

NORWEST PRECINCT PLAN - SITE SPECIFIC SUBMISSION

Reference No.	1	Submission No.	1A and 1B
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PROPERTY / AREA SUBJECT OF SUBMISSION

Street Address	Number of Properties
34-46 Brookhollow Avenue, Norwest	1

LOCATION / EXHIBITED STRUCTURE PLAN



SUBMISSION DETAILS

Issue/s	<p>Site-Specific Planning Proposal</p> <p>Density</p> <p>Mixed Use / Residential</p> <p>Built Form</p>
Comment/s and Request/s	<p>Site-Specific Planning Proposal</p> <ul style="list-style-type: none"> ▪ The site is subject to a site-specific planning proposal. <p><u>Density</u></p> <ul style="list-style-type: none"> ▪ FSR within draft Plan (3:1) is inconsistent with the principles of Transit Oriented Development (TOD). ▪ FSR of 3:1 is an underutilisation of the property and does not provide sufficient uplift to viably redevelop the property and achieve the planning objectives for Norwest. ▪ FSR is lower than those approved on other sites adjoining Metro stations, which range from FSRs of 4:1 to 6.5:1. Proposals for properties located further from the Metro station have been approved with equivalent or higher FSRs. ▪ FSR of at least 4:1 demonstrates strategic merit as follows:

	<ul style="list-style-type: none"> ○ Consistent with the indicative FSR for the site in the North West Rail Link Corridor Strategy and Hills Corridor Strategy. ○ Consistent with planning principles of sustainable TOD and locating higher density next to public transport rail infrastructure. ○ Provision of commercial floor space on the site next to Norwest Metro Station consistent with targets in planning strategies. <ul style="list-style-type: none"> ▪ Requests an FSR of 5:1. <p><u>Mixed Use / Residential</u></p> <ul style="list-style-type: none"> ▪ The site should be afforded a mixed use outcome, comprising residential and commercial uses to create a vibrant place to work and live. More broadly, the draft Plan should extend a mix of uses throughout the Strategic Centre. ▪ The draft Plan as exhibited will not support businesses after office hours. <p><u>Built Form</u></p> <ul style="list-style-type: none"> ▪ The draft Plan does not demonstrate building height and density transition. Specifically, the subject site is located in area 'D' allowing up to 10 storeys, even though it is directly across the road from the Metro Station. ▪ The subject site should be afforded a maximum building height of at least 25 storeys to achieve a seamless transition required by TOD.
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<p>Concept Submitted</p>	<p>The site plan illustrates a development with a mix of residential and commercial uses. At the top, 'RESIDENTIAL' and 'COMMERCIAL' zones are labeled. 'NORWEST BOULEVARD' runs along the top edge. The plan features several buildings: 'TOWER B' (25 STOREYS), 'TOWER C' (23 STOREYS), and 'B2' (4 STOREYS). Residential buildings are shown with heights of 4, 6, 8, 10, and 15 storeys. Two 'PUBLIC PLAZA' areas are indicated. 'BROADBENT AVE' is on the right. A note at the bottom states: 'ALL RESIDENTIAL PROPERTIES RETAIN MINIMUM 4 HOUR SOLAR ACCESS REFER TO URBAN DESIGN STUDY - SOLAR ANALYSIS'. A dashed line indicates the 'RESIDENTIAL ZONE BOUNDARY' with a 15M setback.</p> <p>Site Plan at 4:1 FSR</p>
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Indicative Concept and Building Heights

COMMENTS

Site-Specific Planning Proposal

A planning proposal for the site to increase the FSR and facilitate a small amount of residential yield on one portion of the site as an Additional Permitted Use has been formally considered and assessed by Council and is currently an active planning proposal (9/2019/PLP).

Prior to be considered by Council, four iterations of the planning proposal were considered by the Local Planning Panel on four separate occasions, with the Panel recommending each time that the proposal should *not* proceed to Gateway Determination as it could not demonstrate strategic or site-specific merit. Each iteration proposed a successively reduced FSR including 5.8:1, 4.3:1, 4.1:1 and 3.8:1.

The submission author's request for an FSR of at least 4:1 (in Submission 1A) and then 5:1 (in Submission 1B) has previously been considered and assessed in detail by Council officers and the Local Planning Panel as part of the site-specific planning proposal process. As part of these detailed assessments and consideration, it was concluded that:

- These FSRs would fail to provide a suitable transition in building heights between the Station Site and importantly, the lower scale residential areas directly adjoining the rear of the site, along Barina Downs Road.
- Built form would be well in excess of the projected heights and density of the approved built form on the station site.
- Bulk and scale would be inconsistent with the current and future character anticipated for the Norwest Station Precinct and Norwest Business Park.

