

**18.3 PLANNING PROPOSAL FOR LOT 5 DP 270714, 4 BROADCAST WAY,
ARTARMON- GORE HILL TECHNOLOGY PARK**

ATTACHMENTS:	1. COUNCIL REPORT AND RESOLUTION DATED 26 APRIL 2016 2. CONSIDERATION OF THE PLANNING PROPOSAL UNDER CLAUSE 55(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
RESPONSIBLE OFFICER:	IAN ARNOTT- PLANNING MANAGER
AUTHOR:	JANE HOSIE-STRATEGIC PLANNER
CITY STRATEGY LINK:	5.1.1 LOCAL BUSINESS
MEETING DATE:	10 OCTOBER 2016

Purpose of Report

To seek Council's support to forward a Planning Proposal to the Department of Planning and Environment for a Gateway Determination and for public exhibition.

Background

At its meeting of 26 April 2016 Council resolved to support a Planning Proposal relating to the Gore Hill Technology Park at Lots 1-6 DP270714 known as 1-5 Broadcast Way, Artarmon. Refer to Attachment 1.

The Planning Proposal sought to:

- Change the zoning of Lots 5 and 6 (fronting the Pacific Highway) from IN2- Light Industrial to B7- Business Park;
- Increase the maximum floor space ratio from 1.5:1 to 3.5:1 for Lot 5 subject to a maximum site cover of 60%;
- Increase the maximum floor space ratio from 1.5:1 to 4.5:1 for Lot 6; subject to a maximum site cover of 60% and a site area of 12,000 sqm;
- Increase the maximum site cover for Lots 2, 3 and 4 from 45% to 60%;
- Include a clause requiring a minimum office floor plate of 1,200sqm in the B7 zone for Lots 5 and 6.

Council also resolved to support a variation to the car parking provision for Lot 6 from 1 space per 100sqm, to the rate of 1 space per 70sqm.

Discussion

Since Council considered the Planning Proposal, Council officers have been negotiating with Roads and Maritime Services (RMS) and the applicant to address issues relating to the additional traffic which will be generated from the proposed increase in floor space for Lot 6 (56,295sqm) as well as the proposed change to a B7 – Business Park zone.

The applicant, Lindsay Bennelong Developments (LBD) has indicated that it does not want issues relating to Lot 6 to delay the progression of the rezoning of Lot 5 and have lodged a separate Planning Proposal just for Lot 5 which is the subject of this report.

Proposed Development

The Planning Proposal applies to Lot 5, outlined in red in Figure 1 below.



Figure 1: Location Plan

There is a multi storey building on the site, known as Building C, which was approved as part of the original development consent for the Gore Hill Technology Park. It is owned by Growth Point. Building C has a floor space ratio of 3.44:1 and comprises 14,500sqm of floor space. It is currently partially tenanted by Fox Sports and two other television related organisations. There is 2,200sqm of the building yet to be leased.

This Planning Proposal seeks to:

- rezone Lot 5 from IN2 Light Industrial to B7 Business Park;
- increase the applicable floor space ratio (FSR) for Lot 5 from 1.5:1 to 3.5:1 subject to a maximum site cover of 60% in order to reflect the FSR of the existing building;
- include a clause requiring a minimum office floor plate of 1,200sqm in the B7 zone for Lot 5.

The table below compares the two Planning Proposals in relation to Lot 5.

	April 2016 Resolution of Council	Current Planning Proposal
Zoning	Light Industrial IN2 to Business Park B7	No change
Floor Space Ratio	1.5:1 to 3.5:1	No change
Site Cover	45% to 60%	No change
Floor plate	Clause requiring office and business premises to have a minimum floor plate of 1,200sqm	No change

Officer's Comments

- B7 Business Park Zone

Council has previously resolved to support a change in zoning of Lot 5 to B7 – Business Park as it supports the employment role of the Gore Hill Technology Park. The Gore Hill Technology Park is presently zoned IN2- Light Industrial under Willoughby Local Environmental Plan 2012 (WLEP 2012). “Office Premises” are not permitted in the IN2 zone. The major difference between the IN2 and B7 zones is that “office premises” are permitted in the B7 zone. Lot 5 is adjacent to the Pacific Highway and land to the north of Campbell St on the Pacific Highway is already zoned B7- Business Park. Attachment 2 sets out further rationale for the Planning Proposal.

- Floor Space Ratio

The original development consent for the Gore Hill Technology Park (DA 2008/42) approved a FSR of 1.77:1 across the whole site. A subsequent approval for community title subdivision of the site into 6 lots resulted in Lot 5 having an FSR of 3.5:1. The Planning Proposal request for a FSR of 3.5:1 is consistent with Council's previous support that the LEP controls reflect the existing approved and built development on Lot 5.

- Floor Plate

In order to protect the commercial areas of Chatswood and St Leonards, Council has previously resolved to include a local provision in WLEP 2012 for Lot 5 requiring the floor area for office and business premises to be a minimum of 1,200sqm. This is to encourage large scale campus style development which is unlikely to have a significant impact in the Chatswood and St Leonard's market. It is recommended that this minimum floor plate area requirement continue to apply.

- Site Coverage

The applicant requests that reference to a site cover control for Lot 5 be deleted as the building has already been constructed. The objective of the site cover control is to reinforce a business park character of buildings set within open space. Council has previously resolved to support exhibition of a 60% site cover on all the Lots comprising the Gore Hill technology park. The applicant's request to have no site cover control for Lot 5 is not supported. It is recommended that this provision be consistent across the site and be retained for Lot 5.

- Traffic, Parking and Transport

The main potential environmental issue of the Planning Proposal relates to traffic generation and car parking.

In terms of car parking, the existing Building C on Lot 5 was approved with 182 car spaces – 176 spaces in basement parking and 6 surface spaces located outside the building. The existing tenants of the building occupy 161 parking spaces in the basement levels and there are 21 spaces available for the vacant 2,200sqm.

The applicant's traffic assessment prepared by Transport and Traffic Planning Associates (TTPA) adopts an arrival/departure rate of staff in 1 hour of 50%. According to TTPA if that rate is applied to the 21 parking spaces then the proposal would generate 11 vehicle trips per hour and will not have a perceptible traffic impact.

Council's traffic consultants (Arup) advise that they agree with the conclusion of TTPA that the small amount of additional traffic resulting from the Planning Proposal (11 vehicle trips per hour) would have negligible impacts on the local and regional road network.

In conclusion, traffic and transport is not considered to be a significant concern for this Planning Proposal. In this respect the additional use will occupy existing building space relying on existing parking provision and the Gore Hill shuttle bus and Artarmon loop bus as well as Pacific Highway bus services.

As the site is located on the Pacific Highway, the Planning Proposal will be referred to the Roads and Maritime Services (RMS) for comment during public exhibition.

- Internal Referrals

The Planning Proposal has not been referred to Council's Engineering section as the building on Lot 5 has already been constructed and no new building work forms part of this Planning Proposal.

Council's Environmental Health Officer has assessed the Planning Proposal in terms of *State Environmental Planning Policy 55- Remediation of Land* and has advised that previous remediation of the site meets the standards to warrant support for the rezoning.

- Department of Planning Requirements

The Planning Proposal is considered to be generally in accordance with the requirements under Clause 55(2) of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's (August 2016) "*A guide to preparing Planning Proposals*". This document establishes six parts for consideration of a Planning Proposal. Refer to Attachment 2.

Policy Implications

Willoughby Local Environmental Plan 2012 will be amended should the Planning Proposal be supported by Council.

