 spaces)

Table 5

Car parking rates

*Note: *Council's DCP does not articulate a specific car parking rate for a community centre, cinema or pool.*

It should be noted that majority of the currently applicable parking rates contained within Council's DCP have not been updated to reflect the construction of the Sydney Metro Northwest. The parking rates set out in Council's draft Norwest Precinct Plan provide a more appropriate indication of the appropriate parking requirements for development on this land. The proposed 2,597 car parking spaces depicted in the concept plans is a slight reduction in comparison to the minimum parking provisions included in the required spaces outlined in the Traffic and Parking Study provided with the planning proposal.

The proposed inclusion of maximum parking rates only for commercial and retail development is consistent with the range in the draft Norwest Precinct Plan. It is recommended that a minimum rate should also be included within this clause (consistent with the draft Norwest Precinct Plan) to allow the developer to tailor the final parking provision, having regard to the likely tenants and their needs at the time, while also ensuring appropriate minimum parking provision that prevents increased on-street parking, which impacts surrounding residents and road networks.

Noting the public transport access and the mix of uses across the broader site, it may also be appropriate to reduce rates or consider shared arrangements, as it is likely that future employees and customers will utilise public transport to access employment opportunities and retail services and utilise multiple premises in a single trip.

Council's rate for residential development within the Sydney Metro Northwest Corridor (a minimum of 1 space per unit and 1 visitor space per 5 dwellings) as set out in Clause 7.11 of The Hills LEP 2019, is the result of substantial analysis of car ownership and parking

demand within similar transit centres. However, given the mixed-use nature of the development, there may be opportunities for visitors to utilise a shared use arrangement with other land uses (such as retail) during off peak periods and as such, the proposed visitor car parking rate of 1 space per 12 dwellings is potentially appropriate.

▪ Road Network

The Traffic and Parking Study, submitted by the Proponent, estimates that the proposed development would generate approximately 1,008 AM additional peak hour trips and 1,136 PM additional peak hour trips compared to the existing development.

The Traffic and Parking Study, as submitted by the Proponent, 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.

Although the Traffic and Parking Study requires updates, the material presented has been reviewed. The Study indicates that the proposed development is likely to have an impact on the surrounding road network. Specifically, the intersection of Norwest Boulevard and Brookhollow Avenue/Century Circuit would operate at a poor level of service “F” (this intersection currently operates at level of service “C”). As such, the planning proposal includes a variety of traffic upgrades to improve access to the site from Norwest Boulevard. The proposal includes:

- The provision of an additional right turn lane on Norwest Boulevard into the subject site (which is already constructed but not yet in use);
- Amendments to the internal road layout to remove the existing roundabout accessing the Hillson Campus;
- Extend the right turn lane from Century Circuit (within the site) onto Norwest Boulevard by 200m; and
- The provision of an additional kerbside lane on Brookhollow Avenue for left hand turns onto Norwest Boulevard (however, it is unclear within the material whether the Proponent has committed to this traffic upgrade considering the upgrade would involve land that is not in the Proponent’s ownership).

These traffic infrastructure upgrades would improve the operation of the intersection of Norwest Boulevard with Brookhollow Avenue/Century Circuit and would result in a level of service ‘D’. The following figures depict the existing and proposed layout of the intersection.