On 27 July 2021, Council resolved to progress to Gateway Determination with a site-specific planning proposal for the site, comprising an FSR of 3:1. Council's resolution enabled the planning proposal to progress on that basis, however first required the submission of updated application material by the Proponent. The Proponent was in agreement with this

outcome at the time of Council's consideration and the Proponent subsequently submitted updated information in August 2023, which aligned with the Council's resolved position, including the proposed FSR of 3:1. Council officers then submitted the planning proposal package to the Department for a Gateway Determination in September 2023.

In April 2024, the Department issued a Gateway Determination for the site-specific planning proposal enabling its progression to public exhibition, subject to conditions. One condition requires an amendment to the planning proposal to remove the proposed residential component and facilitate a wholly commercial development outcome under Council's endorsed FSR of 3:1. That is, while Council was supportive of permitting a small amount of residential uses on a portion of the site (being the portion of the site which is flanked by existing residential uses on 2 frontages), the Department did not agree that there was sufficient strategic merit to allow for residential outcomes to be permitted on this land. The Department has required that the residential component of the proposal be deleted, with the proposal only able to proceed as an employment only outcome.

The Proponent has advised the Department that they intend to lodge a Gateway Review seeking reconsideration of the Department's condition of Determination, as it relates to the proposed residential land use. Permissibility of residential uses on the site will ultimately be determined under this planning pathway which is underway.

While the outcome of this process is not yet resolved, given Council has been through an extensive assessment process with respect to a site specific planning proposal and has formally resolved to forward the proposal for Gateway Determination, post exhibition amendments are proposed to relevant sections of the draft Plan to flag this separate process and identify that the final land use, density and height outcomes will be determined as the outcome of that separate process.

For reference, the strategic framework preceding the draft Norwest Precinct Plan indicated the following potential FSRs for the subject site:

- North West Rail Link Corridor Strategy – 2:1 to 4:1 (Employment)
- The Hills Corridor Strategy – Minimum 2:1 (Employment)

The submission author's suggestion that a higher FSR of 4:1 is more suitably aligned with the strategic framework is not supported. The proposed FSR of 3:1 (including 2.4:1 of employment FSR) is within the density range envisaged under the State Government's Strategy and is consistent with Council's Strategy. The State and local corridor strategies were always intended to be higher-level investigations that were to be refined through more detailed precinct planning, which has now occurred as part of the Norwest Precinct Plan.

Additionally, the standards sought through the site-specific planning proposal have been subject to extensive assessment having regard to the specific constraints which impact this site and the design process undertaken to determine a suitable built form and urban design outcome through the planning proposal material.

The post exhibition amendments proposed to the draft Precinct Plan would reflect the FSR supported by Council through the site-specific planning proposal (resulting in an increase in the FSR post-exhibition from 2:1 as exhibited to 3:1).

The intent of this change is to fully preserve the landowners existing opportunity to progress with the existing site-specific planning proposal to finalisation, in full accordance with Council's resolution on the planning proposal from 2021. The proposed amendments also

flag that if the planning proposal does not proceed for any reason, the site would then revert back to being considered as part of the Council-initiated planning proposal for Focus Area 1 – Designated Employment Area of Norwest Central.

Transition of Density and Built Form

The submission author states that the subject site adjoins Norwest Station and should therefore accommodate a higher FSR than identified and a higher FSR than other sites which are further from the station. However, this is a simplistic view of the considerations that should be given to determining appropriate density and height outcomes on individual parcels of land and disregards the other strategic and site-specific considerations that must be considered in determining an appropriate FSR and height.

Of particular note, the site is relatively small and irregularly shaped and while one boundary of the subject site does adjoin the Norwest Station Site, the other boundary interfaces directly with residential land which is currently developed as low density housing. These particular site constraints were interrogated in depth as part of the site specific planning proposal. Previous iterations of the site-specific planning proposal which sought higher FSR and height standards were unable to demonstrate alignment with existing or desired future character outcomes, an appropriate interface with these dwellings or that the overall bulk and scale of the development could respond to visual amenity impacts on adjoining properties. An FSR of 3:1 and height of 23 storeys was deemed to be the maximum achievable for this site whilst providing an appropriate built form and amenity outcome in the context of the surrounding development. The location of the site in relation to the station was known at the time of assessment of the site-specific planning proposal and this feature does not negate the need to also consider the site in its context and other adjoining uses and outcomes. Other sites where a higher FSR has been identified (such as the Norwest Station Site or Marketown Site) are not similarly constrained.