Community Notification

Should Council support the Planning Proposal, the next steps will be to request a Gateway Determination. Public exhibition will be in accordance with the Department of Planning and Environment's Gateway Determination requirements and Council's Community Engagement Policy. This would involve appropriate notification and receipt of submissions on the documents from relevant state agencies and the general community. The exhibition material will include the draft WLEP 2012 Amendment (written instrument and maps.)

Conclusion

This Planning Proposal is consistent with Council's previous resolution of 26 April 2016 in relation to Lot 5 and the Gore Hill Technology Park and will expedite its change of zoning.

OFFICER'S RECOMMENDATION

That Council:

- 1) Reconfirm its support of the Planning Proposal and draft amendments to *Willoughby Local Environmental Plan 2012* in relation to Lot 5 DP 270714 by:
 - i) rezoning the land from IN2 Light Industrial to B7 Business Park;
 - ii) increasing the Floor Space Ratio from 1.5:1 to 3.5:1 subject to a site cover of 60%;
 - iii) including a clause requiring office and business premises to have a minimum floor plate of 1,200sqm.
- 2) Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act 1979*.
- 3) Advise the Department of Planning and Environment that the Planning Manager be nominated as delegate to process and finalise the Planning Proposal.

ORDINARY COUNCIL MEETING

26 APRIL 2016

ATTACHMENT 1**18.2 AMENDED PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN FOR GORE HILL TECHNOLOGY PARK LOTS 1-6 DP 270714 (1-5 BROADCAST WAY, ARTARMON)**

ATTACHMENTS:

1. COUNCIL REPORT DATED 10 DECEMBER 2012
2. COUNCIL REPORT DATED 24 FEBRUARY 2014
3. AMENDED PLANNING PROPOSAL CONCEPT PLANS (CIRCULATED SEPARATELY)
4. DRAFT AMENDMENTS TO WILLOUGHBY DEVELOPMENT CONTROL PLAN (WDCP)
5. CONSIDERATION OF THE PLANNING PROPOSAL UNDER CLAUSE 55(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
6. COUNCIL TRAFFIC ENGINEER'S COMMENTS

RESPONSIBLE OFFICER: IAN ARNOTT- PLANNING MANAGER

AUTHOR: JANE HOSIE – STRATEGIC PLANNER

CITY STRATEGY LINK: 5.1.1 LOCAL BUSINESS

MEETING DATE: 26 APRIL 2016

Purpose of Report

This report relates to a Planning Proposal and an associated request to amend the existing Planning Controls in respect of a portion of the Gore Hill Technology Park at 1-5 Broadcast Way, Artarmon.

It includes references to a series of historical decisions, in particular:

- In 2012 a Planning Proposal to rezone part of the site from IN2- Light Industrial to B7- Business Park and to increase the floor space controls for Lots 5 and 6.
- In 2013 plans providing for the relocation of the proposed Sports and Community Centre from Lot 3 to Lot 6.
- In 2014 Council's resolution to investigate the relocation of the Sports and Community Centre to Gore Hill Oval at St Leonards.
- In 2015 a further revised Planning Proposal to rezone Lots 5 and 6 and to further increase the floor space controls relating to Lot 6.
- In all versions of the Planning Proposal, the Applicant has sought to increase the car parking rate above Willoughby Development Control Plan requirements.

This report considers the merits of the current Planning Proposal and recommends that Council:

- support the amended Planning Proposal in principle and refer it to the Gateway
- with the exception of car parking, support amendments to the site specific development controls in Willoughby Development Control Plan

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ORDINARY COUNCIL MEETING

26 APRIL 2016

- continue to work with Roads and Maritime Services to determine appropriate traffic and parking arrangements.

Procedural Motion

That the following people address the meeting and answer questions of the Councillors:

- David Flanagan and Leigh Manser (Lindsay Bennelong)

Procedural Motion

That the motion be put.

A show of hands showed no dissent to the motion being put.

MOTION

That Council:

1. Supports the revised Planning Proposal for Lots 1 to 6 Gore Hill Technology Park at 1-5 Broadcast Way, Artarmon and forwards it to the Department of Planning and Environment seeking a revised Gateway Determination under Section 56 of The Environmental and Planning Assessment Act 1979.
2. Supports draft amendments to Willoughby Local Environmental Plan 2012 for Lots 1 to 6 DP 270714 at 1-5 Broadcast Way, Artarmon for public exhibition as follows:
 - Change in the zoning of Lots 5 and 6 from IN2- Light Industrial to B7- Business Park;
 - Increase the maximum floor space ratio from 1.5:1 to 3.5 for Lot 5 subject to a maximum site cover of 60%;
 - Increase the maximum floor space ratio from 1.5 :1 to 4.5:1 for Lot 6; subject to a maximum site cover of 60% and a site area of 12,000sqm;
 - Increase the maximum site cover for Lots 2, 3, and 4 from 45% to 60%;
 - Include a new local clause in Part 6 of WLEP 2012 relating to the minimum size of floor plates for use as office and business premises as follows:

6.2.0 (1) This clause applies to Lots 5 and 6 of DP 270714 known as 2 and 4 Broadcast Way, Artarmon zoned B7 Business Park.

Development consent for the purposes of Office or Business premises must not be granted unless the consent authority is satisfied that:

 - a. *The occupant requires and will solely occupy a minimum gross floor area of 1,200sqm;*

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- b. The applicant has demonstrated that owing to special building or floor plate requirements suitable land or premises is not available for development or occupation within any nearby business centre including Chatswood and St Leonards Central Business Districts; and*
 - c. The development would not detrimentally affect the viability of the Chatswood or St Leonards Central Business District office precincts.*
- 3. Requires a Phase1 Preliminary Investigation Contamination report to be submitted prior to exhibition of the Planning Proposal.
- 4. Supports the draft amendments to Part 1.5 -*ABC Gore Hill Divestment Site* of Willoughby Development Control Plan for Lots 1-6 DP 270714 at 1-5 Broadcast Way, Artarmon for public exhibition as recommended in Attachment 4 of this report to reflect the development approved for the site as well as to be consistent with the proposed Willoughby Local Environmental Plan 2012 amendments.
- 5. Notes the separate report on the Agenda regarding the Voluntary Planning Agreement for the Gore Hill Technology Park, in particular that the Agreement will:
 - a. document a proposed Community Benefit in recognition of the amended planning controls.
 - b. include community consultation to provide for public input into the process.
- 6. Requires car parking on Lot 6 to be provided at a ratio of 1 space/70sqm.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HILL

CARRIED

Voting

For the Motion: Councillors Coppock, Eriksson, Hill, Norton, Rozos and Rutherford.

Against: Councillor Wright

Absent: Councillors Giles-Gidney and Sloane.

Due to Item 18.2 being a JRPP Matter, Councillors Giles-Gidney and Sloane declared a non-pecuniary substantial interest as members of the JRPP Panel and withdrew from the meeting taking no part in the discussion or voting.

Councillor Coppock assumed the Chair in the Mayor's and Deputy Mayor's absence for this item.