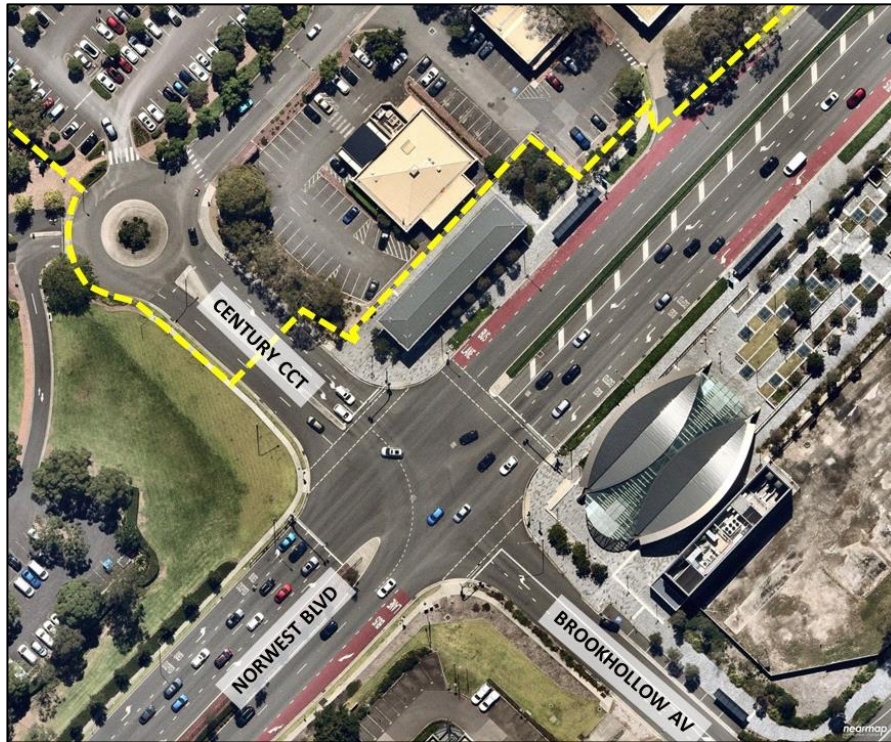


Figure 17
Existing intersection layout

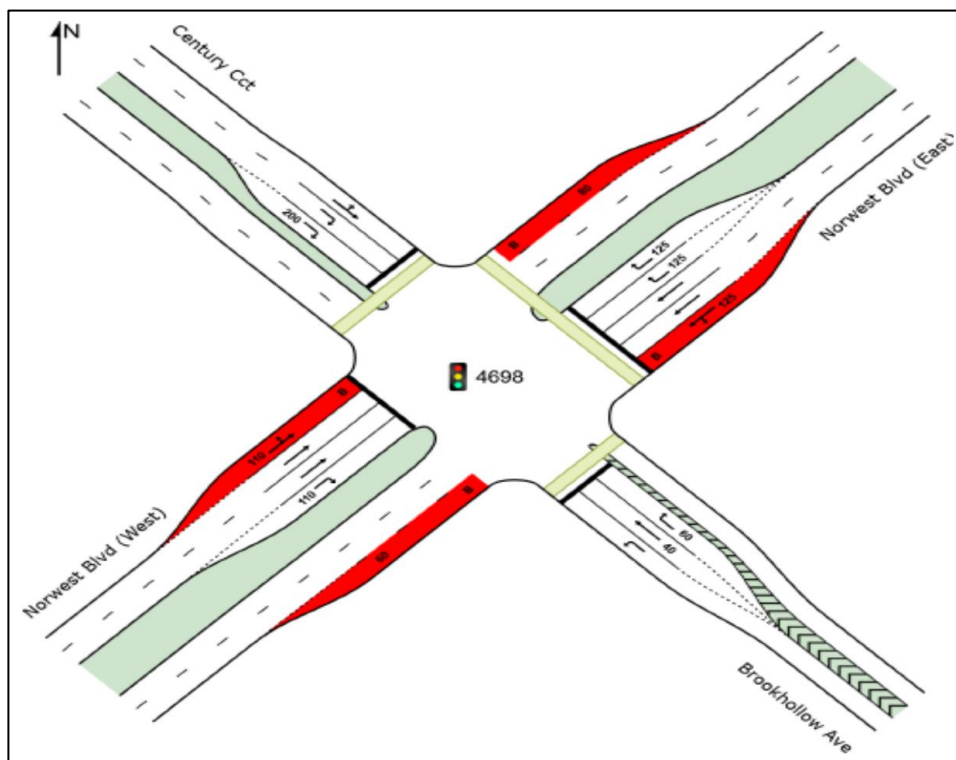


Figure 18
Proposed intersection layout

The planning proposal includes the staged opportunity to facilitate the future northern road connection between Northwest Boulevard towards Fairway Drive, as envisaged in the draft Norwest Precinct Plan. Should the connection eventuate, the link will provide access from Century Circuit through to Fairway Drive and improve connectivity in Norwest.