Mixed Use / Residential

Commercial and Retail

The current SP4 Enterprise zone permits a mix of uses in addition to offices, including business and food and drink premises. These uses play an important role in enhancing the vibrancy of the strategic centre and are required under the Precinct Plan to be provided as part of any future office development to facilitate ground floor activation. This outcome is the desired land use arrangement envisaged for the designated commercial sites in Norwest Central – Focus Area 1.

Other types of retail premises are contrary to the objectives of the SP4 zone and are not permitted, in order to maintain the primary employment role and function of Norwest Central and protect the existing hierarchy of centres hierarchy which are the focal point for higher order retailing.

Under The Hills Development Control Plan (DCP) 2012, flexible hours are permissible for development in Norwest Business Park (Norwest Central) and may be 24 hours, 7 days per week provided operations do not adversely affect adjoining properties or businesses. This development control encourages a thriving (day and evening) economy and activates office designated areas where appropriate. It is also noted that a proliferation of residential uses throughout the Precinct on land identified for non-residential uses would potentially be contrary to this objective as it would create a high potential for land use and amenity conflicts.

The concept of a mixed use centre does not require a mix of uses on every site, nor does it require the “mix” of uses to necessarily always include residential outcomes. The achievement of a vibrant, mixed use centre is not incompatible with designating specific

areas for critical employment and urban services development, as envisaged for the Designated Employment Area of Norwest Central.

Residential

The site-specific planning proposal endorsed by Council and submitted for Gateway Determination includes an additional permitted use to facilitate ancillary residential development of up to a maximum of 76 dwellings.

Whilst this is a technical departure from the strategic framework, based on Council officers' assessment of the proposal this inconsistency was considered to be justified on the basis that the site is flanked by residential areas on two frontages and the location of the proposed residential uses provides a logical land use transition. As the proposal would retain an underlying zoning of SP4 Enterprise across the entire site, commercial uses would continue to be permitted across the entire site, should market demands dictate an alternate outcome to the residential component proposed.

Therefore, the planning proposal, as endorsed by Council, reflects the submission author's request to permit residential development on the subject site.

Additionally, consideration has also been given to the suitability of certain other sites within Norwest Central to stimulate redevelopment and the delivery of jobs to keep pace with population growth. To encourage these outcomes, it is considered there may be merit in permitting a limited amount of residential development on certain sites which meet specific criteria including proximity to Norwest Metro Station and a larger size (greater than 4 hectares) which can facilitate proper master planning and optimal urban design and built form outcomes. Sites which are considered appropriate for such outcomes have also been selected based on their locational context which can provide an appropriate interface with surrounding development and where overshadowing, amenity and privacy impacts can be minimised.

Given the subject site does not satisfy the abovementioned criteria, any residential uplift on the site beyond what has already been considered and deemed acceptable by Council through the assessment and determination of the existing site-specific planning proposal is not supported.

In April 2024, the Department issued a Gateway Determination for the site-specific planning proposal enabling its progression to public exhibition, subject to conditions. One condition requires an amendment to the planning proposal to remove the proposed residential component and facilitate a wholly commercial development outcome under Council's endorsed FSR of 3:1.

The Proponent has advised the Department that they intend to lodge a Gateway Review seeking the Department's reconsideration of the condition of Determination, as it relates to the proposed residential land use. Permissibility of residential uses on the site will be determined under this planning pathway.

Built Form

As noted previously, a building height of 23 storeys is considered the appropriate maximum for this site in the context of surrounding uses. This height recognises the proximity of the site to Norwest Station to the greatest extent possible, noting that properties to the east of this site along Brookhollow Avenue transition to a lower height of 8-10 storeys.

As mentioned previously, in light of Council's resolved position on the planning proposal and that a Gateway Determination has been issued supporting this proposed height, post

exhibition amendments are proposed to the draft Plan to reflect the built form outcomes of the site-specific proposal.

RECOMMENDATION

1. Update the indicative density and building height for the subject site to align with the outcomes endorsed by Council through assessment of the site-specific planning proposal.
2. Include notations within the Plan to identify that a site-specific planning proposal is currently underway for this site (permitting up to 76 residential dwellings) and that the final land use, density and height outcomes will be determined through that separate process, if the proposal proceeds to finalisation. Also identify that if the planning proposal does not proceed to finalisation for any reason, the site would then be able to be considered as part of a future Council-initiated planning proposal for Focus Area 1 – Designated Employment Area within Norwest Central.