18.2 AMENDED PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN FOR GORE HILL TECHNOLOGY PARK LOTS 1-6 DP 270714 (1-5 BROADCAST WAY, ARTARMON)

ATTACHMENTS:	1. COUNCIL REPORT DATED 24 FEBRUARY 2014 2. COUNCIL REPORT DATED 10 DECEMBER 2012 3. AMENDED PLANNING PROPOSAL CONCEPT PLANS (CIRCULATED SEPARATELY) 4. DRAFT AMENDMENTS TO WILLOUGHBY DEVELOPMENT CONTROL PLAN (WDCP) 5. CONSIDERATION OF THE PLANNING PROPOSAL UNDER CLAUSE 55(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 6. COUNCIL TRAFFIC ENGINEER'S COMMENTS
RESPONSIBLE OFFICER:	IAN ARNOTT- PLANNING MANAGER
AUTHOR:	JANE HOSIE – STRATEGIC PLANNER
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MEETING DATE:	26 APRIL 2016

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This report relates to a Planning Proposal and an associated request to amend the existing Planning Controls in respect of a portion of the Gore Hill Technology Park at 1-5 Broadcast Way, Artarmon.

It includes references to a series of historical decisions, in particular:

- In 2012 a Planning Proposal to rezone part of the site from IN2- Light Industrial to B7- Business Park and to increase the floor space controls for Lots 5 and 6.
- In 2013 plans providing for the relocation of the proposed Sports and Community Centre from Lot 3 to Lot 6.
- In 2014 Council's resolution to investigate the relocation of the Sports and Community Centre to Gore Hill Oval at St Leonards.
- In 2015 a further revised Planning Proposal to rezone Lots 5 and 6 and to further increase the floor space controls relating to Lot 6.
- In all versions of the Planning Proposal, the Applicant has sought to increase the car parking rate above Willoughby Development Control Plan requirements.

This report considers the merits of the current Planning Proposal and recommends that Council:

- support the amended Planning Proposal in principle and refer it to the Gateway
- with the exception of car parking, support amendments to the site specific development controls in Willoughby Development Control Plan
- continue to work with Roads and Maritime Services to determine appropriate traffic and parking arrangements.

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ITEM - 18.2Amended Planning Proposal And Development Control Plan For Gore Hill Technology Park Lots 1-6 Dp 270714 (1-5 Broadcast Way, Artarmon)

Background

Site Zoning, Development Status and Planning Proposal History

The Gore Hill Technology Park at 1-5 Broadcast Way comprises Lots 1-6 DP 270714 and is the former ABC site. Refer to Map 1

The site, is zoned Light Industrial (IN2) under Willoughby Local Environmental Plan 2012 (WLEP 2012). (Refer to Map 2). WLEP 2012 stipulates a floor space ratio of 1:1 or 1.5:1 for sites located in Light Industrial zones that have a site area above 1,000sqm in size. The site is also subject to specific height controls relating to the transmission requirements of Broadcast Australia, the owner of the adjacent transmission tower.

Map 1 – Lots 1-6 (Subject Site)



Development Application 2008/42

In 2008, Development Consent (2008/42) was issued for a mixed use high technology/ light industrial park comprising 5 buildings on the site. At that time, Lindsay Bennelong Developments owned the whole site. Since then, amendments to the original consent have been approved and the site has been subdivided by community title. Lots 2, 4 and 5 have subsequently been sold. To date, two buildings have been constructed - a data centre for the Australian Stock Exchange on Lot 4 (owned by Securis) and a building partially occupied by Fox Sports (owned by Growth Point) on Lot 5.

An existing Voluntary Planning Agreement (VPA) between Council and the Applicant provides for a Sports and Community Centre on Lot 3 in lieu of Section 94 contributions associated with development consent 2008/42. Lot 3 is currently vacant. The Voluntary Planning Agreement is the subject of a separate report on this Agenda.

Map 2 – Zoning Map



Planning Proposal 2012

In 2012, the Applicant submitted a Planning Proposal requesting that Lots 5 and 6 fronting the Pacific Highway be rezoned from Light Industrial IN2 to B7 Business Park. The Business Park zone allows "pure office" uses whereas in the IN2 zone the office component of developments must be ancillary to an industrial use.

In justifying the Planning Proposal the Applicant stated that although a portion of the site has attracted industrial uses there have been difficulties in attracting end users that are permitted in the IN2 Light Industrial zone for the remaining part of Lot 5 and all of Lot 6. The Planning Proposal however noted that there has been interest from organisations requiring offices with large floor plates who have located outside the Willoughby Local Government Area in areas such as Macquarie Park and Rhodes.

The Planning Proposal also requested an increase in height and an increase in the floor space ratio from 1.5:1 to 3.5:1 for Lot 5 (to reflect the existing approved development) and Lot 6. These increases would allow large floor plate campus style office space as well as help to facilitate a larger Sports and Community Centre on Lot 3.

In this regard, a Willoughby Recreational Needs Study had recommended that a larger Sports and Community Centre would be more useful. It was considered that the larger Sports and Community Centre would deliver a net community benefit resulting from the:

- increase in floor space for Lot 6
- additional B7 land uses for Lots 5 and 6.

The concept plans submitted with the 2012 Planning Proposal indicated 690 car parking spaces on Lot 6 with 155 spaces on Lot 3. Council Officers did not support this arrangement and recommended that the development be limited to the 460 spaces approved by DA 2008/42 on Lot 6 with the 155 spaces on Lot 3 to remain.

In December 2012 the Planning Proposal was supported in principle by Council subject to resolution of outstanding issues relating to traffic, parking and height as well as preparation of a revised Voluntary Planning Agreement (Refer to the Officer's report dated 10 December 2012 at Attachment 1.)

Amended Planning Proposal 2013

An amendment to the original 2012 Planning Proposal was lodged in 2013. The rationale for the revised Planning Proposal was a desire by the Applicant to move the Council Sports and Community Centre from Lot 3 to Lot 6. This was to allow for a second Data Centre - similar to the Australian Stock Exchange development, to be located on Lot 3.

At this time, Council Officers negotiated an improved design for the Sports and Community Centre on Lot 6 (rather than Lot 3). The multi-function centre comprised increased floor to ceiling heights, with the ability to accommodate a wider range of sports and levels of competition. The layout of the facility also allowed for an increased volume of people movements and viewing areas. The Sports and Community Centre was to be a stratum and one of three buildings above a podium on Lot 6.

The concept plans submitted with the Planning Proposal proposed 772 car spaces for Lot 6 including 177 spaces to be allocated for the Sports and Community Centre. This would equate to 1 space/76sqm (excluding the Sports and Community Centre) which is higher than the 1 space/84.55sqm approved by DA 2008/42 and significantly higher than the Willoughby Development Control Plan requirement of 1 space/ 100sqm for the site.

Council Officers did not support the increase in car parking as indicated in the concept plans because it was inconsistent with the original requirement for sustainable transport options for the site. It was also noted that support of the Planning Proposal was subject to referral to the Roads and Maritime Services.

Council considered a report (Attachment 2) on the amended Planning Proposal in February 2014 and resolved to refer it to the Gateway with the following provisions:

- to rezone Lots 5 and 6 (fronting the Pacific Highway) from IN2 –Light Industrial to B7-Business Park;
- to increase the floor space ratio applying to Lots 5 and Lot 6 to 3.5:1;
- to increase the permissible height to enable a Development Application for a data centre on Lot 3 (subsequently withdrawn) and 10.5m floor to ceiling heights for a Sports and Community Centre on Lot 6;
- The Planning Proposal was accompanied by a draft revised Voluntary Planning Agreement (VPA) to relocate the Sports and Community Centre from Lot 3 to Lot 6.

Gateway Determination 2014

On 8 May 2014 the Department of Planning and Environment issued a Gateway Determination allowing the Planning Proposal (as described above) to be exhibited. It required consultation with Transport for NSW-Roads and Maritime Services, Broadcast Australia and adjoining Councils.