Should the planning proposal progress to Gateway Determination, 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.

f) Proposed Planning Mechanisms

The proposal includes a maximum incentive FSR control across the site of 5.0:1. The incentive FSR is only achievable subject to compliance with minimum employment floor space, maximum dwelling floor space and cap, housing mix and car parking provisions.

The planning proposal also includes a maximum dwelling cap of 854 dwellings and a housing mix control to ensure residential development is compliant with Council's preferred dwelling size and mix. The control ensures a variety of apartment sizes beyond the requirements of SEPP 65, matching the future demographic of The Hills Shire. The dwelling cap ensures a fixed maximum dwelling yield on the site. For comparison, without the dwelling cap the proposal could potentially achieve 986 dwellings on the site within Council's preferred housing mix controls by reducing the average dwelling size, however it is noted that the Developer intends to provide apartment sizes which are in excess of the minimum required under Council's housing mix and diversity provision.

Similarly, the minimum employment FSR of 2.5:1 protects the future delivery of 50% of total floor space being utilised for employment opportunities. This planning proposal mechanism provides certainty that the site will operate as a key employment site as envisaged within the strategic framework.

The proposed incentive FSR control, includes the portion of the site zoned SP2 Local Drainage. However, under Clause 4.5 of the Hills LEP 2019, the calculation of site area for the purpose of calculating FSR must exclude land on which the proposed development is prohibited. As such, the SP2 land would be excluded from the site area calculation, as the zone prohibits residential flat buildings and commercial premises. This may result in a small reduction in the extent of gross floor area that could be achieved under the controls being sought by the Proponent.

The planning proposal seeks to remove residential flat buildings as an additional permitted use on the Local Centre (E1) portion of the site. The existing additional permitted use was in response to the Department of Planning, Housing and Infrastructures (DPHI's) April 2023 Employment Zone Reforms, to ensure no change to the permitted use of the land when the site was rezoned from B2 Local Centre to E1. Rezoning the land to Mixed Use (MU1) would permit residential flat buildings on the site and therefore the additional permitted use would no longer be necessary.

The proposal seeks to introduce recreation area, retail premises, recreation facility (outdoor), water recreation structure, waterbody (artificial) and wharf or boating facilities on the Drainage Land (SP2) on the site to facilitate the Lakeshore Park and proposed water recreation activities. As discussed in Section 6(d) further information is required in relation to water quality to accommodate the proposed additional permitted uses.

g) Development Control Plan

The Proponent has submitted a draft site-specific DCP which seeks to provide development controls for the proposed development. The draft DCP includes controls in relation to desired future character, development principles, public domain and open space, built form, active

frontages, solar access and overshadowing, vehicle access and connectivity, landscaping, design excellence, sustainability and wind.

The objectives and controls articulated in the draft DCP are generally consistent with the design principles identified within the draft Norwest Precinct Plan. However, the traffic section of the draft DCP is incomplete and will require further controls to be included.

The draft DCP should be amended to include further controls in relations to setbacks, tower setbacks, tower separation, solar access, landscaping, stormwater and traffic and will be considered by Council concurrently with the planning proposal.

h) Infrastructure Demand & Voluntary Planning Agreement

It is crucial that any future development is matched by an adequate level of local and regional infrastructure that meets the needs of local residents and workers, including playing fields, community facilities and transport infrastructure.

The site is currently capable of developing approximately 33,470m² (1,339 jobs) of non-residential floor space and 335 dwellings (assuming a 50/50 split of residential and residential outcomes), under the current planning controls.

The Hills Section 7.12 Contributions Plan, which currently applies to the land and imposes a levy of 1% of the cost of development does not plan or cater for the uplift facilitated by the planning proposal.

