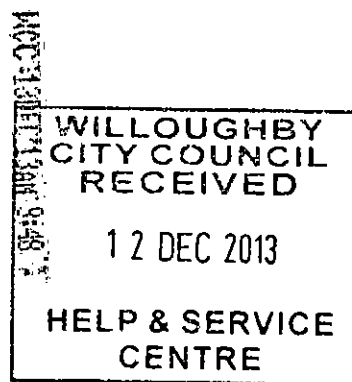


12 December 2013

Mr Greg Woodhams
Environmental Services Director
Willoughby Council
PO Box 57
CHATSWOOD NSW 2067



Dear Sir,

Planning Proposal 2013/0004, Mandarin Centre

On behalf of the proponent Mandarin Developments Pty Ltd and Blue Papaya Pty Ltd, we provide the following information in support of this Planning Proposal and responding to issues raised in Councils letter of the 25 October 2013. We acknowledge Councils support for the desired redevelopment of the Mandarin Centre and present this information in support of the detailed configuration and character of the proposal.

Building design, height and floor space

The proposed building design has been reviewed in response to issues raised by Council with the attached plans being amended from those originally submitted. **Attached to this letter are five sets of amended plans.**

The attached plans have been amended as follows:

- The height of the tower building has been reduced by 2 levels to a maximum height of RL 181.95 metres, being lower than the height of the adjoining Sebel Building. The top four levels of the tower are setback to ensure no shadows are cast from the building onto Chatswood Oval. The reduced tower height achieves an appropriate moderation between the adjoining Sebel and Sage buildings.
- The tower building has been setback 4 metres from Albert Avenue and 6 metres from Victor Avenue above the podium level in order to accentuate the podium and improve the Albert Avenue streetscape.
- The footprint of the low-rise building has been reduced to be single block and aligned with the blank wall in the adjoining Sage Building with the building frontage setback 15 metres from Albert Avenue. This change minimises view impacts on the commercial tenancies within the Sage building. The height of this building has been maintained as previously shown and is limited in scale to not interrupt views from the residential areas of the adjoining Sebel building.
- The podium has been setback 2 metres along the Victor Street frontage in order to enable a widened footpath and enhanced street tree planting.
- The plans illustrate the intent to pursue large floor plate retailers as key tenants of the redeveloped centre, including the proposal to provide a large, basement level supermarket.

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RESPONSE TO COUNCIL

- The amended plans provide an indicative outline of the approach to enhancing pedestrian movement including improved vertical transportation in the redeveloped centre. Some of the key pedestrian movement features sought to be achieved in the centre include:
 - Pedestrian access to the retail centre being provided primarily from a point near the intersection of Albert Avenue and Victor Street, with a secondary access from Albert Avenue near the western site boundary.
 - Access to the residential apartments in the proposal is provided from dedicated lobbies located off Victor Street near the northern site boundary and off Albert Avenue near the western site boundary.
 - Internal circulation areas and voids have been minimised to maximise the size of retail tenancies achievable in the centre.
 - Vertical transportation in the proposed new development, which is a critical element in ensuring accessibility and appeal of the retail floor space, is significantly enhanced from the existing situation through the provision of central placed escalators and elevators.
- Car parking provision has been amended with the provision of six basement parking levels providing a total of 594 parking spaces.

The above changes have resulted in the floor space of the proposed development being decreased from the previous 12.3:1 to 10.5:1. The floor space of the revised proposal is summarised as follows:

ITEM	AREA/NUMBER
Site area	3,159m ²
Proposed total floor space	37,108m ²
Proposed FSR	10.5:1
Proposed retail/commercial floor space	15,085m ²
Proposed retail/commercial FSR	4.8:1
Proposed residential floor space	22,023m ²
Proposed residential FSR	7.0:1
Proposed car parking provision	594 spaces

Accordingly the Planning Proposal as originally submitted is requested to be amended to seek the following changes to the Willoughby LEP:

1. Add the following clause to Schedule 1 (Additional Permitted Uses) in the LEP:

'Use of certain land at 65 Albert Avenue, Chatswood

This clause applies to land at the corner of Albert Avenue and Victor Street, Chatswood, legally defined as Lots 1, 2, 3 in Deposited Plan 1035379 and Lot 4 (Lots 41 & 42) in Deposited Plan 1150370. Development for the purpose of shop top housing is permitted with development consent.'

2. The 'Height of Buildings Map' is amended to provide a maximum building height of 181.95 metres on the subject site.
3. The 'Floor Space Ratio Map' is amended to provide a maximum FSR of 10.5:1 on the subject site.

As requested by Council, **revised shadow diagrams are enclosed with the amended plans** of proposed development and which provide detailed modelling of the impact of the proposal on Chatswood Park. The following can be concluded from examination of the shadow plans:

- At the Equinox (March 20 and September 23) the proposed development casts no shadows that negatively impact on Chatswood Park, Chatswood Oval or any other sensitive areas.
- At the Winter Solstice (June 21) the shadow from the higher tower building passes over the northern end of Chatswood Park for a limited time between 9am and 11am. The development casts no shadow at any time onto Chatswood Oval or any other sensitive areas (such as the Garden of Remembrance).
- The shadow impact from the development on the northern part of Chatswood Oval at the 21st June is considered minor and acceptable because:
 - The shadow impact occurs at only a very limited time of the year.
 - The shadow passes over the area quickly.
 - The area impacted is already impacted by more significant and larger shadows cast by existing buildings.
 - Much of the area affected is vegetated with large trees which effectively shade the area already and which mask the actual impact of shadows cast from any building.
 - The shadow at no point casts onto Chatswood Oval.

SEPP 65

We confirm that the proposed amended plans have been prepared to demonstrate the ability of the proposal to achieve compliance with the relevant provisions and guidelines of State Environmental Planning Policy No 65. Key compliance areas include:

- Provision of a minimum separation of 22.95 metres between habitable rooms in the proposal and habitable rooms in the Sebel building.

- Provisions of a minimum separation of 12 metres between non-habitable rooms in the proposal and habitable rooms in the Sebel building.
- Minimum setback of 6 metres provided for the proposed building from the Sebel property site boundary.
- The proposal can satisfy all solar access, amenity and ventilation requirements specified in the SEPP.

Detailed design at the development application stage will address all requirements of SEPP 65 and other relevant design and planning codes.

Supermarket and Department store

Provision is made in the amended scheme to accommodate a large (approximately 3,000m²) supermarket at the basement level of the building. We confirm that it is the intent of the proponent to provide a supermarket and other large floor plate tenants in the redeveloped centre as a key part of ensuring the long-term attractiveness and commercial success of the centre.

The proponent is actively liaising with potential tenants for the centre including Strike Bowling, the Gordon Club and major supermarket tenants including Coles, Woolworths and Harris Farm who have all expressed interest in being a tenant in a redeveloped centre. **We attach letters received from Strike and the Gordon Club stating concerns with the current center, outlining the benefits of the proposed redevelopment for them, and expressing interest in operating in the redeveloped centre.**

Albert Avenue pedestrian bridge

The proponent seeks to work closely with Council and the broader community in ensuring the design of the centre encourages effective pedestrian movement in and around the site. The attached plans indicate the retention of the existing pedestrian bridge linking the centre to the Albert Avenue public car park as this currently provides an important connection for the public to the centre.

The proponent is prepared to discuss the deletion of the proposed bridge connections as part of a broader discussion with Council about the detailed design of the redeveloped centre and the ground level public domain.

Affordable housing

The proponent acknowledges that the Willoughby DCP identifies a desire to achieve the provision of affordable housing as part of a development applications and planning proposals. Clause G.4.2 of the DCP specifies:

'The owners of land gain a substantial financial benefit from the approval of planning proposals (land rezonings) and development applications. By requiring affordable housing, the community of Willoughby City can receive a direct social benefit. Therefore before resolving to rezone land within Willoughby City, Council should take into consideration the following:

- *The need for the proposed rezoning to provide housing that meets the requirements of very low to moderate income residents and workers;*
- *The impact of the proposed rezoning on the existing housing within the City of*

Willoughby;

- *The impact of the proposed rezoning on the existing mix and likely future mix of residential housing stock within the City of Willoughby; and*
- *The inclusion of the subject land on the Special Provisions Area Map under clause*
- *6.8 of Willoughby Local Environmental Plan 2012 which requires 4% of the accountable total floor space to which the development application relates to be utilised exclusively for the purpose of providing Affordable Housing.'*

In recognition of Councils desire to achieve increased provision of affordable housing and notwithstanding that other recent comparable and larger projects in the city centre have not been required to provide it, the proponent is prepared to consider the identification of the site on the Special Provisions Area Map as a site in which 4% of the proposed residential floor space will be utilised exclusively for the purposes of affordable housing.

Tourist and entertainment facilities

The proponent confirms that there is no intention of providing serviced apartments within the proposed redeveloped centre. The redeveloped centre will focus on providing a contemporary and attractive retail environment, cinema and the Gordon Club. **Attached to this submission is a letter provided by the Gordon Club and Strike expressing interest in operating in the redeveloped centre.**

Traffic and car parking

Council traffic Engineer identified three issues each of which are responded to below:

- Details relating to the traffic impacts at the intersection of Albert Ave/ Orchard Rd are valid however it is submitted that it should not be the responsibility of the proponent to pay for all works. Other recently approved development would have likely also triggered the requirement for turn bays and Council and/or the Department of Planning should have gained contributions through the approvals process at the time. More detailed surveys and modelling should be undertaken at a later date associated with a Development Application on the site if the Planning Proposal is approved. Council may also be able to provide reporting and traffic generation details as they relate to the Metro Towers development to allow a more detailed and accurate assessment.
- The traffic report provided a detailed assessment and justification for the proposed quantum of car parking provided in the development. The location, access to public transport facilities and more recent and accurate data references all contribute to a reduced parking provision at this location. Chatswood functions as a typical Town Centre and visitors, especially to retail centres like Westfield and the Mandarin Centre, park in one location and visit multiple destinations. Again, the need for comparable surveys can be discussed and completed at a later date in association with a development application. **Please find attached a letter prepared by GTA Traffic Consultants** confirming that the amended development proposal is expected to generate a peak parking demand of between 531 and 548 spaces which is appropriately catered for by the provision of 594 parking spaces.
- It is considered that referencing the RMS Guide for determining loading facilities is not appropriate as the requirements typically overestimate needs in local situations. A more appropriate provision would be a total of 4 docks and 4 courier/ service bays. The 4 docks would accommodate 1 semi-trailer for the supermarket, 1 large rigid bay for use by removalist trucks (residential) and specialty retail uses as part of the supermarket. A further 2 medium/ large rigid bays for the other retail uses would suffice. The courier bays could also be used for cars, vans, utes associated with trades servicing the residential apartments. All would be required to operate under a dock management

system which is also generally required and typical for such uses. More detailed work on this issue should be undertaken at a later date associated with a Development Application on the site if the Planning Proposal is approved.

We submit that none of the issues identified by Council provide a basis to not support the advancing of the Planning Proposal

B3 Commercial Core Zone

The Planning Proposal submitted to Council in September 2013 provided a summary of the rationale and the benefits arising from the proposal. Notwithstanding this, Council stated that further justification is required in relation to the scale of shop top housing proposed for the site.

The following additional information is submitted in support on this application and which demonstrates that the scale of residential development proposed on the site is appropriate given:

1. The primary purpose of the Planning Proposal is to support the redevelopment of the poorly designed and underperforming existing centre to ensure it becomes a successful retail premises reinforcing the economic prosperity and appeal of the Chatswood town centre.
2. The application proposes a significant uplift (almost doubling) in the scale of retail development that is currently permitted on the site under the Willoughby LEP with resultant increase in the potential for improved retail services, employment and other public benefits. The proposal will secure the Mandarin Centre as the third largest retail centre in Chatswood.
3. The provision of a residential component in the proposal is consistent with the approach taken by Council and state government in supporting shop top housing in the Chatswood town centre, including on the land immediately adjoining the site.
4. The provision of commercial office development on the site is not considered a viable alternative to residential accommodation. This has been widely recognised and accepted in decisions made on other sites in the town centre better located to accommodate commercial office development.
5. Residential accommodation in the proposal generates a range of benefits supporting the long term success of the redeveloped centre and is vital contributor to the economic feasibility of the redevelopment of the centre.

The basis for the above comments is set out as follow:

The primary purpose of the Planning Proposal is to ensure the long term success of The Mandarin Centre as a retail centre

Council properly recognises the imperative for a change to the planning controls on the site. Council's letter stated:

'The redevelopment of the site is supported as the existing building has a rundown facade, poor street activation and poor internal design. An increase in the height and floor space ratio applying to the site is appropriate to encourage its redevelopment and to recognise its strategic location at the southern entrance of the Chatswood CBD and its potential to support increased retail and office floor space and jobs.'

The primary purpose of this proposal is support the redevelopment of the poorly designed and underperforming existing centre to ensure it becomes a successful retail centre reinforcing the economic prosperity and appeal of the Chatswood town centre. This proposal seeks to maintain the scale (floor space) of retailing and associated activity existing on the site but with a total redevelopment enabling the provision of:

- Large floorplate retail outlets, including a large scale supermarket, which are necessary to attract 'anchor' tenants to underpin the consumer appeal of the centre.
- Enlarged and improved car parking facilities.
- Improved pedestrian access and movement arrangements in and around the site.
- Modernisation of the centre to enhance customer appeal and comfort.