However, the Planning Proposal did not proceed to public exhibition due to other deliberations within Council in relation to the location of the Sports and Community Centre. Since that time there have been further negotiations between Council Officers and the Developer regarding the location and delivery of the Sports and Community Centre.

A revised Gateway Determination will now be required should Council support the recommendations of this report.

Sports and Community Centre Report September 2014

In July 2014 information was presented to Councillors regarding the relative merits of a Sports and Community Facility at the Technology Park or Gore Hill Oval.

At its meeting on 8 September 2014 Council considered a report in relation to a range of matters associated with Council properties and facilities. In response Council resolved:

"That Council officers be authorised to enter into discussions with Lindsay Bennelong Developments to revise the Voluntary Agreement to provide a cash contribution to fund the development of Gore Hill Park".

A revised Voluntary Planning Agreement has been submitted in association with a revised Planning Proposal offering a monetary contribution from the developer in lieu of the Sports and Community Centre on Lots 3 or 6. The revised Voluntary Planning Agreement is the subject of a separate report to Council.

Amended Planning Proposal June 2015

An amended Planning Proposal was lodged with Council in June 2015. As noted above, it has originated from a Council resolution to enter into discussions with the Applicant to revise the Voluntary Agreement to provide a cash contribution to fund the development of Gore Hill Park. As stated previously, the current Voluntary Planning Agreement provides for a Sports and Community Centre on Lot 3 of the site.

The amended Planning Proposal now relates only to Lots 5 and 6 and seeks a further increase in the permissible floor space ratio relating to Lot 6, now that the Sports and Community Centre is proposed to be located at Gore Hill. The amended Planning Proposal requests the following:

- Rezone Lots 5 and 6 from IN2 Light Industrial to B7 Business Park;
- Identify Lot 5 as 3.44:1 on the Floor Space Ratio Map to reflect the existing building now constructed on the site;
- Identify Lot 6 on the Floor Space Ratio Map to enable 4.52:1 subject to a minimum site area of 12,000sqm and a maximum site coverage of 60%.

It is no longer proposed to amend Willoughby Local Environmental Plan 2012 height provisions.

The Applicant has prepared a number of concept schemes for Lot 6 and one of the options is included as Attachment 3 of this report. The schemes attempt to demonstrate ways in which the site could be developed in accordance with the amendments to Willoughby Local Environmental Plan 2012 as requested in the Planning Proposal. No elevations accompany the concept plans.

- The concept plans relate to Lot 6 and indicate a development with a mix of uses as follows: office (44,959 sqm), showroom/gym (6,931 sqm), showroom/ retail (2,020 sqm), retail/bar (2,540 sqm.)
- The plans propose two buildings above basement car parking for 974 vehicles (with access via Broadcast Way). Proposed Building A fronting Broadcast Way would comprise nine levels of office (plus plant) above ground floor retail and two lower levels of basement gym and showroom. It would provide 506 of the 974 car spaces in four levels of underground parking.
- Proposed building B fronting the Pacific Highway would comprise seven levels of office (plus plant) above ground floor retail and showroom. Car parking for 468 of the 974 spaces would be provided over four levels in the lower ground level and basements.
- Each building would include loading dock facilities which are indicated on the ground floor with access from Broadcast Lane.
- The ground floor forecourt would include seven separate retail tenancies ranging in size from 197 sqm to 695 sqm. Ground level would also include a bar and a landscaped plaza. (Note: The Applicant has not sought a variation to the 80sqm maximum size for neighbourhood shops prescribed in Willoughby Local Environmental Plan 2012).

According to the documentation, the proposed offices would be "A Grade", large floor plate in design and be consistent with the characteristics of business office parks. It is noted that the proposed office space indicates tenancies above 1,200 sqm however level 9 of building A indicates two offices of 765 sqm.

The Applicant has requested a variation to the Willoughby Development Control Plan car parking rate of 1 space/100sqm in relation to this site to allow the 974 spaces proposed in the concept plans accompanying the Planning Proposal for Lot 6.

The following table page provides a comparison of the gross floor area and car parking of the various proposals since 2008.

Table 1 – Comparison of Proposals

Lot No.	Lot Area m ²	Original approval: DA 2008/42	Planning Proposal supported by Council for exhibition Feb 2014	Current revised Planning Proposal, subject of this report
1	8,458m ²	Community road and open space 22 car spaces	Community road and open space 22 car spaces	Community road and open space 22 car spaces
2	10,630m ²	20,138m ² 304 car spaces	20,138m ² 304 car spaces	20,138m ² 304 car spaces
3	3,840m ²	7,365m ² (excluded from GFA calculated for sports and community centre) 79 car spaces	5,760m ² (if developed at 1.5:1 for light industrial) Assume 58 car spaces based on WDCP: 1 space/100sqm	5,760m ² (if developed at 1.5:1 for light industrial) Assume 58 car spaces based on WDCP: 1 space/100sqm
4	6,692m ²	8,376m ² 34 car spaces	8,376m ² 34 car spaces	8,376m ² 34 car spaces
5	4,212m ²	14,726m ² 182 car spaces	14,726m ² 182 car spaces	14,726m ² 182 car spaces
6	12,510m ²	39,597m ² (including approx. 2,000m ² car storage spaces) 460 car spaces	43,785m ² plus 8,300m ² (sports and community centre) =51,785m ² 772 car spaces	56,545m ² 974 car spaces
Total site	46,878.7m ²	82,837m ² (or 90,202m ² including sports and community centre)	92,485m ² (or 100,785m ² including sports and community centre)	105,545m ²
Exc road widening	46,342m ²	1081 car spaces	1372 car spaces	1574 car spaces
Total Site FSR		1.77:1 or 1.94:1 - including sports and community centre	2.0:1 or 2.17:1 - including sports and community centre	2.27:1 – financial contribution in lieu of sports and community centre.

Notes

1. Gross Floor Area as defined in WLEP 1995
Original site area was 46,878.7sqm which resulted in approved FSR of 1.77:1
Area yielded for road widening was 536sqm, which reduced the site area and increased FSR to 1.79:1

Discussion- Current Planning Proposal***i. Proposed B7 Business Park Zone***

The amended Planning Proposal retains the request to change the zone from IN2- Light Industrial to B7- Business Park for Lots 5 and 6 to allow large campus office style buildings.

The remainder of the Gore Hill Technology site would stay zoned as IN2 Light Industrial.

Officer's Comment:

Council has previously resolved to support the proposal to rezone Lots 5 and 6 to B7- Business Park. It supports the strategic role of the Gore Hill Technology Park by increasing business and employment opportunities whilst limiting the impacts on existing commercial centres. This is provided that prospective tenants demonstrate a commitment to occupying contiguous office space of more than 1,200sqm and that there are no alternative locations in Chatswood or St Leonards. This would be ensured via an appropriate control in Willoughby Local Environmental Plan 2012.

The change in zone was supported by the Applicant's Economic Report and by Hill PDA who undertook an independent review on behalf of Council of the original Planning Proposal in 2012.

Detailed discussion supporting the proposed B7 – Business Park zone for Lots 5 and 6 is outlined in the report to Council dated 10 December 2012 (Attachment 1).

The Planning Proposal is consistent with the current Sydney Metropolitan Strategy – *A Plan for Growing Sydney* particularly Direction 1.9 "Support Priority Economic Sectors". It also supports Direction 1.10: "Plan for Education and Health Services to meet Sydney's growing needs."

ii. Proposed increase in Floor Space Ratio

Council has previously accepted an increase in the floor space ratio from 1.5:1 to 3.5:1 for Lots 5 and 6 in conjunction with their rezoning to B7- Business Park. (Refer to previous Council reports at Attachments 1 and 2).