The planning proposal seeks to facilitate 854 residential dwellings, which would generate local infrastructure demand as follows:

- 42% of a new sports field;
- 42% of a local park;
- 42% of a netball court;
- 42% of a tennis court; and
- 17% of a local community centre.

The abovementioned benchmarks do not take into account the non-residential component of the development, which would place increased pressure on the passive open space network, roads and traffic facilities and public domain.

The Proponent has submitted an initial Voluntary Planning Agreement (VPA) letter of offer that seeks to deal with local infrastructure demand generated by the planning proposal. The Proponent has valued their offer at \$35 million, which would equate to a contribution of approximately \$20,000 per dwelling and 3% of the non-residential development cost of works. The below table outlines the items in the VPA, the value assigned to these items by the Proponent and which stage of the proposed development each item will be delivered with.

Item	Staging	Proponent's Value of Offer
Public domain works for The Hills Square including a public access easement	Stage 1	Excluded
Transport works associated with the delivery of Century Circuit and Norwest Boulevard	Stage 1	Excluded
Open space works associated with the delivery of the 5,700m ² Lakeshore Park	Stage 2	Excluded

Embellishment of the Lakeshore Park, including improvements to Norwest Lake water quality	Stage 2	\$1,500,000
Construction of a 3,000m ² community facility (cold shell)	Stage 3	\$25,500,000
Dedication of 3,000m ² of community floor space	Stage 3	\$4,500,000
Financial contributions towards offsite active open space/playing fields	Stage 3	\$2,500,000
'First and last mile' travel initiative	Stage 3	\$1,000,000
Total VPA Offer		\$35,000,000

Table 7
VPA items

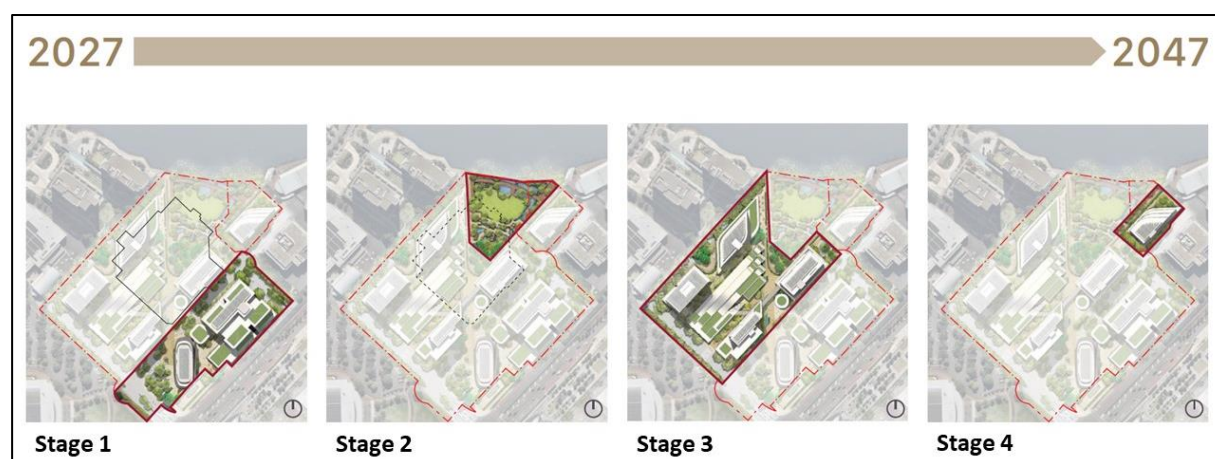


Figure 19
Proposed staging of development

– *Stage 1*

The infrastructure offer includes the construction of 1,770m² of public domain works (The Hills Square) and transport infrastructure upgrades to Century Circuit and Norwest Boulevard in association with Stage 1 of the development. The Proponent has excluded these items from the total value of the VPA offer, considering these works are necessary to facilitate the proposed development. Whilst not represented in the overall value of the VPA offer, including these works within the VPA offer provides Council with certainty that these works will be delivered in association with the future development.