The following table illustrates the significant role the proposed redeveloped Mandarin Centre plays in the provision of retail services in the Chatswood town centre:

RETAIL CENTRE	EXISTING AND PROPOSED RETAIL FLOOR AREA
Westfield Chatswood	74,831m ²
Chatswood Chase	58,736m ²
Proposed redeveloped Mandarin Centre	15,085m²
Proposed Chatswood Metro	2,000m ²
Lemon Grove	5,684m ²

The scale of retailing proposed for the site is not currently permitted by the provisions of the Willoughby LEP and a change is needed to support this much needed and important redevelopment. In support of this proposal we have attached letters received from major tenants expressing interest in occupying a redeveloped centre. The opportunity to achieve the desired redevelopment of the centre will not proceed without support for the Planning Proposal as submitted.

The application proposes a significant uplift in the scale of retail development that is currently permitted on the site under the Willoughby LEP

Willoughby LEP 2012 came into force on the 31 January 2013. Council's letter correctly summarises that the LEP was adopted following a process informed by consideration of strategic and statutory issues, stating that:

'The WLEP 2012 land use zones in the Chatswood CBD are the result of commercial studies by Council and the implementation of state government strategic objectives for the centre.'

The Council 'Discussion Paper – Economy' prepared in 2012 further highlighted the role of the Willoughby LEP 2012 in delivering key objectives for Chatswood town centre:

'The draft Willoughby Local Environmental Plan 2012 includes planning provisions to support the retention of the Chatswood CBD office core including some increased density to make it viable for underdeveloped and obsolete sites to be redeveloped to provide and accommodate growth to create more than 7,000 jobs.'

The subject site is included in the B3 Commercial Core zone under the LEP with the associated key built form controls of a maximum floor space ratio (FSR) of 2.5:1 and building height of 27 metres. Under these provisions the subject site (having a site area of 3,519m²) can be approved to accommodate a maximum floor area of 8,797m².

The Planning Proposal submitted with Council seeks to accommodate development comprising 15,000m² retail floor space and 22,000m² residential floorspace achieving an overall development of 37,000m². The proposal therefore seeks to nearly double the quantum of retail floorspace on the site allowed under the LEP provisions from the current 2.5:1 to 4.3:1.

The proposal significantly increases the amount of permissible floor space on the site and therefore contributes positively to the achievement of Council's key objective of enhancing the role and function of Chatswood town centre as a major location for employment and retail services. In addition, given that the residential component of the proposal is sought in addition to the increase in permissible retail floor space on this site, it clearly does not compromise the potential for any retail or commercial development permitted on the site under the provisions of the current Willoughby LEP.

The provision of a residential component in the proposal is consistent with the approach taken by Council and state government in encouraging shop top housing in the Chatswood town centre

Willoughby Council, the NSW Department of Planning, and the Minister for Planning have all recognised that the provision of residential accommodation is desired and appropriate within the Chatswood town centre. This is demonstrated as follows:

- The Chatswood City Centre Plan 2008 prepared by Council identified a 'vision' for the city centre which encompasses residential accommodation as part of a mix of land uses in the city centre, stated as follows:

'A city within a City, a major player within the greater metropolis – and the nation – with its community and culture and integrated with the economic, environment and lifestyle of our City. A centre of major retailing, city living, government services and corporate headquarters'.

This plan went on to identify the opportunity to achieve 'balance' needed in planning the city centre to ensure that:

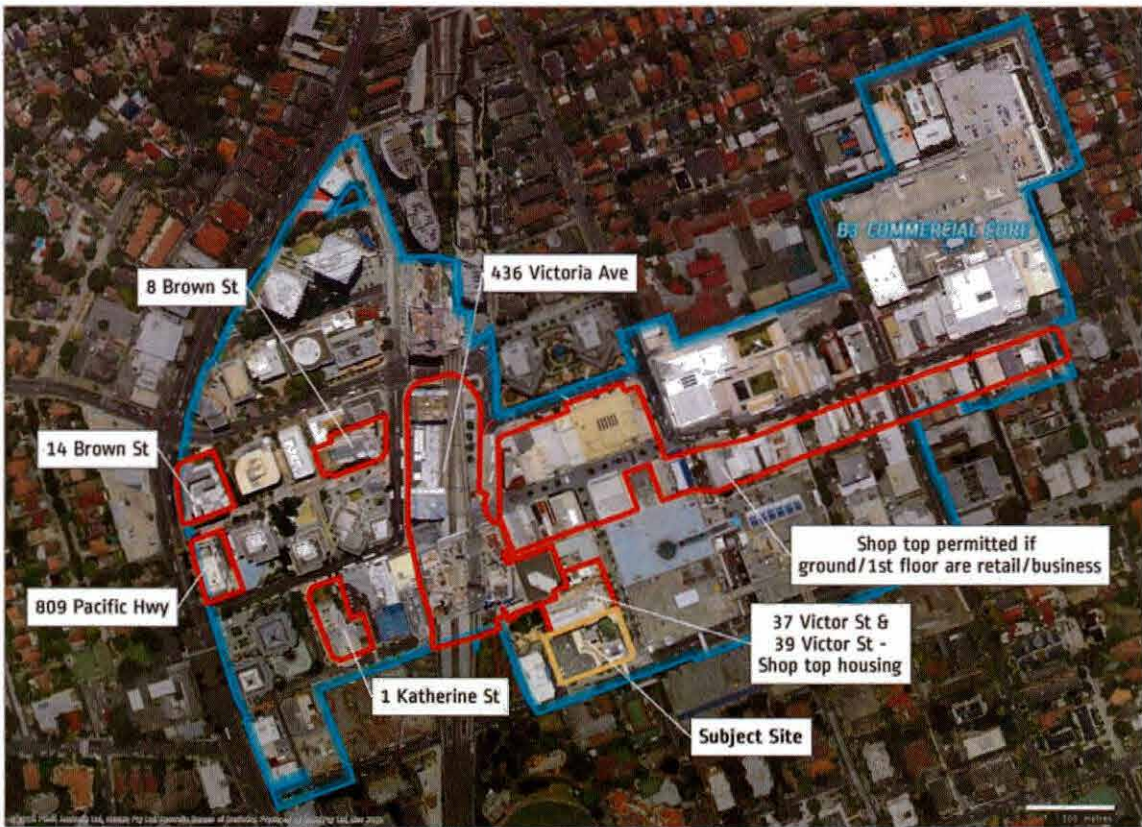
'High density residential use is balance with retail and commercial uses focusing urban consolidation in the city centre without eroding the surrounding lower density high quality residential suburbs and conservation areas.'

- The Willoughby LEP 2012 recognises the need for and appropriateness of residential accommodation within the B3 Commercial Core zone by designating in Schedule 1 specific sites within the city centre on which shop top housing is permitted, including the designation of the adjoining Sebel Building that immediately abuts the site, as illustrated on the following plan.

- In addition to the LEP provisions, the NSW State Government has approved several large scale projects within the B3 Commercial Core zone which provide large amounts of residential accommodation. This includes the following projects and which are shown on the following plan:

PROJECT ADDRESS	DEVELOPMENT COMPONENTS
7 Railway Street, Chatswood	Approved by Minister February 2011 for 304 apartments, 3,810m2 of commercial floor space and 140m2 of retail floor space
Chatswood Transport Precinct Project	Approved by Minister August 2005 for 509 apartments and 9,969m2 retail floor space (since amended)
Thomas Street Car Park site	Approved by Minister September 2010 for 202 apartments and 24,000m2 of commercial floor space (since amended)

Locations of where residential accommodation is permissible or approved in the B3 Commercial Core Zone in Chatswood city centre.



In approving these projects the Minister for Planning considered the recommendations of the NSW Department of Planning who commented as follows regarding the provision of residential accommodation in the city centre area:

'The public benefits that will be delivered by the proposed development....include...the contribution to the housing stock within a highly accessible location near public transport, within close proximity to services, facilities and employment opportunities....a greater supply of and range of housing options within the Chatswood CBD for future residents of varying income levels and household size'. (Page 34 Director Generals Environmental Assessment Report, Major Project Assessment, 7 Railway Street, Chatswood, February 2011).

'The residential development supports the objectives of the Sydney Metropolitan Strategy and the draft Inner North Sub-Regional Strategy in that allows for greater housing supply within close proximity to the Chatswood CBD and also in close proximity to public transport services of the Chatswood Railway Station and Chatswood Transport Interchange'. (Page 20 Director Generals Environmental Assessment Report, Thomas Street Car Park, September 2012).

The appropriateness of residential development in the Chatswood city centre was recognised again in July 2013 in the assessment of the proposed modification to the approved Thomas Street car park project, where Department officers stated:

'The provision of additional accommodation within the Chatswood CBD with excellent access to public transport would contribute to the Plans goals of delivering 25,000 new dwellings in Sydney each year, thereby improving housing affordability and availability; of building liveable cities by locating people closer to jobs; and of growing patronage on public transport. The proposal is therefore consistent with the NSW 2021 Plan.

The Draft Metropolitan Strategy was released in March 2013 and sets out the NSW Governments vision for Sydney to 2031.....The proposed residential development is considered to support the strategic direction of the draft Strategy by placing housing close to employment and improving employment opportunities on the site through the additional service apartment development and will strengthen the role of the Major Centre and contribute to the growth of the Global Economic Corridor. The proposal will also encourage the use of public transport and make use of existing infrastructure due to its immediate proximity to the railway station and bus services.

The draft Inner North Subregional Strategy also identifies Chatswood as a Major Centre within the Inner North Subregion. The strategy sets targets for housing and employment growth, although these are now largely supersede as the draft Metropolitan Strategy provides more recent targets. The proposed development creates increased residential accommodation and employment opportunities within Chatswood CBD and also in close proximity to public transport services of the Chatswood Rail Station and Chatswood Transport Interchange. The proposal will also help Willoughby LGA achieve their dwelling target under the plan'. (Page 10 Director Generals Environmental Assessment Report.)

The subject site enjoys comparable proximity and access to public transport infrastructure and other services and amenities provided in the Chatswood CBD to other sites encouraged for and approved for residential development. The proposal is there consistent with the strategic direction desired for the city centre, with Metro Strategy and other policy documents, with the approach adopted in the LEP for

adjoining and nearby sites, and with the approach taken by the State Government in recognition of the role of Chatswood as a major centre ideally suited to mixed land uses.

The provision of commercial office development on the site is not considered a viable alternative to residential accommodation

As equally as residential accommodation has been identified as being an appropriate land use within the Chatswood city centre, there is recognition that commercial office development is not a viable alternative to residential accommodation on this site.

Evaluation of the potential for commercial office development to occur on the site in support of the proposed significant redevelopment of the retail floor space has been considered but is determined to be unviable. The site is located in the eastern part of Chatswood city centre, which is recognised as being the retail 'core' of the CBD. Council's 'Discussion Paper – Economy' prepared in 2012 recognises that the eastern area of Chatswood is less attractive for commercial office development and that 'the main office sector in Chatswood CBD is located between the railway line and the Pacific Highway.'

A market analysis report prepared by Urbis accompanying the original Planning Proposal request identified that the market is unlikely to be able to support a significant amount of commercial office space in the Mandarin Centre location for the following reasons:

- *The Sydney office market is soft and likely to remain so over the medium term:*
 - *Vacancy rates are quite high in suburban office precincts averaging above 10%.*
 - *Vacancy rates in the Sydney CBD office market are also high, averaging 9%.*
 - *Modest level of economic growth likely to continue for some time.*
- *The high vacancy rates and pipeline of an extensive provision of commercial office space within the Sydney CBD is pushing incentives up and exerting downward pressure on rents:*
 - *The Barangaroo South development will add over 300,000 sq.m NLA of commercial office space to come on line starting in 2016.*
- *Lower rents and proximity to customer markets are the key location drivers for office tenants.*
- *The high incentives and relatively low office rents within the Sydney CBD is attracting a number of organisations to relocate back into the city from the suburbs:*
 - *A number of office users in St Leonards, Macquarie Park, Chatswood and Parramatta have recently relocated/or plan to relocate back into the city.*
- *The addition of 465 Victoria Avenue, Chatswood into the market, after full refurbishment, has pushed vacancy up across the Chatswood office market.*
- *The market is responding by the lack of a pipeline of any significant commercial office developments in Chatswood and lack of office sales transactions.*

This view was supported in recent decisions involving the approval by the Minister for Planning in February 2011 of the Railway Street major project where it was highlighted that:

'The Chatswood office market has been generally static for over 10 years. No new commercial/office developments have been constructed in Chatswood since 2001. All reports find that the short to medium term prospects for Chatswood's office market are not promising and that the situation is unlikely to improve in the foreseeable future. There is an abundance of land zoned for office purposes, and office floor space available in other metropolitan centres and there is unlikely to be significant interest in Chatswood until surplus space in other centres is absorbed. The problem is further exacerbated by the high vacancy rates in Chatswood which also need to be re-absorbed. It is conceivable that the office market in Chatswood will not improve for in excess of 10-15 years.

All reports also agree that residential use of the site is more viable than commercial use.