In relation to Lot 5, the current Planning Proposal requests that the permissible floor space ratio be 3.44:1 (not 3.5:1) to reflect the 14,466sqm of gross floor area of the existing approved and constructed building as defined in Willoughby Local Environmental Plan 2012.

ORDINARY COUNCIL MEETING

26 APRIL 2016

In relation to Lot 6, the current Planning Proposal requests that the permissible floor space ratio be 4.52:1 (or 56,545sqm of floor space). This request equates to:

- an additional 16,948sqm above the current Development Application approval for Lot 6
- an additional 12,760sqm (excluding the Sports Centre and Community Centre) above the amount accepted in February 2014 by Council for exhibition.
- an additional 4,760sqm above the total amount – including the 8,300m² Sports and Community Centre accepted in February 2014 by Council for exhibition. The Sports and Community Centre is no longer proposed on Lot 6. (Refer to Officer's Comment below).

The applicant advises that the additional floor space up to 4.52:1 on Lot 6 proposed in the revised Planning Proposal will facilitate a broader community benefit in the form of a financial contribution in lieu of an on-site Sports and Community Centre.

Officer's Comments:

Whilst the financial contribution to the provision of a Sports and Community Centre is a net community benefit, the Planning Proposal is assessed in terms of its impact on the overall strategic planning of the City and the amenity of the site and adjoining land uses.

Hill PDA reviewed the original Planning Proposal on the assumption that up to 60,000sqm of office floor space could be accommodated on Lots 5 and 6. They advised that they support large floor plate office development at the Gore Hill Technology Site. However, they recommended:

- that future development applications include justification that there is no suitable location in Chatswood and St Leonards and;
- that the design of the office space provides for large floor plates that do not compete with traditional smaller offices.

In this regard, Council has previously endorsed the inclusion of a specific clause in Willoughby Local Environmental Plan 2012 requiring a minimum of 1,200sqm floor plates for office and business premises and justification that there are no alternative sites in Chatswood or St Leonards.

The proposed increase in floor space is also assessed in terms of impact on the amenity of the Gore Hill Technology Park and neighbouring area including traffic generation, parking and overshadowing.

When the Planning Proposal was considered by Council in February 2014, the Sports and Community Centre (approximately 8,000sqm) was not included in the calculation of gross floor space for Lot 6. This was in accordance with the provisions of clause 4.4 (2A) of Willoughby Local Environmental Plan 2012. However, the proposed Sports and Community Centre building added to the bulk and density of development on the site. The floor space ratio for Lot 6 would have been around 4.14:1 (51,785sqm) if the Sports and Community Centre was included in the floor space calculation.

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ITEM - 18.2 Amended Planning Proposal And Development Control Plan For Gore Hill Technology Park Lots 1-6 Dp 270714 (1-5 Broadcast Way, Artarmon)

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The Applicant requests that the volume of space previously proposed for the Sports and Community Centre now be utilised for B7- Business Park uses such as office space. This equates to an increase of approximately 4,700 sqm in additional floor space making a total of 56,545sqm or 4.52:1 for Lot 6. The previous multi-level Sports and Community Centre comprised 10.5m floor to ceiling heights. Commercial Office ceiling heights are generally in the order of 3 - 3.5m and as such you can fit more levels of office space into the same volume of Sports and Community Facility space.

The additional floor space proposed on Lot 6 will not result in a significant adverse impact in terms of bulk and scale compared to that previously accepted by Council for exhibition in February 2014.

The revised concept plans indicate a different configuration of buildings on Lot 6. This is to accommodate the additional floor space as well as the large floor plates required for campus office style development.

Shadow diagrams accompanying the various concept schemes indicate that some overshadowing of the central park (public open space) would occur at around lunchtime between 1 and 2pm during winter. However, opportunities for maintaining good solar access at this time and throughout the day are possible in the design of the open space plaza on Lot 6 which would cater for the amenity of workers and visitors to the complex. A future development application for Lot 6 would be required to address overshadowing of public areas and could incorporate a variety of inviting open spaces during summer and winter.

The concept plan design indicates that the upper levels of building B (facing Pacific Highway) have been set back to minimise winter overshadowing to residential buildings on the opposite side of Pacific Highway within Lane Cove Council area.

In terms of land use, it is noted that the concept plans indicate retail tenancy spaces above 80sqm. The B7 Business zone restricts retail use to "neighbourhood shops" of no greater than 80sqm in size. It is also noted that the office tenancy space at level 9 of building A is not consistent with large floor plates. Compliance with the controls relating to size of office tenancies and neighbourhood shops would be required in a future development application.

Support for the rezoning does not endorse the proposed design indicated on the concept plans submitted with the Planning Proposal. In this case, it is noted that ultimately, the floor space approved on the site will depend on the merits of a future development application and compliance with the objectives of Willoughby Development Control Plan as well as future local environmental plan controls.

Whilst the revised Planning Proposal requests that Council support an increase in the FSR to 4.52:1 for Lot 6, it is considered that the FSR be limited to 4.5:1 or 56,295sqm.

It is appropriate to retain Council's original support for 3.5:1 for Lot 5 as it allows a minor increase in floor space (250sqm) if required. There is unlikely to be an adverse impact on amenity from an FSR of 3.5:1 for Lot 5 as the site has already been developed and no increase in car parking is proposed.

iii. Proposed Car Parking Provision and Traffic Generation

The Applicant has requested that the relevant parking controls in site specific provisions within Willoughby Development Control Plan be amended to permit 974 car spaces on Lot 6. No additional car parking is proposed for Lot 5.

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ITEM - 18.2Amended Planning Proposal And Development Control Plan For Gore Hill Technology Park Lots 1-6 Dp 270714 (1-5 Broadcast Way, Artarmon)

A revised traffic study prepared by Transport and Traffic Planning Associates (TTPA) was submitted with the amended Planning Proposal and considered traffic impacts on the basis of the provision of 974 car parking spaces on Lot 6.

Officer's Comments:

On site car parking provision is the primary contributor of traffic generation to the site.

Site specific controls in Willoughby Development Control Plan specify a maximum of 1 space / 100m² irrespective of the use. This control was imposed to reflect the previous traffic associated with the former ABC use of the site. The Development Control Plan also incorporates a requirement for a shuttle bus which is now in operation. The original consent for the High Technology Park approved 460 spaces on Lot 6.

Notwithstanding, the above Council Officers have in the past considered proposals involving consideration of a total of 615 spaces across Lots 3 and 6, 155 spaces on Lot 3 and 460 spaces on Lot 6.

Preliminary advice from the Roads and Maritime Services has raised concern with the queuing length on the Pacific Highway with the increased car parking provision proposed (974 spaces).

Similarly, Council's Traffic Engineer has concern regarding queuing length in Campbell Street noting that the Campbell Street/ Pacific Highway intersection is already at or nearing capacity (E Level of Service on a scale of A to F).

Further investigation would be required to identify if appropriate road works can be undertaken to cater for the additional traffic generation.

Roads and Maritime Services has advised that if design options to address queuing on the Pacific Highway are not feasible the current car parking rate (1 space per 100m²) should remain or alternatively parking should not exceed the original amount that was previously approved for Lot 5 (460 spaces).

As stated in previous reports to Council concerning this issue, support for aspects of the Planning Proposal amendments to WLEP 2012 does not imply support for the concept plans, and the number of car parking spaces will be a matter for detailed design and assessment at Development Application stage.