Stage 1 of the development includes commercial and retail development only so it is reasonable that the infrastructure items that these uses generate demand for are provided in association with this stage.

– *Stage 2*

The infrastructure offer includes the construction and embellishment of a 6,000m² publicly accessible lakeshore park which includes an outdoor fitness gym, BBQ facilities, water park, integrated play area and public art. The park is not intended to be dedicated to Council and as such Council would not be subject to the ongoing maintenance costs associated with park ownership. The park would service future residents, employees and visitors to the site.

The open space works associated with the park are excluded from the value of the VPA by the Proponent, however the embellishment of the park and improvements to the water quality in Norwest Lake is valued at \$1.5million.

It should be noted that the park would potentially be supplementing the lack of communal open space for residents being provided elsewhere on the site in association with the residential flat buildings, discussed earlier within this report.

Further information is required with respect to the water quality treatment and the public benefits associated with improving the water quality beyond the current treatment. The supporting Stormwater Management Report indicates that there are existing water quality problems associated with disturbed upstream catchments and the presence of carp in the water bodies. It is unclear how any works associated with the proposal will resolve these issues.

Further, the Stormwater Quality Report notes that increased hard surface area resulting from the development would result in increased stormwater flow and poorer quality run off than from pervious surfaces. The treatment of stormwater is an expectation of undertaking development and would not be a public benefit or necessarily need to be included in a VPA. In addition, the Stormwater Management Report presents an option where part of the Lakeshore Park would be taken up with a stormwater quality detention basin, which would potentially reduce the land available for recreation at the park.

– *Stage 3*

The Letter of Offer includes the construction and dedication of a 3,000m² cold shell community facility, financial contributions toward active open space and a 'first and last mile' travel initiative in association with Stage 3 of the development.

With respect to the construction and dedication of the community facility, there is concern that following dedication, Council would not be able to fund the fit-out and ongoing maintenance costs (including strata fees) associated with the community facility.

The draft Norwest Precinct Plan identifies that the increased residential population would generate demand for a new community facility and library (within the Metro Corridor) and notes that the Norwest Marketown site is a potential opportunity for new community centre floor space.

While the VPA offer is broadly consistent with this approach, Council is unable to fund the capital costs for community facilities via Contribution Plans (as they are not on IPART's Essential Works List), as such Council does not have a funding source for the fit out of a community centre cold shell. Considering the potential high costs in association with the fit out of cold shell developments, Council will need to consider alternatives to delivering community floor space, potentially including the completion of this work by the developer in addition to the dedication, or monetary contributions toward the construction and fit out of a community centre at an alternative location, rather than the dedication of floor space.

The VPA offer also includes monetary contributions towards active open space of \$2.5 million. The active space contributions would equate to \$2,930 per residential dwelling. This contribution is considerably less than comparable active space contributions in other similar VPAs and Contribution Plans. The monetary contributions towards active open space in isolation are considered inadequate, however the value of this contribution would need to be considered in the context of the overall contribution offer, which may represent a disproportionately higher contribution from this developer toward other infrastructure categories (such as community facilities) that could be balanced against this item. This will require further negotiation with the Proponent and consideration by Council.

The VPA offer includes a 'first and last mile' travel initiative. The planning proposal material does not provide sufficient detail regarding what elements would be included in the travel initiative. The Letter of Offer states that the travel initiative will be subject to further discussions with Council. Therefore, the public benefit and value associated with the travel initiative is currently unclear. It may be considered more appropriate that any 'first and last mile' initiatives be considered as initiatives that would benefit future residents and employees of the development and assist in mitigating the proposal's impact on the surrounding traffic network. As such, it may be considered appropriate to contribute the value of the travel initiative (\$1 million) towards the monetary contributions to active open space.

The VPA would exclude the application of The Hills Section 7.12 Contribution Plan to the site.