The Department has considered the proponents justification for the proposal and concerns of Willoughby Council. Commercial development of the site has not been viable for at least 10 years, and all parties agreed the situation is unlikely to improve for a further 10-15 years. Council is of the view that the site must be preserved for commercial development. However, the Department considers that there will be a cost to Chatswood resulting from leaving a site within the commercial core vacant for up to 25 years. (Page 20 Director General's Environmental Assessment Report).

There is no evident market appeal for a large floor plate commercial office building on this site and which is further constrained by the potential significant view impacts a large scale commercial building developed on the site would have on the adjoining Sage and Sebel buildings.

Residential accommodation in the proposal generates a range of benefits and is a vital contributor to the economic feasibility of the redevelopment of the centre

Council and the state government have recognised through a range of strategic and project decisions, the appropriateness of facilitating residential accommodation in the Chatswood city centre. Residential accommodation, in balance with the significant area of retail floor space proposed in the redeveloped centre, generates a range of important public benefits including:

- It adds to the provision of high quality accommodation for the growing resident population seeking to live in a location benefitting from excellent access to transport, services and other facilities.
- It increases the worker, visitor and resident population of Chatswood CBD contributing to the enhanced use of existing infrastructure and contributing to the increased viability and vitality of the retail/commercial services in the town centre.
- Residential development as part of the redeveloped site enables the provision of a smaller footprint residential building that minimises view impacts from the adjoining Sage and Sebel buildings compared to the more slender tower proposed for the site.

The residential floorspace proposed in the Planning Proposal is a critical contributor to the commercial challenge of securing the desired redevelopment of the site. As the clear highest and best use of land supporting the significant investment in the redevelopment of the retail floorspace, the residential accommodation is a pre-requisite of the commercial feasibility of the project.

We submit that proper recognition of the economic challenges of achieving the desired balance of development in the Chatswood city centre, and the important role that residential development plays in this, is entirely consistent with the identified objectives of the Environmental Planning and Assessment Act and in particular the objective to ensure, *'(ii) the promotion and co-ordination of the orderly and economic use and development of land.'*

Net community benefit

We submit that the Planning Proposal achieves a significant net community benefit and should be supported by Council to proceed to Gateway determination. Factors contributing to a demonstrable net community benefit include:

- The proposal underpins the desired and important redevelopment of the site to be one of the major retail locations in Chatswood city centre. The proposal will enable construction of a contemporary and attractive retail centre catering for large floor plate retailers essential to the long term appeal and success of the centre. The proposal seeks to almost double the quantum of retail space currently permitted by the Willoughby LEP contributing strongly to the desired objectives of reinforcing the city centre as a key retail destination.
- The expansion and improvement of retail at the Mandarin Centre generates a number of economic benefits identified in the market analysis report prepared by Urbis and submitted with the original Planning Proposal request, including:
 - Employment creation (500 direct and 350 to 400 indirect full-time, part-time and casual ongoing jobs).
 - Improvement in amenity, convenience and enhanced choice for residents.
 - Broadening the draw of the Chatswood CBD retail offer and improving the retention of retail spending within Chatswood.
 - The proposed development will improve confidence in the Chatswood CBD as a strong location for investment and employment.
 - Council will be able to levy Section 94 contributions that contribute towards meeting Council's objectives for community facilities and infrastructure.
- The proposal enables the potential provision of affordable housing, which Councils DCP recognises as being an important public benefit.
- The proposal enables a range of important public domain improvements including:
 - Dedication of a two metre area along the full distance of the Victor Street frontage of the site enabling widening of the footpaths and improved street tree planting.
 - Removal of the existing vehicle entry points to the car park from Victor Street, significantly improving pedestrian safety and vehicle movements in the street.
 - Contribution to potential road works in Albert Avenue improving the existing vehicle access and entry to Orchard Road.

- Maintenance or deletion of the existing pedestrian bridges reflecting a final position to be agreed to between Council and the proponent.

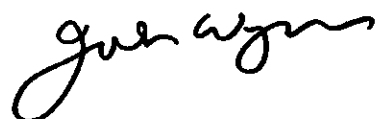
We submit that contrary to the statement in Council's letter that *'the provision of shop top housing is not a community benefit, rather it is a community cost in so far as the employment potential for the site is compromised'*, the Planning Proposal significantly enhances the employment potential of this site as contemplated under the Willoughby LEP. The proposal contributes positively to enhancing the appeal of Chatswood as a location for retail services; it facilitates desired redevelopment of an important site; it provides both employment and housing in a CBD location consistent with planning policy; and it provides a wide range of other public benefits.

Summary

We request Council's further consideration of the Planning Proposal having regard to the above information. We submit that the proposal clearly satisfies the criteria specified in the Department of Planning *'A guide to preparing planning proposals'* with demonstrable contribution to achieving relevant state and local government planning objectives. We seek support for this application to be advanced for Gateway Review as soon as practicable.

We confirm that we would be happy to meet to discuss any aspect of this matter and please contact me if you want to discuss anything.

Yours sincerely,



John Wynne
Managing Director

Enclosures:

- Amended plans of proposed development.
- Letters expressing interest from major tenants locating in the redeveloped centre.
- Letter from GTA Traffic Consultants.

MINGARA LeISUREGROUP

MINGARA RECREATION CLUB LTD
T/AS MINGARA LEISURE GROUP

27 November 2013

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Mr Felix Milgrom
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By Email: felix@systemaholdings.com

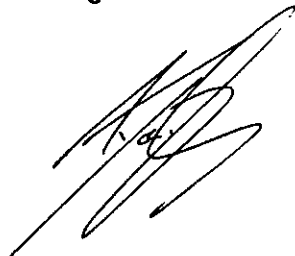
Dear Felix

Re: Existing Limitations at The Mandarin Centre, Chatswood

As discussed, we believe that The Mandarin Centre currently suffers from lack of market exposure and visitation. The centre would benefit from the following:

- New lifts and additional escalators would improve circulation and foot traffic throughout the centre.
- Visual and escalator connection to all levels would improve the customer experience and pedestrian traffic flow.
- An anchor tenant such as a major supermarket would position The Mandarin Centre as a destination and create choice for the local community.
- Inclusion of a residential component to grow the Chatswood community and increase demand at the centre.

Yours sincerely
Mingara Leisure Group



Andy Yelds
Executive General Manager



Dear Mr Milgrom

RE: Strike Mandarin Centre

As you are aware Strike has been a tenant of the Mandarin Centre since September 2010. During this time we have invested significant resources and time in building the business which is located on the 4th floor of the Mandarin Centre.

To be fair, we have and continue to encounter significant barriers around this business achieving the performance it should with the world standard offer it provides. This is evident when we contrast the trend performance of this centre against that of our other 11 units in Australia.

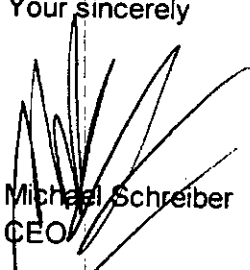
The single most significant barrier relates to the isolated and poorly connect location on level 4. The location is principally accessed via a bank of 2 elevators (there are other secondary links in the form of fire-escape stairs and a service elevator), which severely restricts access and visibility. The elevators serve all levels of the centre and as such are slow in arriving and often cause delay and inconvenience for our customers. Aside from the access issue created by the elevators, the tenancy does not benefit from any visual link to any part of the centre or passing traffic. The poor vertical transportation and lack of integration into the centre result has detrimental impact on both the business and the overall performance and appeal of the Mandarin Centre. Considering the customer base in the area, our view is that if there was a solution that addressed vertical transportation and a visual and physical link to the rest of the Mandarin Centre, all stakeholders would benefit from the improved amenity.

Secondly, it is clear that the centre requires an everyday traffic generator such as a full-line supermarket or department store. The inclusion of an anchor tenant of this type will underpin all tenants and ensure that the area occupied by the centre is utilised for highest and best use. Right now, the centre lacks this daily traffic driver and as such none of the speciality traders can hope to achieve the efficiency they should with a high performing anchor.

Thirdly, the centre would benefit further if there was an opportunity to add a residential component to the air space above as precededented by the surrounding towers. As an entertainment hub, it is important for us to be surrounded by residential, as this drives our business. A fully integrated mixed use for the Mandarin Centre will bring it in-line with best of class trends around the globe and maximise the amenity, convenience and utility of the ground the centre occupies.

We trust that you will consider our views and promote these to other stakeholders in the property.

Your sincerely



Michael Schreiber
CEO

STRIKE SUPPORT OFFICE

Ground Floor, 79 Little Oxford Street, Collingwood, VIC, 3066

STRIKE

STRIKEBOWLINGBAR.COM.AU / T. 1300 787 453 OPTION: 1

Our Ref: 13S1416000

10 December 2013

Urbis
 Level 23, Darling Park Tower 2
 201 Sussex Street
 SYDNEY NSW 2000

Attention: Mr. John Wynne (Managing Director)

Dear John

**RE: MANDARIN CENTRE, 61-65 ALBERT AVENUE, CHATSWOOD –
 PLANNING PROPOSAL**

Following Council's preliminary assessment and letter of response to Urbis dated 25 October 2013 in relation to Planning Proposal 2013/0004, the project team has undertaken several design amendments to address Council's concerns.

This letter provides information in support of the amended Planning Proposal and addresses matters specifically relating to the proposed on-site parking arrangements given the change in total Gross Floor Area (GFA) and residential apartment allocation.

DCP Parking Requirement

The car parking requirements for different development types and land uses are set out in Willoughby DCP 2006. A summary of the revised DCP parking requirements is provided in Table 1.

Table 1: DCP 2006 Car Parking Requirements

Description	DCP Parking Rate	No. of Dwellings/ NLA (sq.m)	DCP Parking Requirement
Residential Flats within Railway Precincts	1 space/1 bedroom	102 dwellings	102 spaces
	1 space/2 bedroom	84 dwellings	84 spaces
	1.25 spaces/3+ bedroom	50 dwellings	62 spaces
	Sub-Total		248 spaces
	1 space/4 dwellings (visitor parking)	236 dwellings	59 spaces
Sub-Total			307 spaces
Shop	1 space/25sq.m NFA	10,500sq.m	420 space
Supermarket	6 spaces/100sq.m NFA	2,625sq.m	157 spaces
Total			884 spaces

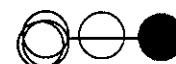
Note: where the parking spaces required is not a whole number, DCP 2006 states that the number of spaces required is to be rounded down to the nearest whole number.

Table 1 indicates that the planning proposal is theoretically required to provide up to 884 car parking spaces. As such, there will be a car parking shortfall of 290 spaces, based on an indicative car parking supply of 594 spaces. It is noted that the DCP 2006 parking rates are neither minimum nor maximum rates and any departure from these rates requires justification.

SYDNEY PO BOX 5254 WEST CHATSWOOD 1515 AUSTRALIA • T 02 8448 1800 • E sydney@gta.com.au ABN 31 131 369 376

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Anticipated Car Parking Demands

Given the proposed car parking provision remains below that required under Willoughby DCP 2006, justification for the reduction as detailed in the Planning Proposal report¹ prepared by GTA Consultants remains applicable. This justification is based on several factors including the following:

- Council's own development application decision criteria
- proximity to Chatswood Transport Interchange
- ABS Data for low car parking rates in high density buildings in the Chatswood area
- existing and agreed Mandarin Centre car parking rate
- reduced car parking provision consistent with the adjacent Metro development
- general trends toward reduced private car usage rates.

Having regard for the above, Table 2 has been prepared to present a summary of the likely car parking demands to be generated by the proposal.

Table 2: Site Generated Parking Demands

Use	Size	Car Parking Rate	Source	Car Parking Demand
Residential (resident)	102 (1-bedroom dwellings) 84 (2-bedroom dwellings) 50 (3+-bedroom dwellings)	0.4 spaces per dwelling 0.7 spaces per dwelling 1.2 spaces per dwelling	RMS	160 spaces
Retail / Entertainment	10,500sq.m NLA	2.32 spaces per 100m ²	Existing Centre Car Parking Rate	244 spaces
Supermarket	2,625sq.m NLA	4.2 spaces per 100m ²	RMS	110 spaces
Residential (visitor)	236 dwellings	1 space per 7 dwellings [1]	RMS	17-34 spaces
Total				531-548 spaces

[1] Daytime visitor parking demands are typically 50% of the peak evening demands.

Table 2 indicates the site could be expected to generate a peak parking demand of between 531 and 548 spaces.

The proposal is a prime opportunity to promote the vision of less dependence on private vehicle use by encouraging the use of public transport, cycling, and walking and not encouraging an abundance of car parking within this area, and in turn an over use of motor vehicles.

Based upon the above discussions and analysis, it is evident that the proposed on-site car parking provision of 594 spaces is sufficient to cater for the anticipated peak daytime and evening car parking demands of 531-548 spaces generated by the proposal.

Naturally, should you have any questions or require any further information, please do not hesitate to contact me in our Sydney office on (02) 8448 1800.