The site is located adjacent to the Pacific Highway which is controlled by the NSW Government. Ultimately, the response of the Roads and Maritime Services will influence the traffic and parking outcomes associated with the Planning Proposal. Therefore the currently unresolved car parking, traffic generation and access issues will have to be resolved through consultation with the RMS prior to the exhibition process.

In summary the variation to the Development Control Plan of the specified car parking (1/100ms) for Lot 6 is not supported:

- It is inconsistent with the original requirement for sustainable transport options for the site,
- it generates unacceptable traffic congestion on the Pacific Highway (an RMS controlled road) and Campbell St (local road) at peak times which has not been resolved satisfactorily at this time and
- the site is located close to public transport (Pacific Highway) and is serviced by a shuttle bus from St Leonards station.

iv. State Environmental Planning Policy (SEPP) 55- Remediation of Land

Compliance with SEPP 55- Remediation of Land is required prior to rezoning. Council's Environmental Health Officer recommends that the applicant provide a Preliminary Investigation report for Lot 6 prior to exhibition should Council support the Planning Proposal.

v. Infrastructure and Servicing

Council's Development Engineer provided a number of comments in relation to drainage matters that would have to be addressed at any future Development Application stage. These comments have been referred to the Applicant.

The concept plans and Planning Proposal documentation have not addressed stormwater management. It is noted that OSD and rainwater retention and re- use on Lot 6 is required to cater for impervious areas and rainwater tank overflow from other Lots in the Gore Hill Technology site as well as from Lot 6.

Department of Planning Requirements

The original Planning Proposal was considered having regard to the requirements under Clause 55(2) of the Environmental Planning and Assessment Act 1979 and the Department of Planning's "*A guide to preparing planning proposals*". The assessment (Attachment 5) has been updated to reflect the amended Planning Proposal and the Department of Planning changes to assessment criteria.

Further Amendments to Willoughby Local Environmental Plan 2012

As a result of the community title subdivision of the Gore Hill Technology site, the 45% site cover control set down in clause 4.4A (5(c)) of WLEP 2012 - *Exceptions to floor space ratio*, relates to the individual lots excluding the Community Lot incorporating roadway and open space areas. This results in the site cover for each of Lots 2-5 (for the approved scheme) and Lot 6 (for the proposed scheme) having in the order of 60% site cover. As such it is recommended that both Willoughby Local Environmental Plan 2012 (Clause 4.4A(5)) and Willoughby Development Control Plan be amended accordingly. (Refer to discussion below).

Willoughby Development Control Plan

Future development of the site will be subject to the general provisions of Willoughby Development Control Plan including Part C.16- *Development near Lane Cove Tunnel Ventilation Stacks*, as the site is within 800m of the Marden St stack.

The applicant has requested that the site specific provisions of Part I.5 of the Willoughby Development Control Plan - *ABC Divestment Site*, be amended to reflect the development already been approved - including the community title subdivision. This would also ensure that the Willoughby Local Environment Plan and Development Control Plan were consistent with each other. This is supported with the exception of car parking rates for the reasons outlined previously in this report.

The resulting amendments to Part I.5 of Willoughby Development Control Plan can be summarised as follows:

- Willoughby Development Control Plan (WDCP) Control 1.5.3 Floor Space, Height and Setbacks

Control 1.5.3 (1) (v) stipulates that *building heights along the Pacific Highway not exceed 4 storeys in height (other than lift overrun or other roof structures) to a depth of 20m of their front façade alignment which will have regard to the residential development on the western side of the Highway in the Lane Cove local government area.*

The existing building on Lot 5 (Fox Sports) does not comply with the Willoughby Development Control Plan (WDCP) control nor does the building approved (but not built) by Development Consent 2008/42 for Lot 6. The concept plans accompanying the Planning Proposal also do not comply with the above control although the levels above 4 storeys have been set back to minimise overshadowing to residential properties in Lane Cove.

It is proposed to replace the control with a new control 1.5.3 (1)(v) as follows: *Building heights along the Pacific Highway are not to exceed 14m in height (other than lift overrun or other roof structures) to a depth of 10m of their front façade alignment in order to have regard to the residential development on the western side of the Highway in the Lane Cove local government area.*

An amendment to the control as proposed would have regard to the impact on Lane Cove properties. It would also acknowledge the existing building on Lot 5 and allow for the desired floor plate design on Lot 6. The amended control would ensure that the built form would be appropriate in terms of bulk and scale. It would also assist in maintaining suitable views to the heritage item, (Communication Tower) on the adjacent site along the Pacific Highway when travelling in a north bound direction.

- Willoughby Development Control Plan (WDCP) Control 1.5.4 stipulates *The site coverage shall not exceed 45% of the site area.*

Council has previously resolved to amend the site coverage for Lot 6 from 45% to 60% which is more consistent with the existing development consent and the development envisaged in the Planning Proposal. It is recommended that a site coverage of 60% also be applied to Lots 2-5 now that the site has been subdivided by Community Title.

- Willoughby Development Control Plan (WDCP)- Landscaping/Open Space Controls

The landscaping and open space controls that are stipulated in Willoughby Development Control Plan (WDCP) require updating to be more consistent with the approved development consent and the buildings constructed on the site to date. Specifically, Attachment 25- *Access, Open Space and Building Setbacks* .

The current control requires 25% of the site to be designated as soft landscaping. It is recommended that Willoughby Development Control Plan be clarified to require a minimum of 25% open space for each lot. (Not specifically soft landscaping which is provided elsewhere within the overall site). This will ensure the provision of adequate ground level open space for workers in an attractive landscaped setting.

The proposed amendments to Willoughby Development Control Plan Part 1.5 are at Attachment 4. It is recommended that they be exhibited with the Planning Proposal.

Conclusion

In summary, the proposed amendments to Willoughby Local Environmental Plan 2012 that are supported in principle in this report include:

- Change in the zoning of Lots 5 and 6 from IN2- Light Industrial to B7- Business Park;
- Increase of the maximum floor space ratio from 1.5:1 to 3.5:1 for Lot 5 subject to a maximum site cover of 60%;
- Increase of the maximum floor space ratio from 1.5 :1 to 4.5:1 for Lot 6 subject to a maximum site cover of 60% and a site area of 12,000sqm;
- inclusion of a specific clause in the WLEP 2012 in relation to Lots 5 and 6 requiring a minimum size of floor plates for use as office and business premises to be 1,200sqm and justification that there are no alternative sites in Chatswood or St Leonards; and
- Increase of the maximum site cover for Lots 2, 3, 4 from 45% to 60%.

Council has previously supported the proposed rezoning of the Pacific Highway Lots 5 and 6 to B7-Business Park to permit large floor plate office premises and an increase in the applicable floor space control to 3.5:1.

An additional increase in the permissible floor space ratio for Lot 6 to 4.5:1 will further support the economic viability of the Gore Hill Technology Park. The resulting commercial advantage obtained by the applicant and the associated offsetting community benefit are the subject of a separate report.

There are outstanding car parking, traffic generation and access issues to be resolved through consultation with the RMS during the exhibition process. The Planning Proposal design issues such as car parking provision that have been identified will also need to be further addressed during the Development Application process.

Amendments to the Site Specific controls of Part 1.5 (ABC Divestment Site) of Willoughby Development Control Plan as proposed in this report will more closely reflect existing approved and built development on the site. They will also guide future applications for development in accordance with the proposed Willoughby Local Environmental Plan 2012 amendments.