In considering the planning proposal, Council would need to consider and determine the adequacy of the VPA offer as a mechanism to address the increased demand for infrastructure. The overall value the Proponent's offer, as calculated by the Proponent, appears to be comparable with similar VPAs and Contribution Plans that have been prepared to support other high density residential and non-residential development throughout the Hills Shire. However, a number of elements/items within the VPA including the construction of the community facility, active space contributions and the travel initiatives require further assessment and negotiation in order to determine the reasonable value to attribute to these, and whether or not they adequately address the demand for new infrastructure proportionate to this development.

Given the above, further discussions with the Proponent are required to determine whether the planning proposal sufficiently addresses infrastructure demand. It is anticipated that these negotiations would occur prior to the planning proposal being reported to Council for determination, such that an infrastructure mechanism will be available for Council to consider concurrently with the planning proposal.

CONCLUSION

The planning proposal is generally consistent with the principles and priorities articulated in the relevant strategic planning framework. The proposal would deliver the strategically envisaged employment opportunities as well as deliver increased housing supply in a central location with access to employment opportunities, retail services, frequent bus services and the Northwest Metro Line.

Based on the development concept submitted by the Proponent, some aspects of the development could be improved, including floor plates, building lengths, setbacks and tower setbacks (above podiums), in order to reduce the potential visual dominance and bulk of the proposal. It is recommended that revised concept plans be prepared that demonstrate the ability to comply with some key development controls, at the FSR and density being sought, as follows:

- Improved landscaping and public domain treatments along the site's interface with Norwest Boulevard, which may potentially require increased setback distance;
- Maximum residential tower floor plate of 750m² (rather than 1,050m²);
- Maximum podium length of 65 metres (rather than 84 metres);
- Maximum tower length of 50 metres (rather than 63 metres);
- Minimum tower setbacks above podium of 5 metres (rather than 1.5 metres);
- Minimum building separation of 24 metres above 8 storeys (rather than 20 metres);
- Adequate private communal open space to service residential development, separate to the proposed publicly accessible open space;
- Adequate solar access to Norwest Station Site, communal open space and public domain areas at the ground plane;

It is the view of Council officers that given the site is a large and relatively unconstrained site in single ownership, these issues could be readily overcome with an appropriate built form outcome within the proposed FSR on the site, however it is nonetheless reasonable for the Proponent to submit adequate material to serve as a “proof of concept” that demonstrates the capacity of the site to accommodate this extent of FSR.

It is the view of Council officers that the planning proposal demonstrates adequate strategic and is capable of demonstrating adequate site-specific merit to warrant progression to Gateway Determination, subject to the resolution of built form issues, infrastructure contributions and submission of further information in relation to flooding and traffic, as detailed within this report. These matters should be resolved prior to Council considering whether to submitting the proposal for a Gateway Determination.

There will remain a number of matters that need to be further resolved throughout the course of this application and prior to finalisation of any rezoning. In part, the resolution of these is unable to occur without consultation with relevant State Government agencies such as Transport for NSW. Progressing to Gateway Determination would be an important next step that allows for these necessary public agency consultation processes to commence, as well as public exhibition of the planning proposal to obtain views of the community and stakeholders.

ATTACHMENTS (UNDER SEPARATE COVER)

1. Council Officer Pre-lodgement Feedback Letter (5 August 2022)
2. Council Officer Scoping and Pre-lodgement Feedback Letter (6 December 2022)
3. Planning Proposal Report
4. Urban Design Report
5. Landscape Strategy
6. Sustainability Strategy
7. Infrastructure Delivery Plan
8. VPA Letter of Offer
9. Workshop Presentation to Councillors
10. Indicative Reference Scheme Drawings
11. Draft Local Environmental Plan Maps
12. Draft Development Control Plan
13. Market Potential and Retail Impact Review
14. Traffic and Parking Study
15. Community Benefits Analysis
16. Social Impact Assessment
17. Economic Impact Assessment
18. Heritage Assessment Report
19. Visual Impact Assessment
20. Preliminary Site Investigation
21. Pedestrian Wind Environment Statement
22. Stormwater Management Report
23. Utilities Servicing Report
24. Survey
25. Initial Estimate Report
26. Project Team
27. Updated VPA Letter of Offer