Yours sincerely

GTA CONSULTANTS

Rhys Hazell
Associate

¹ Mandarin Centre, 61-65 Albert Street, Chatswood – Planning Proposal, GTA Consultants, Issue A, 17 September 2013

MANDARIN CENTRE CHATSWOOD

PLANNING PROPOSAL DESIGN CONCEPTS & URBAN DESIGN ANALYSIS

DECEMBER 2013

CLIENT

Blue Papaya Pty Ltd
Mandarin Developments Pty Ltd

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CENTRE

PROJECT NUMBER

S11596

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ARCHITECTURE
INTERIOR DESIGN
URBAN DESIGN
STRATEGY

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East Sydney New South Wales
2010 Australia
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F +61 2 8354 5199

MELBOURNE

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Melbourne Victoria
3000 Australia
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F +61 3 8664 6300

WWW.BATESSMART.COM

NOMINATED NSW REGISTERED ARCHITECTS

Philip Vivian Reg. No. 6696 / Simon Swaney Reg. No. 7305 / Guy Lake Reg. No. 7119

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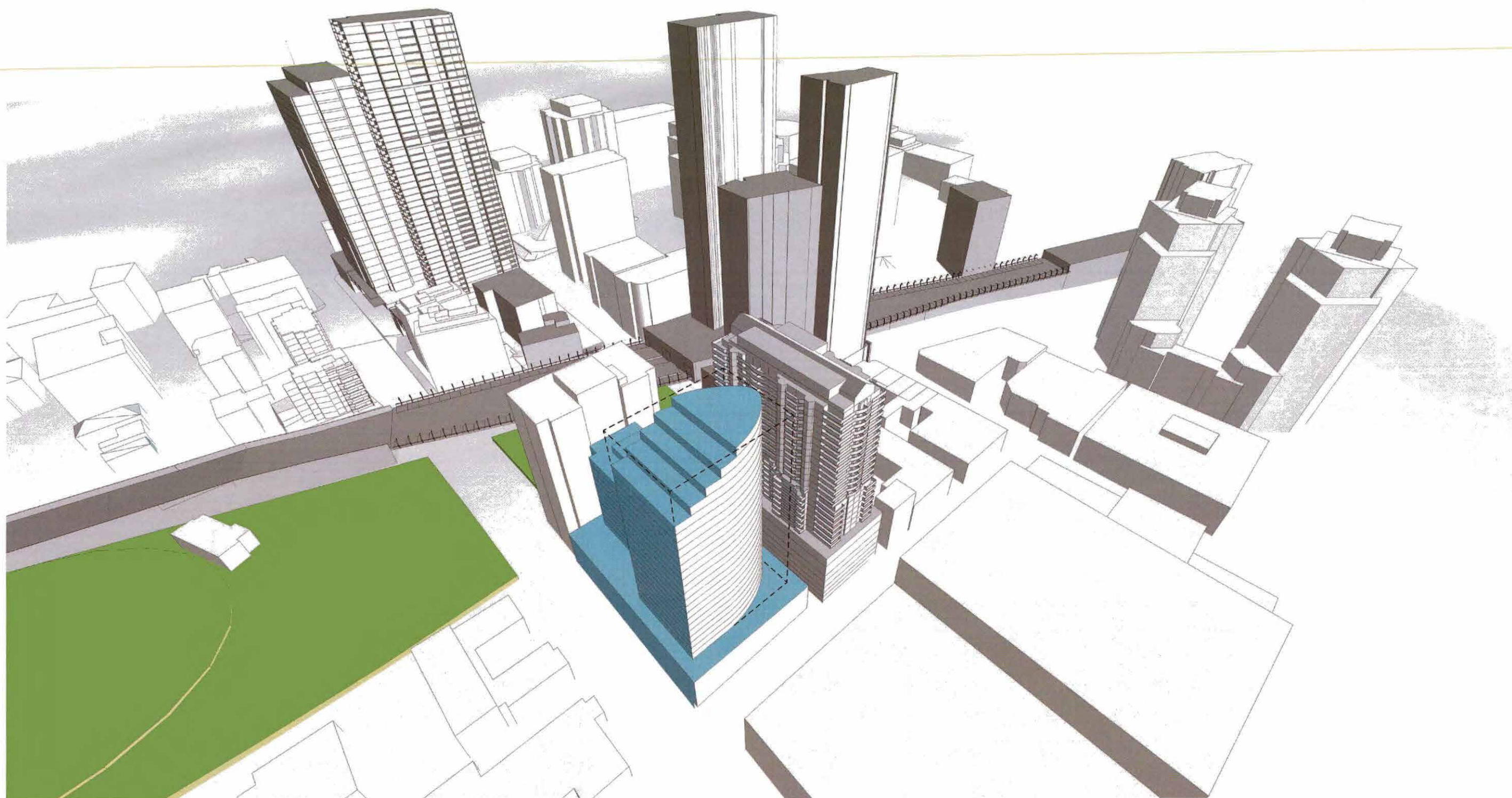
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1.0 SITE LOCATION

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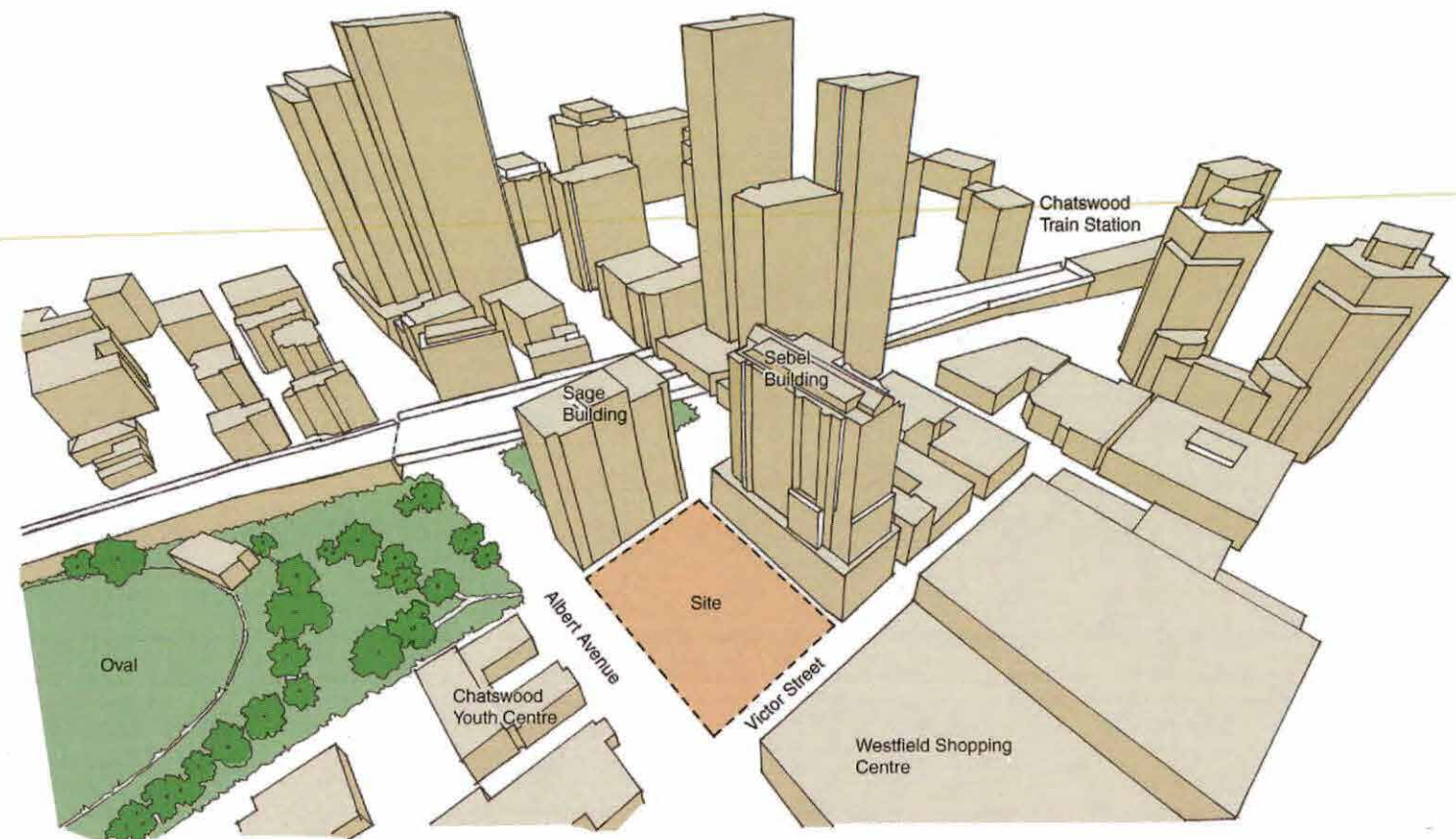


AERIAL VIEW OF THE SITE

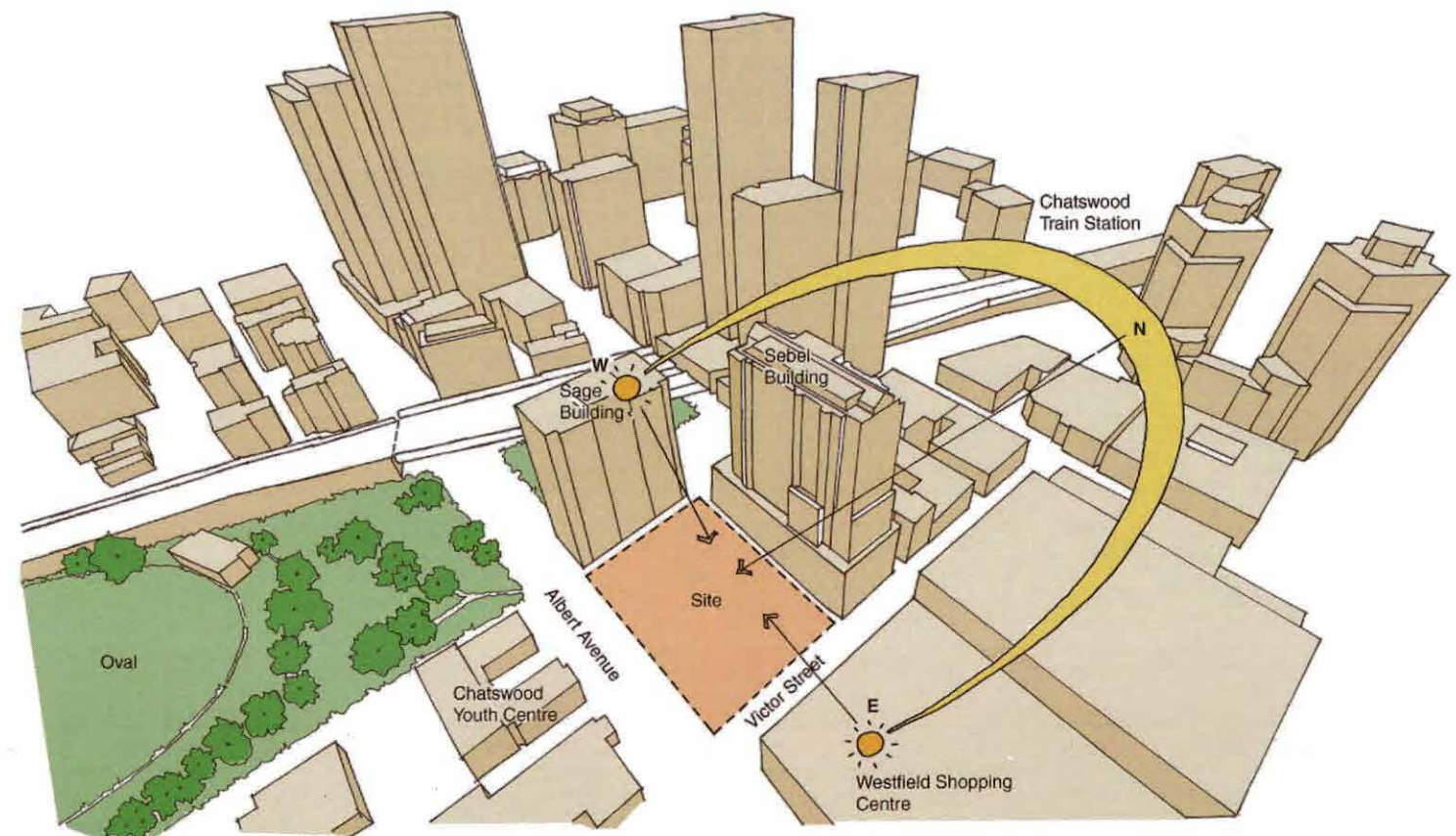
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2.0 SITE ANALYSIS