It is recommended that Council forward the revised Planning Proposal to the Department of Planning and Environment, seeking a revised Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.

OFFICER'S RECOMMENDATION

That Council:

1. Supports the revised Planning Proposal for Lots 1 to 6 Gore Hill Technology Park at 1-5 Broadcast Way, Artarmon and forwards it to the Department of Planning and Environment seeking a revised Gateway Determination under Section 56 of The Environmental and Planning Assessment Act 1979.
2. Supports draft amendments to Willoughby Local Environmental Plan 2012 for Lots 1 to 6 DP 270714 at 1-5 Broadcast Way, Artarmon for public exhibition as follows:

- Change in the zoning of Lots 5 and 6 from IN2- Light Industrial to B7- Business Park;
- Increase the maximum floor space ratio from 1.5:1 to 3.5 for Lot 5 subject to a maximum site cover of 60%;
- Increase the maximum floor space ratio from 1.5 :1 to 4.5:1 for Lot 6; subject to a maximum site cover of 60% and a site area of 12,000sqm;
- Increase the maximum site cover for Lots 2, 3, and 4 from 45% to 60%;
- Include a new local clause in Part 6 of WLEP 2012 relating to the minimum size of floor plates for use as office and business premises as follows:

6.2.0 (1) This clause applies to Lots 5 and 6 of DP 270714 known as 2 and 4 Broadcast Way, Artarmon zoned B7 Business Park.

Development consent for the purposes of Office or Business premises must not be granted unless the consent authority is satisfied that:

- a. **The occupant requires and will solely occupy a minimum gross floor area of 1,200sqm;**
- b. **The applicant has demonstrated that owing to special building or floor plate requirements suitable land or premises is not available for development or occupation within any nearby business centre including Chatswood and St Leonards Central Business Districts; and**
- c. **The development would not detrimentally affect the viability of the Chatswood or St Leonards Central Business District office precincts.**

3. Requires a Phase1 Preliminary Investigation Contamination report to be submitted prior to exhibition of the Planning Proposal.

4. Supports the draft amendments to Part 1.5 -*ABC Gore Hill Divestment Site of Willoughby Development Control Plan* for Lots 1-6 DP 270714 at 1-5 Broadcast Way, Artarmon for public exhibition as recommended in Attachment 4 of this report to reflect the development approved for the site as well as to be consistent with the proposed Willoughby Local Environmental Plan 2012 amendments.
5. Notes the separate report on the Agenda regarding the Voluntary Planning Agreement for the Gore Hill Technology Park, in particular that the Agreement will:
 - a. document a proposed Community Benefit in recognition of the amended planning controls.
 - b. include community consultation to provide for public input into the process.

ATTACHMENT 2

Assessment under the Department of Planning and Environment Guidelines.

The Planning Proposal is considered to be generally in accordance with the requirements under Clause 55(2) of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's (August 2016) "*A guide to preparing planning proposals*". This document establishes six parts for consideration of a Planning Proposal:

PART 1 Objectives or Intended Outcomes

The objectives of the planning proposal are to recognise the potential role of the Gore Hill Technology Park in increasing business and employment opportunities in the Willoughby Local Government Area by reflecting the floor space of the existing building on Lot 5 and requiring large floor plate office development on Lot 5 DP 270714 known as 4 Broadcast Way.

PART 2 - EXPLANATION OF PROVISIONS

The outcome proposed in the planning proposal will be achieved by preparing an amendment to WLEP 2012, which will include:

- (a) Rezoning Lot 5 DP270714 from IN2 Light Industrial to B7 Business Park
- (b) Identifying Lot 5 as a new Area 19 on the Floor Space Ratio Map
- (c) Incorporating an amendment to clause 4.4A Exceptions to floor space ratio as follows:
 - (22) the maximum floor space ratio for a building on land identified as "Area 15" on the floor space ratio map may exceed 1;1 if:*
 - (a) the floor space ratio will not exceed 3.5, and*
 - (b) the site coverage will not exceed 60% of the site area.*
- (d) Incorporating a new clause in Part 6 of WLEP 2012 relating to the minimum size of floor plates for use as office and business premises as follows:
 - 6.2.0 (1) This clause applies to Lots 5 of DP 270714 known as 4 Broadcast Way, Artarmon zoned B7 Business Park.*
 - (2) Development consent for the purposes of Office or Business premises must not be granted unless the consent authority is satisfied that:*
 - a. The occupant requires and will solely occupy a minimum gross floor area of 1,200sqm;*
 - b. The applicant has demonstrated that owing to special building or floor plate requirements suitable land or premises is not available for development or occupation within any nearby business centre including Chatswood and St Leonards Central Business Districts; and*
 - c. The development would not detrimentally affect the viability of the Chatswood or St Leonards Central Business District office precincts.*

Plain English version of the intention of the new local clause proposed for Part 6 of Willoughby local Environmental Plan 2012

The purpose of the clause above is to require individual office space on Lots 5 and 6 DP 270714 to be a minimum of 1,200sqm gross floor area. The intention is to support employment generation on the Gore Hill Technology Park by permitting campus style office premises whilst limiting their impact on the competitiveness of the Chatswood and St Leonards centres which provide more traditional smaller office space.

PART 3 – JUSTIFICATION

Questions to consider when demonstrating the justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal did not specifically result from a strategic study or report however the supporting documentation includes an economic viability analysis prepared by consultants, Knight Frank which has been reviewed by consultants Hill PDA on behalf of Council. They support office premises and additional floor space on the subject site. There is limited opportunity in the existing centres of Chatswood and St Leonards for large companies wanting to consolidate employees and activities in the one location.

Chatswood CBD and St Leonards cater for office premises with floor plates less than 1,000sqm and as such there are very limited options for tenants requiring large contiguous floor space. Knight Frank cites the example of Optus who moved to Macquarie Park in 2007 from traditional office space so it could expand and consolidate, reduce costs, provide same floor interaction, state of the art technology and onsite services for staff in corporate headquarters. Knight Frank's analysis concludes that currently there is a lack of this type of Business Park office accommodation within the Willoughby Local Government Area.

The planning proposal will assist to capture some of this lost opportunity by rezoning Lot 5 to B7-Business Park (making "office premises" permissible on Lot 5) adjacent to the Pacific Highway. This would be consistent with zoning of land adjacent to the Pacific Highway to the north of Campbell Street and would generate a net community benefit by providing more jobs for local residents and ratepayers and the full occupation of Building C on Lot 5.

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

Yes, the Planning Proposal is the best means. There is no better way.

The economic analysis provided in the Planning Proposal from Knight Frank is supported by the Hill PDA report which recommends that a B7 Business Park zone is the most appropriate zone for Lots 5.

The applicant maintains that the outcome of the Planning Proposal is to improve the market appeal of the site and accelerate the development cycle. "Office premises" are currently prohibited on Lot 5. The only way to permit "office premises" on Lot 5 is to amend the current planning controls in the manner requested in this planning proposal.

Section B – Relationship to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The NSW State Government has introduced a new Strategy, titled “A Plan for Growing Sydney”. Sydney district planning will guide delivery of the Plan across the six Districts that form the metropolitan area. However, at the time of this report the north district plan (of which Willoughby is part) had not been prepared.

The Planning Proposal is consistent with the current Metropolitan Plan for Sydney “A Plan for Growing Sydney”.

“A Plan for Growing Sydney” (“the Metropolitan Plan”) is the blueprint for strategic planning within metropolitan Sydney. The Planning Proposal is consistent with the Metropolitan Plan in that:-

- the timely completion of the approved technology business park is consistent with the vision of the plan “a strong global city, a great place to live”;
- it builds on the goal of creating “a competitive economy with world class services and transport”;
- it will help to achieve the goal of “a great place to live with communities that are strong, healthy and well connected”;
- it will improve the prospects for employment generation on the site;
- it relates to a strategically well-located site which is readily accessible;
- it will grow Sydney’s economy;
- it promotes renewal; and
- it will provide jobs closer to the homes of Willoughby LGA residents.

The Metropolitan Plan discusses the importance of the Global Economic Corridor, which extends from Macquarie Park through the Sydney CBD (and includes the subject site) to Port Botany and Sydney Airport. The Global Economic Corridor generates over 41 per cent of the NSW Gross State Product (GSP).

The Metropolitan Plan states:-

“In the last decade, demand for office space has seen overflow activity from the CBD across the Global Economic Corridor, extending the corridor towards Parramatta and Norwest, and to Sydney Olympic Park and Rhodes. Successive improvements to transport connections in this corridor have supported this outward growth.

By 2030, there will be demand for around 190,000 new stand-alone office jobs: around 75 per cent of these will likely seek to locate in Sydney’s 10 major office markets. Many of these jobs will be outside Sydney CBD and North Sydney, in the eight suburban office markets of Chatswood, Macquarie Park, Norwest, Parramatta, Rhodes, St Leonards, Sydney Olympic Park and South Sydney, situated along the Global Economic Corridor. Amongst this group, Parramatta, Macquarie Park and Norwest are performing very strongly and are particularly important for Sydney’s continued growth.”

The Planning Proposal will not threaten any established centre but will augment the role of the Pacific Highway within Sydney’s Global Economic Corridor.

The Metropolitan Plan also states:-

"The Government will work in partnership with councils to:

- devise commercial core zonings in targeted locations and update planning controls to increase density, including changing floor space ratio allowances and building height controls to facilitate the expansion of these markets*
- help remove barriers to growth and promote more efficient land use outcomes, firstly, in Parramatta, Macquarie Park and Norwest."*

The Planning Proposal does not relate to a commercial core zoning but would allow for an expanded commercial market on Lot 5 if it was to be rezoned B7 Business Park.

The Planning Proposal will help meet the demand for around 190,000 new office jobs by 2030.

4. Is the proposal consistent with a council's local strategy or other local strategic plan?

Yes.

Willoughby City Strategy – 2013-2029

The Willoughby City Strategy is a long-term vision and plan for the future of the City to help guide decision making and planning up until 2029.

The Planning Proposal is consistent with the economic objectives of the Community Strategic Plan which are as follows:

"There are several key economic hubs in Willoughby providing over 50 000 jobs (Census 2006). Chatswood, St Leonard's, the East Chatswood industrial area and the Artarmon industrial area all form part of Sydney's "Global Arc", a business corridor anchored at Sydney Airport stretching through Sydney and Willoughby City and on to suburbs to our north and northwest.

The local business community comprises retail and commercial businesses that are owned and managed by local business people and national and international companies."

The proposal, to rezone Lot 5 to B7 Business Park will help Council to satisfy Direction 5.1.1, which states:-

"5.1.1 Local business

- a. Facilitate business and employment opportunities servicing local and regional needs.*
- b. Encourage a range of business, retail, office and industrial spaces.*
- c. Provide policies to limit commercial and retail activity in industrial areas and ensure long term availability of sites for alternative industrial uses.*
- d. Develop a strategy for regional business and economic development opportunities and funding in partnership with neighbouring councils.*
- e. Implement St Leonards Strategy as a specialist centre for health and education with neighbouring councils.*
- f. Implement strategy for the long term development of Chatswood CBD as a major regional employment, retail and entertainment destination.*
- g. Provide land use planning controls to support viability of local centres.*
- h. Investigate strategies to promote the establishment of small businesses."*

NSROC Subregional Plan

The NSROC group of Councils have produced a Sub-Regional Strategic Plan to guide each member council's planning to achieve the strategies of the group across the region. The NSROC Structure Plan identifies an "industrial/business park" at Gore Hill. The planning proposal will facilitate the further growth of the business park, which is consistent with the subregional planning for the area.

5. Is the planning proposal consistent with applicable state environmental planning policies?

Yes. Relevant SEPP's will be further considered at the Development Application stage.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Table 1, below, identifies the proposal's consistency with the applicable Ministerial Directions:-

1.1 Business and Industrial Zones	The economic study prepared by Knight Frank and supported by the Hill PDA review justifies the proposal's inconsistencies as required by the Section 117 Direction and as discussed in this report. The Planning Proposal will support employment generation. The B7 zone does not prevent industrial uses.
2.3 Heritage Conservation	Yes. The proposal will not impact on any adjoining heritage items.
3.4 Integrating Land Use and Transport	Yes. The redevelopment of the former ABC site was master planned with a Deed of Agreement to secure an acceptable level of transport support with the provision of a shuttle bus service to connect to St Leonards Station, and additional cycle ways and pedestrian links.
6.1 Approval and Referral Requirements	Yes – the proposal does not include provisions requiring concurrence, consultation or referral of Development Applications to a Minister or public authority.
6.3 Site Specific Provisions	Provisions N/A - This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.

Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The subject site is existing industrial land. The Planning Proposal does not apply to land nor is it in the vicinity of land that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The primary environmental effect arising out of the Planning Proposal is the traffic generation and demand for parking associated with the rezoning of Lot 5.

The traffic assessment concludes:-

"This assessment has considered the potential traffic and parking implications of a Planning Proposal to permit "office premises" use within the B7 Business Park zone for development on Lot 5 in the Gore Hill Business Park.

The assessment has demonstrated that the development use/s will not result in any unsatisfactory traffic implications, the proposed parking provision will be adequate for the use and the design of the vehicle access, parking, servicing and circulation areas complies with the relevant standards."

9. Has the planning proposal adequately addressed any social and economic effects?

The social and economic effects will be positive:-

- local employment will be created; and
- the economy of the Willoughby LGA will be strengthened and enhanced.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

Yes.

The site was previously occupied by the ABC Gore Hill Television Studios. It is highly urbanised. It adjoins two busy roads. It is connected to St Leonards railway station by a shuttle bus service on business days. It is adjacent to a bus stop. All utilities and essential services are available.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

At this stage, the appropriate State and Commonwealth public authorities have not been consulted. It is proposed that consultation should take place with the following Government authorities, agencies and other stakeholders in regard to this Planning Proposal during exhibition following issue of a gateway determination:-

- Transport for NSW - Roads and Maritime Services;
- Broadcast Australia; and
- adjoining Local Government Area's.

PART 4 – MAPPING

As previously noted, this planning proposal involves amending the zoning and floor space map.

PART 5. COMMUNITY CONSULTATION

Should Council support the Planning Proposal for public exhibition, a Gateway Determination will be required. Public exhibition will be in accordance with the Department of Planning and Environment's Gateway Determination requirements and will include the

draft WLEP 2012 Amendment (written instrument and maps.) This would involve appropriate notification and receipt of submissions on the documents from relevant state agencies and the general community.

A timeline for the project is as follows:

Amended Planning Proposal Presented to Council.	10 October 2016
Referral to Department of Planning and Environment for Gateway Determination	17 October 2016
Community Consultation (28 days)	Mid November to Mid December 2016
Outcomes of Community Consultation presented to Council.	February 2017
Planning Proposal submitted to Department of Planning and Environment requesting notification on government website.	April 2016