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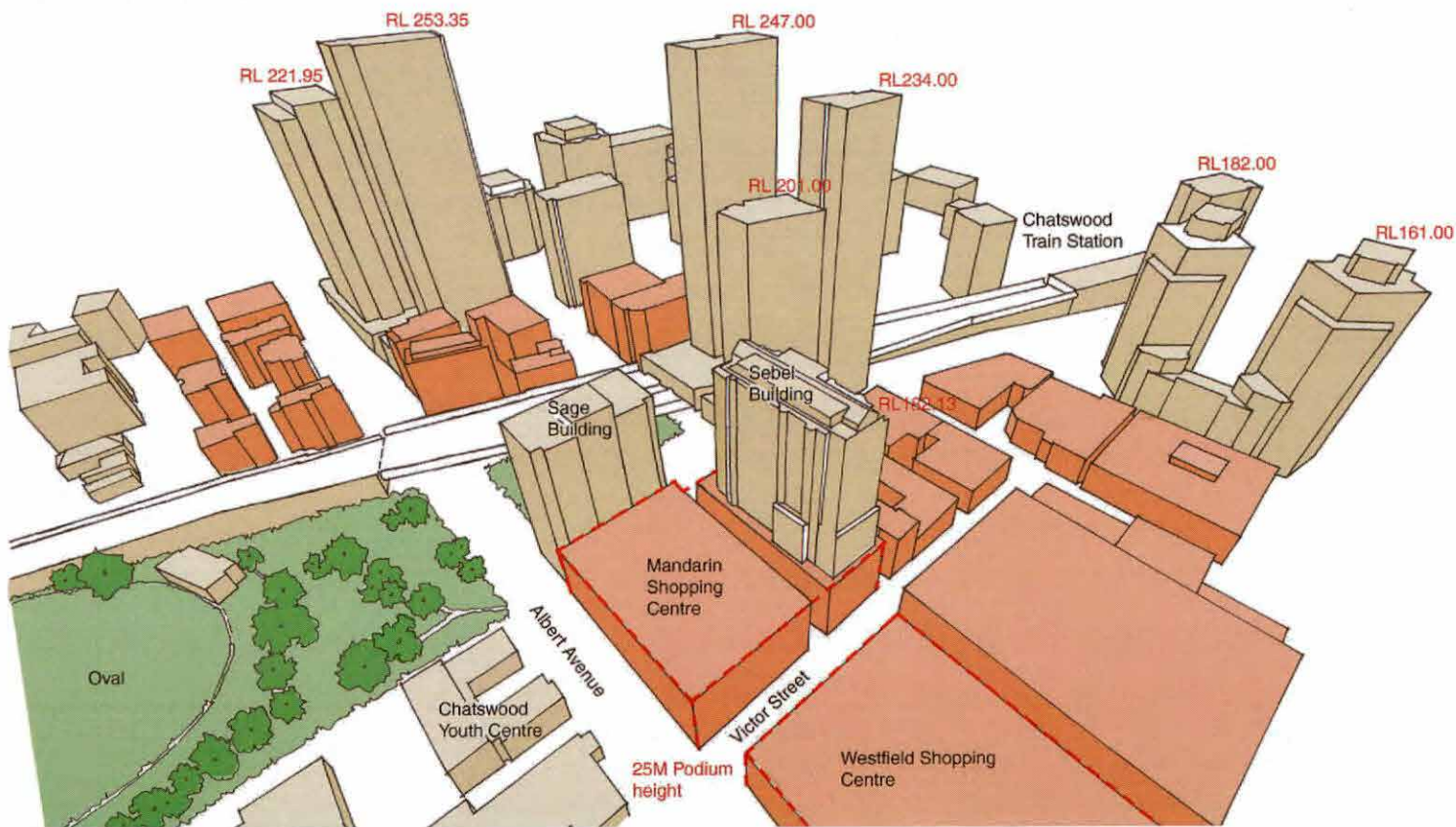
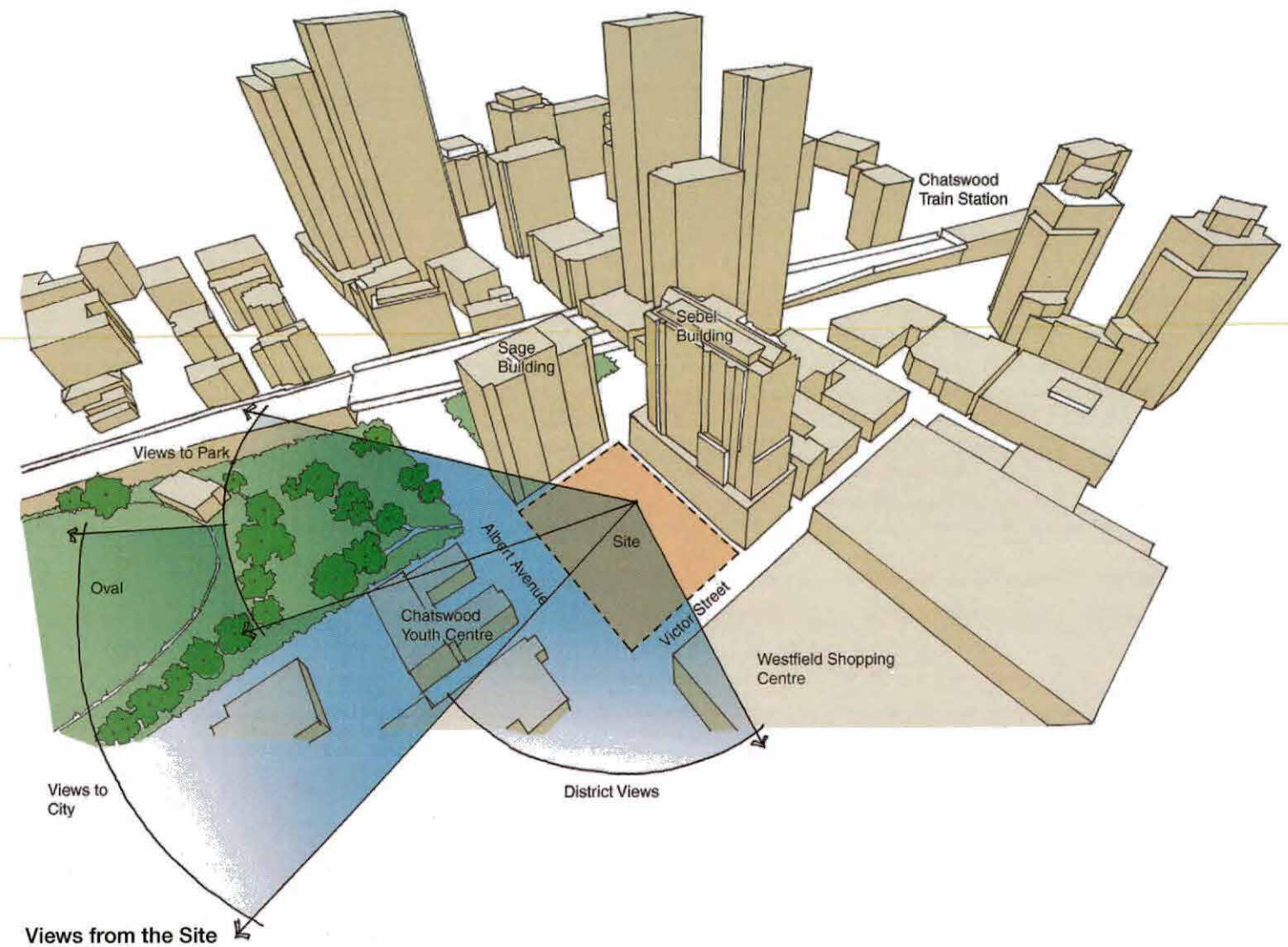
Site



Orientation & Solar Access

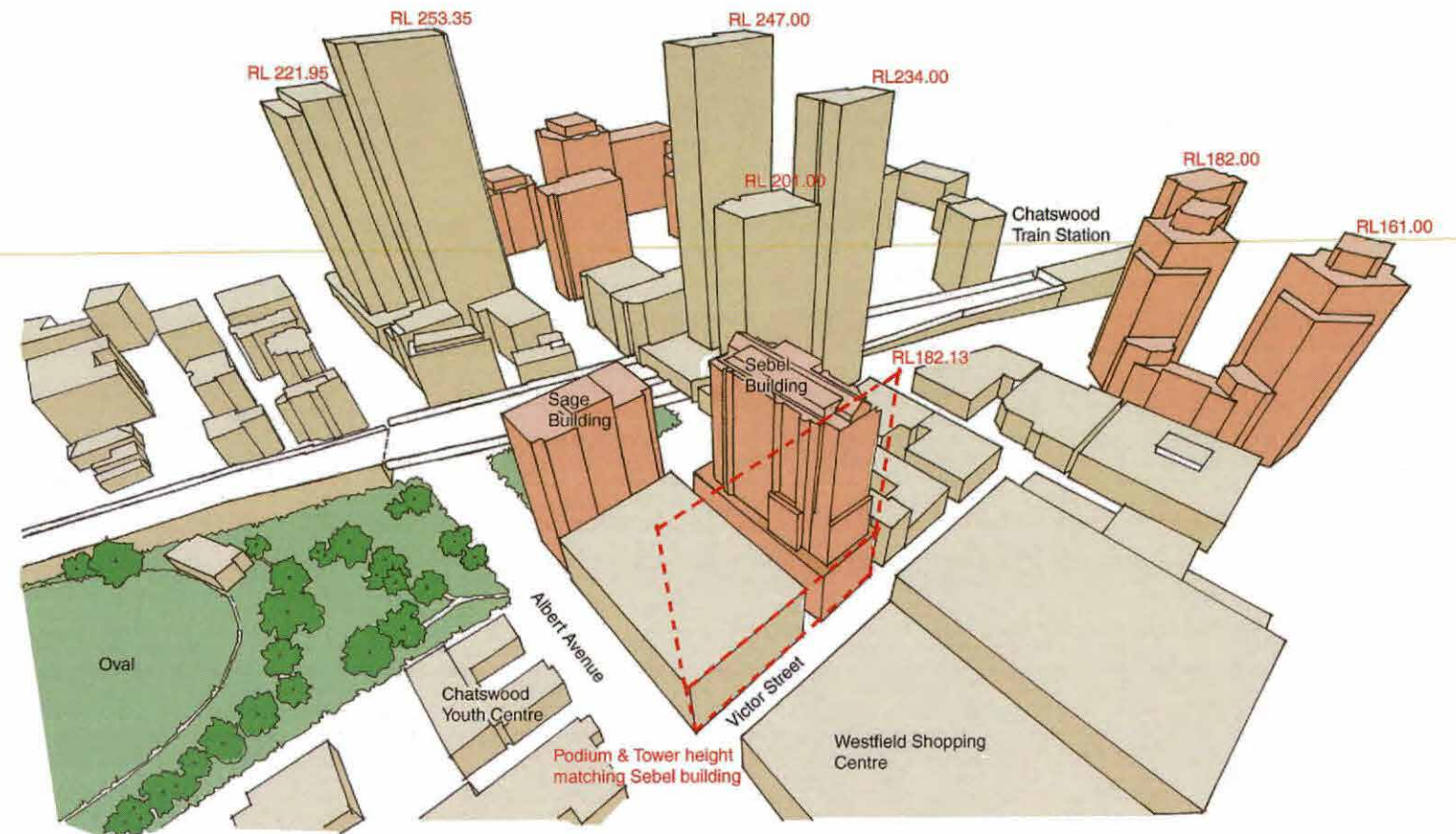
2.0 SITE ANALYSIS

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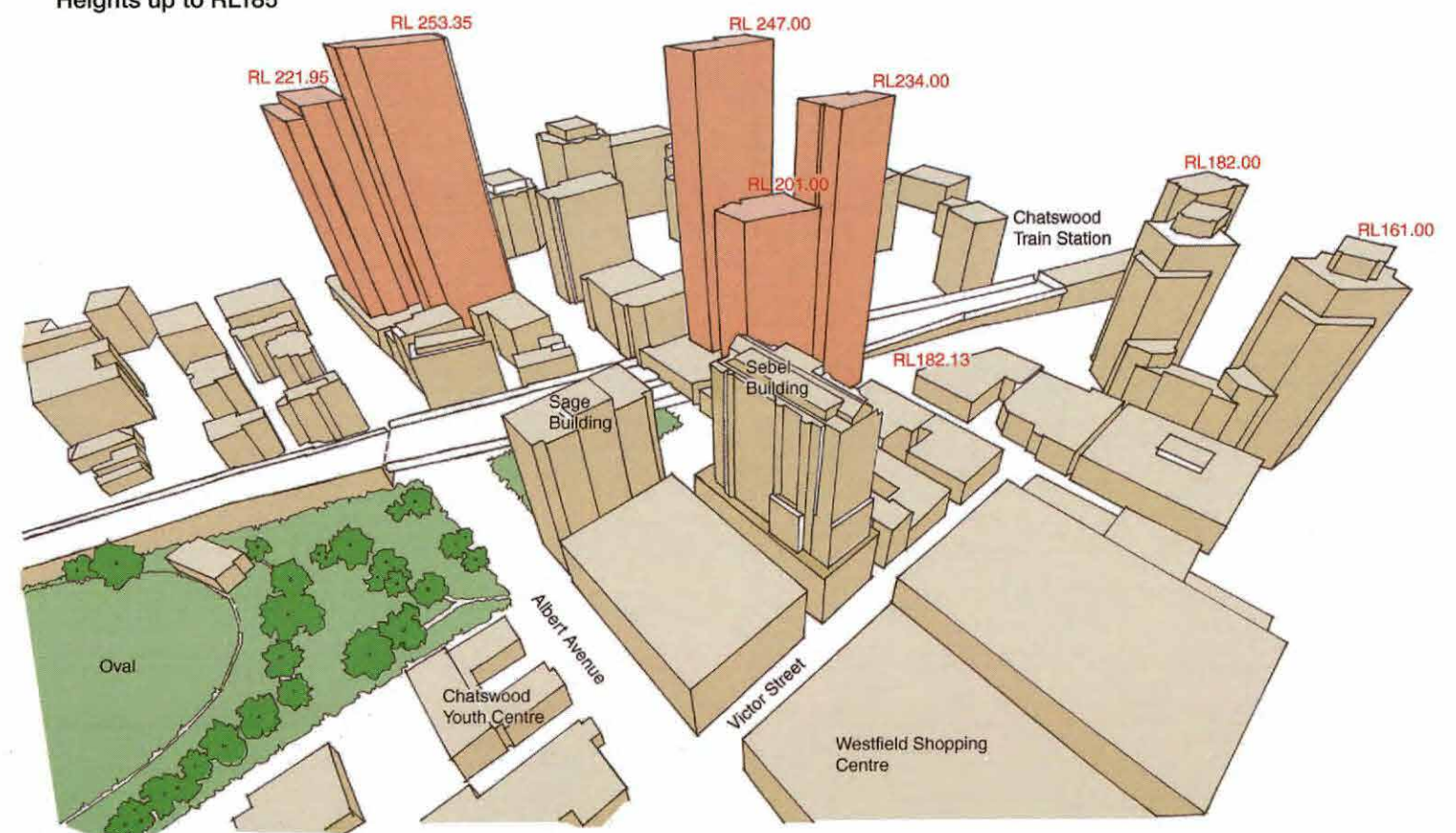


Built Context - Building
Heights up to RL50

2.0 SITE ANALYSIS



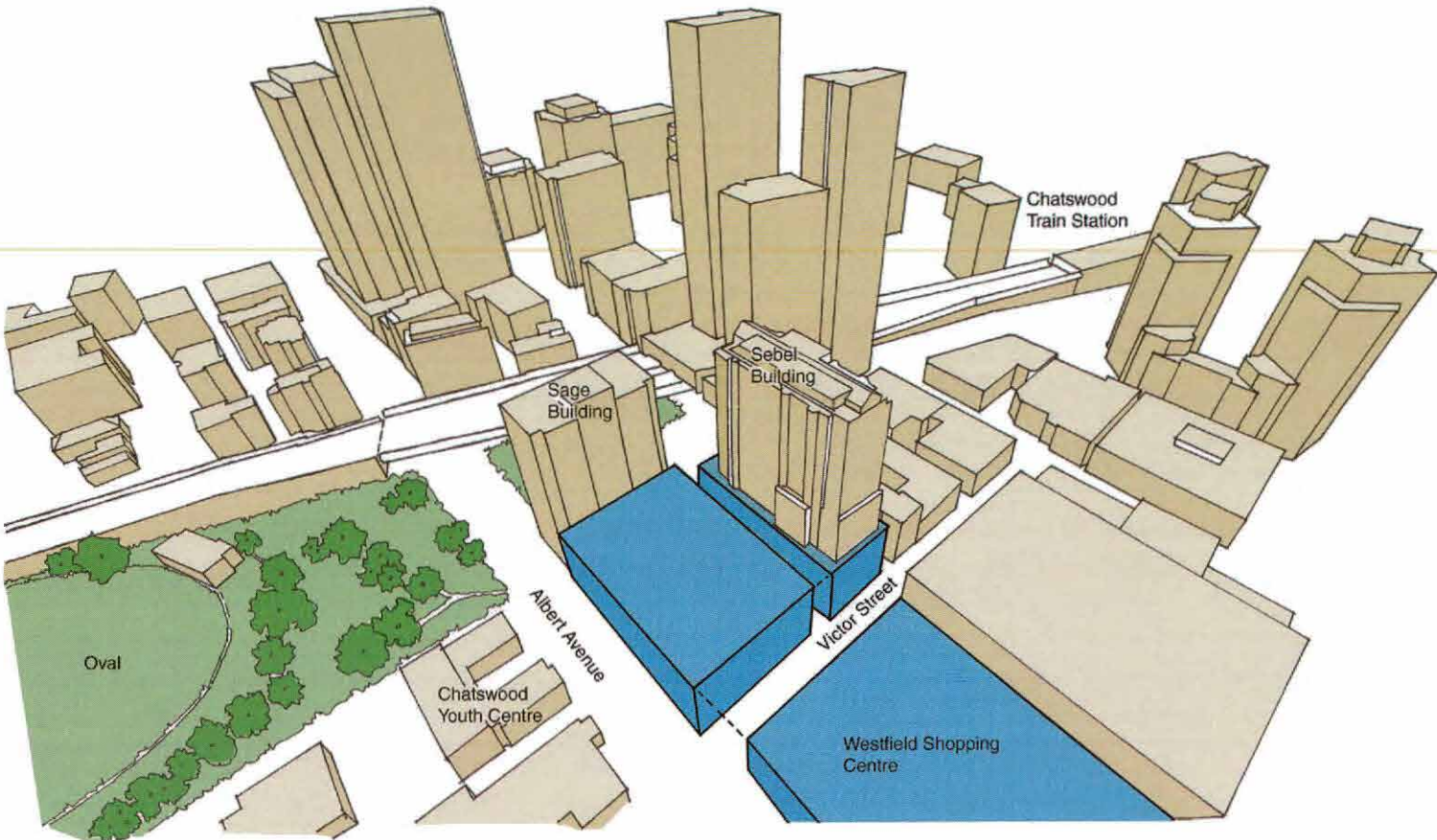
Built Context - Building
Heights up to RL185



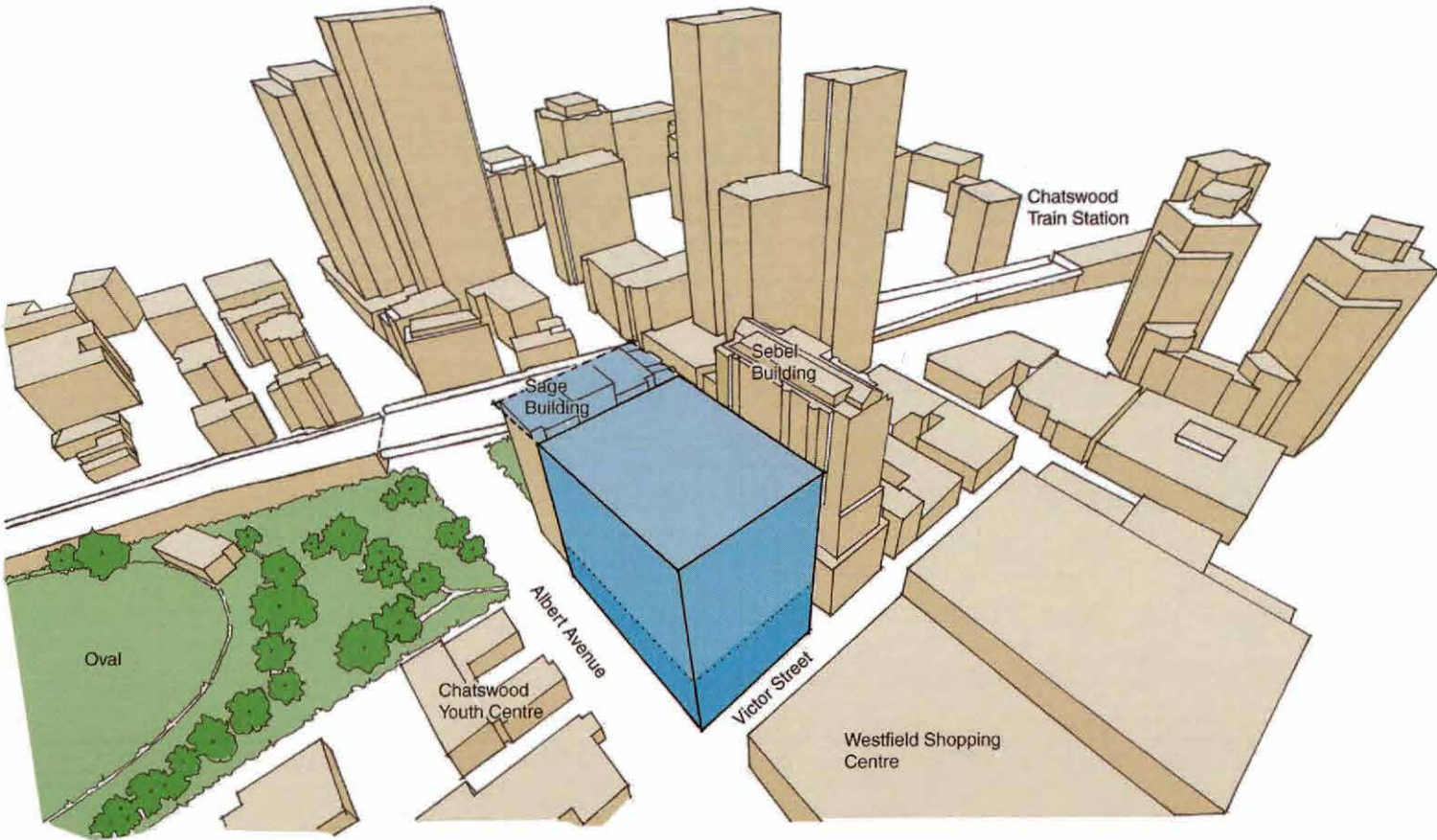
Built Context - Building
Heights above RL185

3.0
URBAN ANALYSIS

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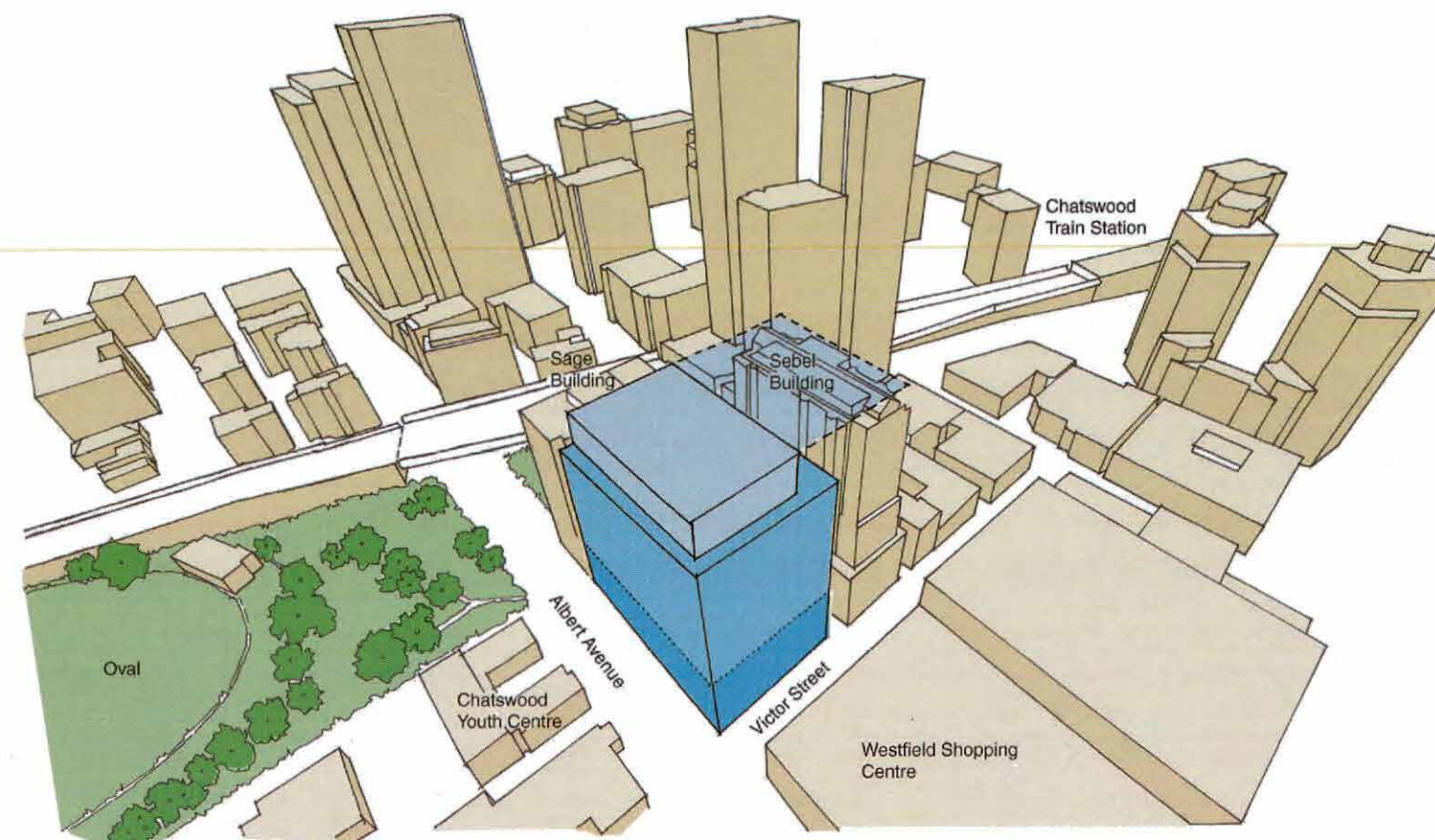
1. Planning Envelope - 25m Podium Height



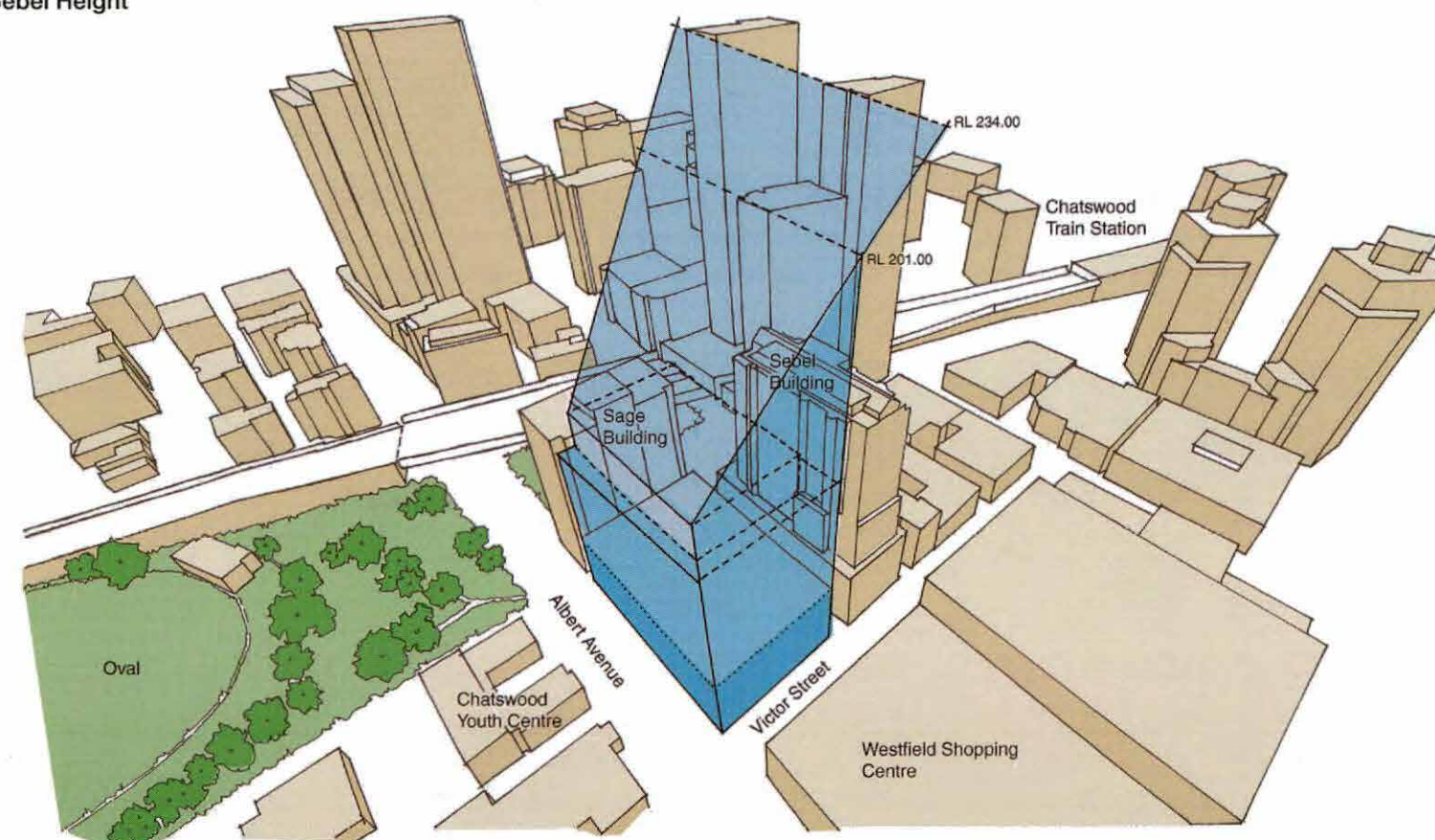
2. Planning Envelope - Podium + 80m Sage Building

3.0 URBAN ANALYSIS

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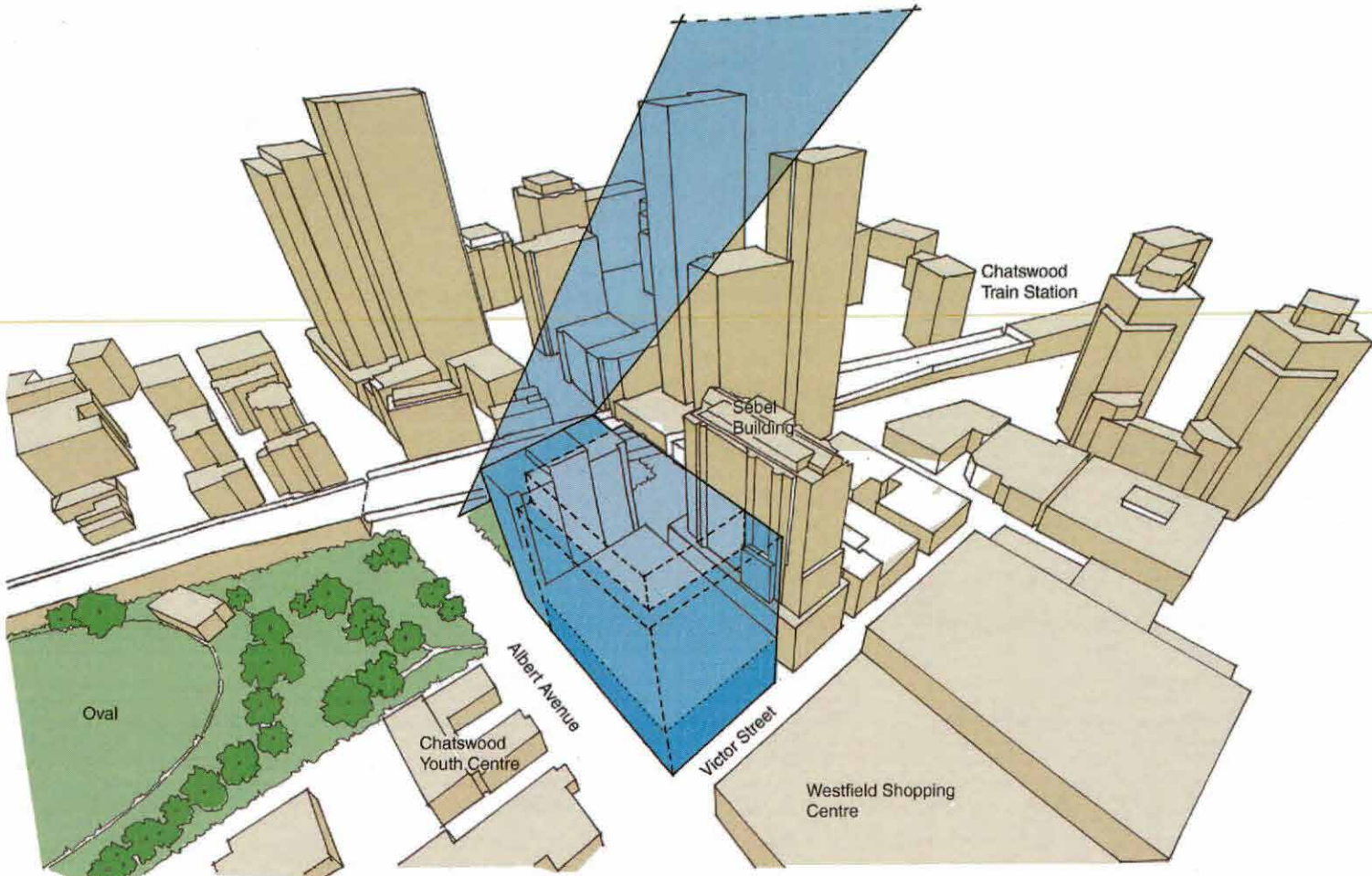
3. Planning Envelope - Podium + Sage Building + Setback Sebel Height



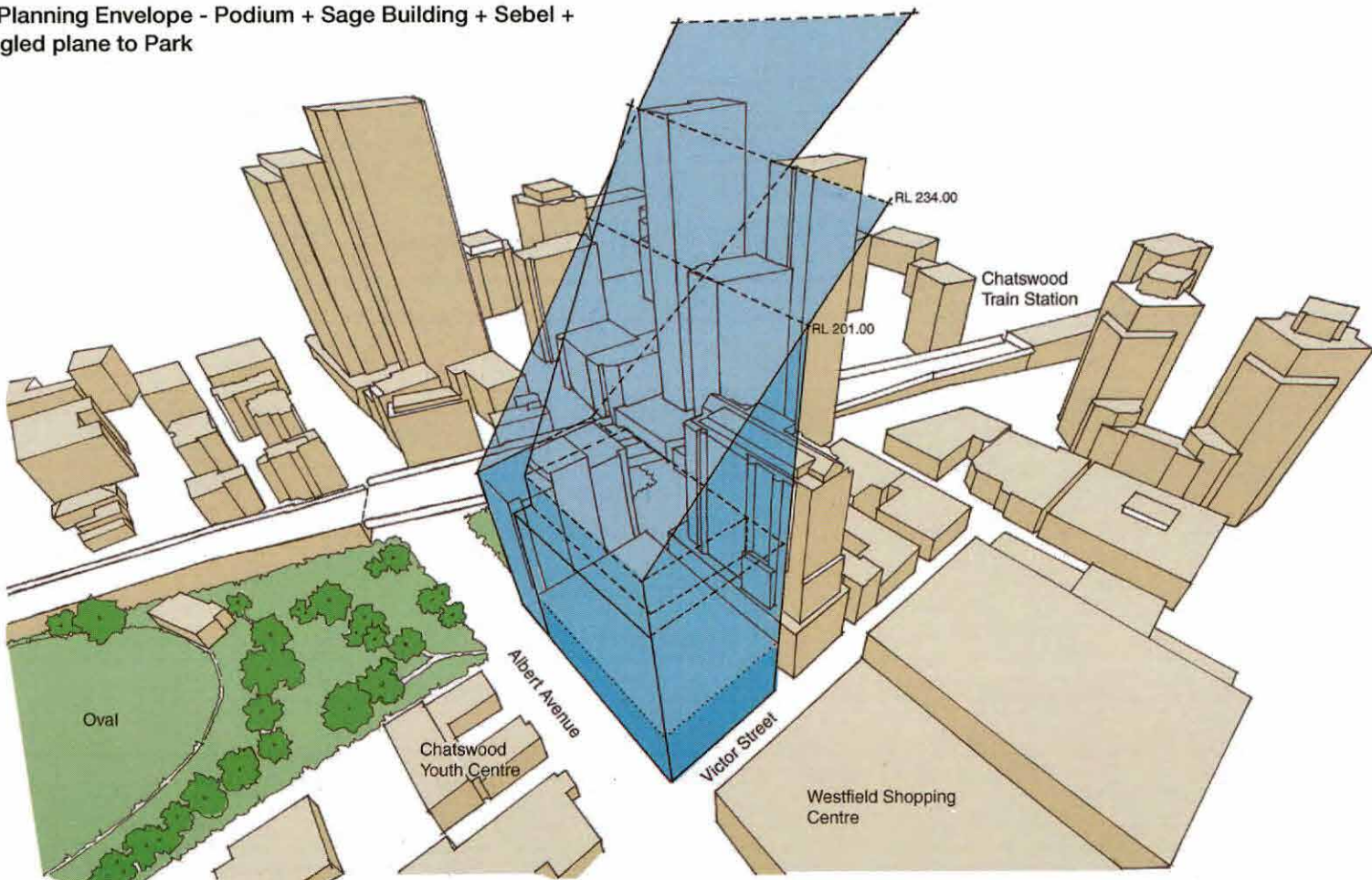
4. Planning Envelope - Podium + Sage Building + Sebel + Angled plane to City towers

3.0 URBAN ANALYSIS

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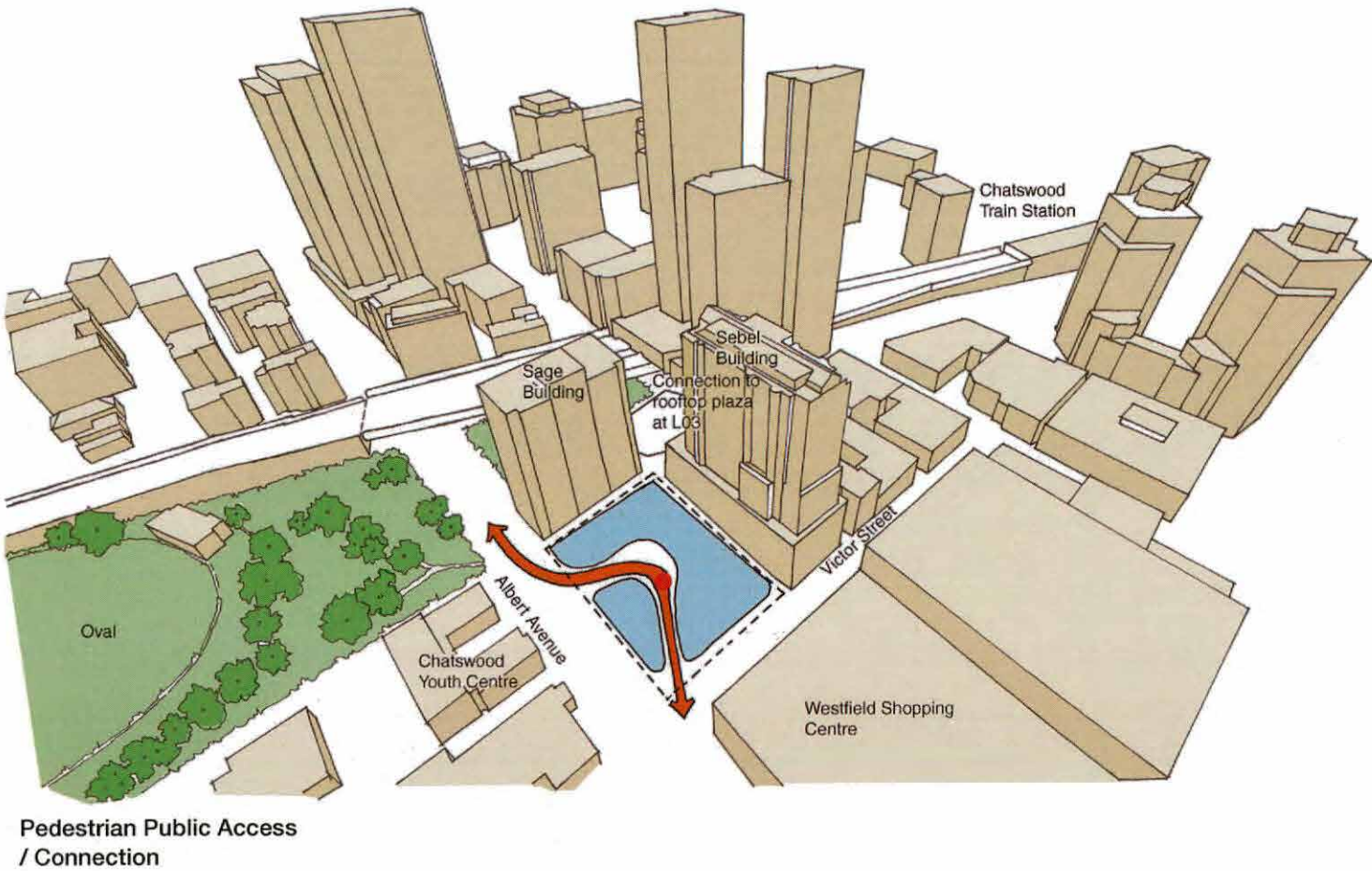
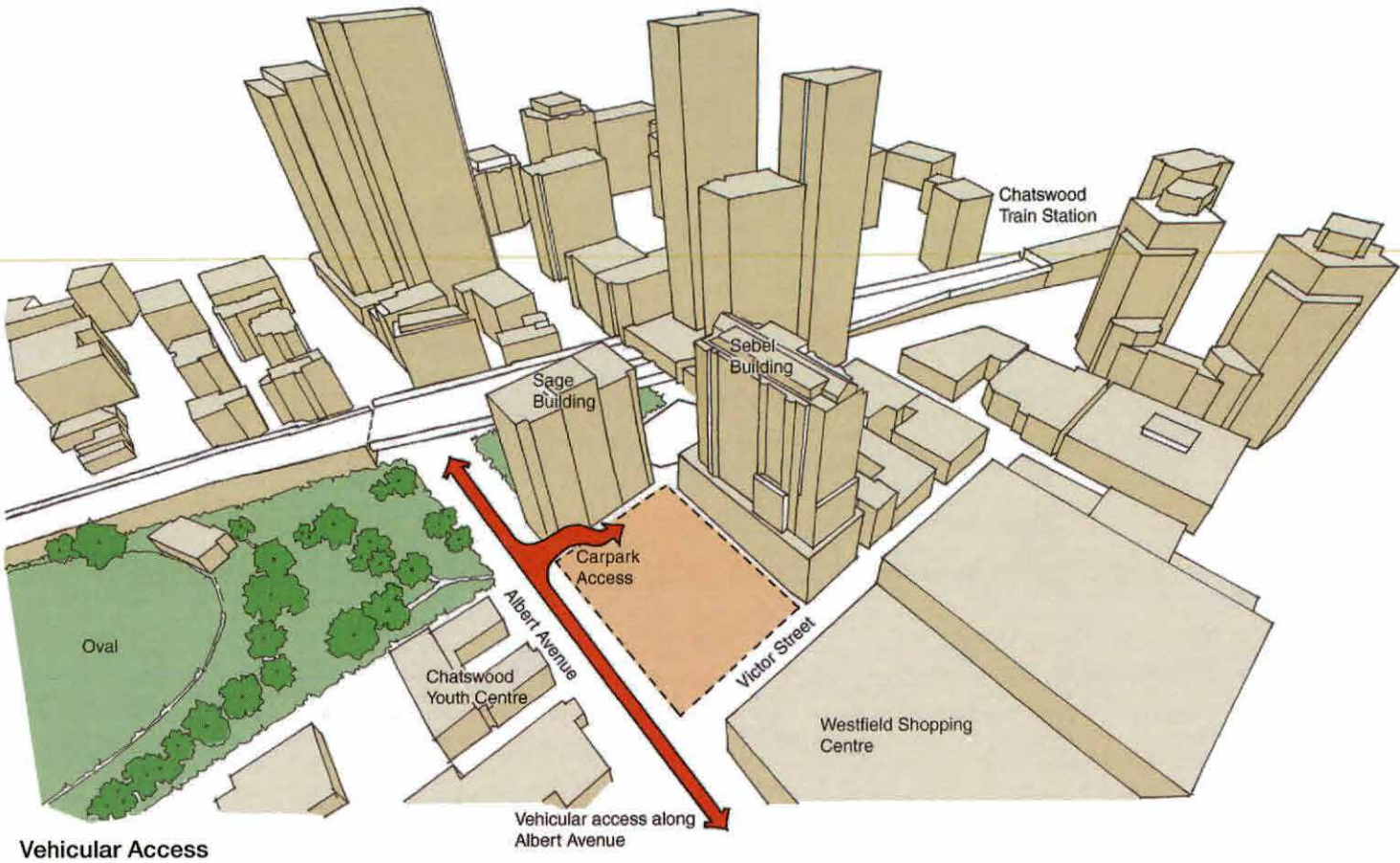
5. Planning Envelope - Podium + Sage Building + Sebel + Angled plane to Park



6. Complete Planning Envelope

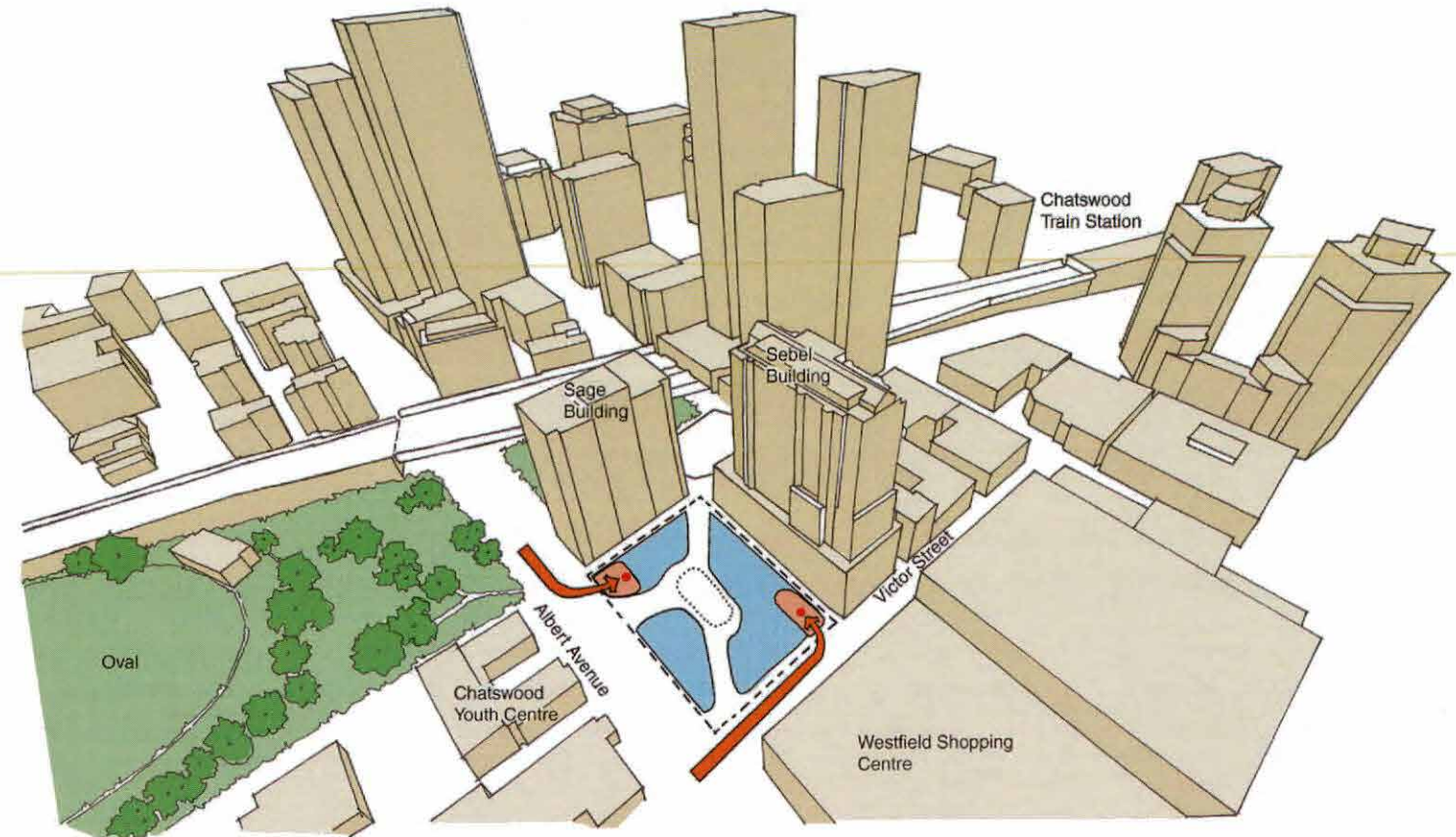
4.0
SITE ACCESS
ANALYSIS

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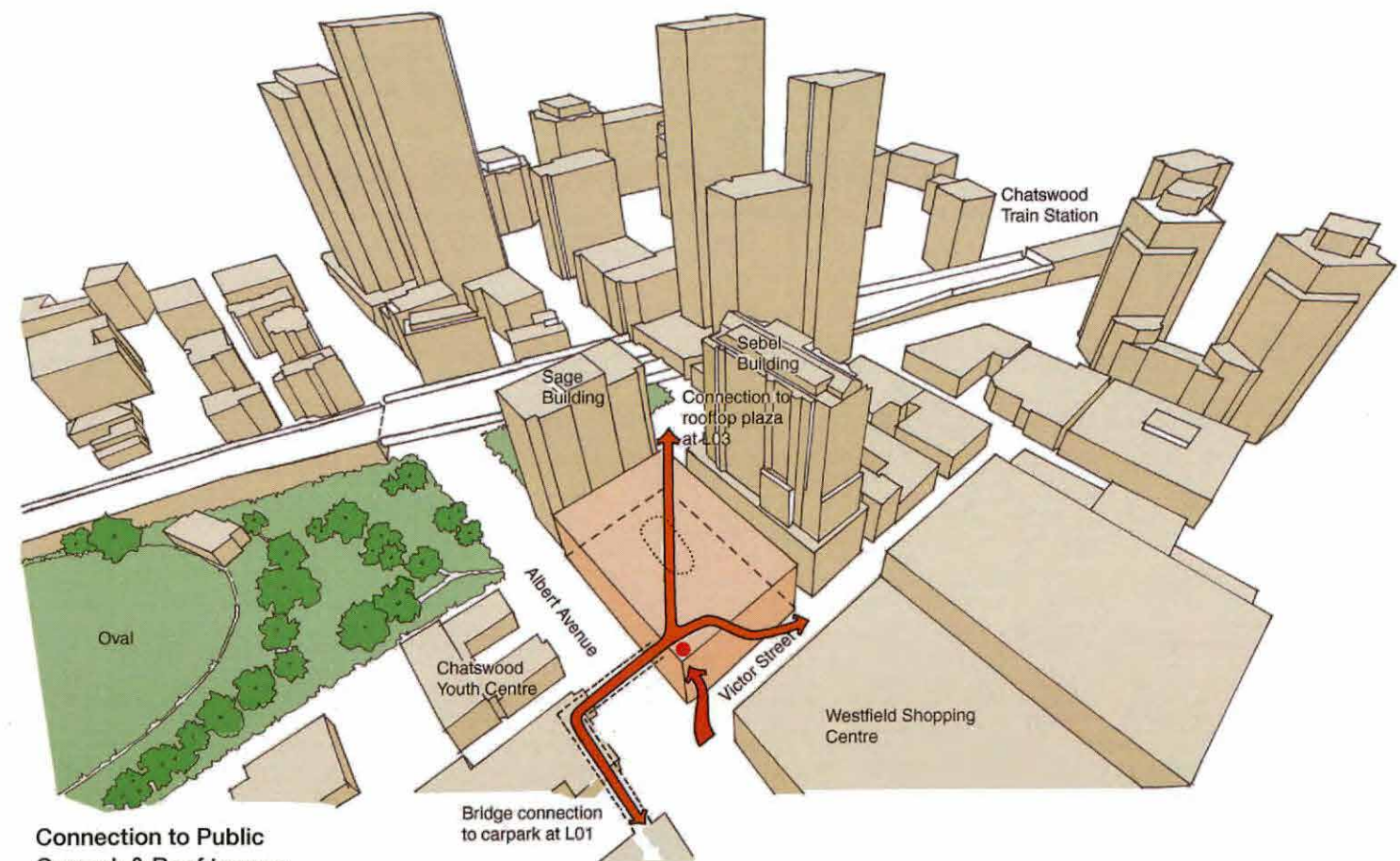


4.0 SITE ACCESS ANALYSIS

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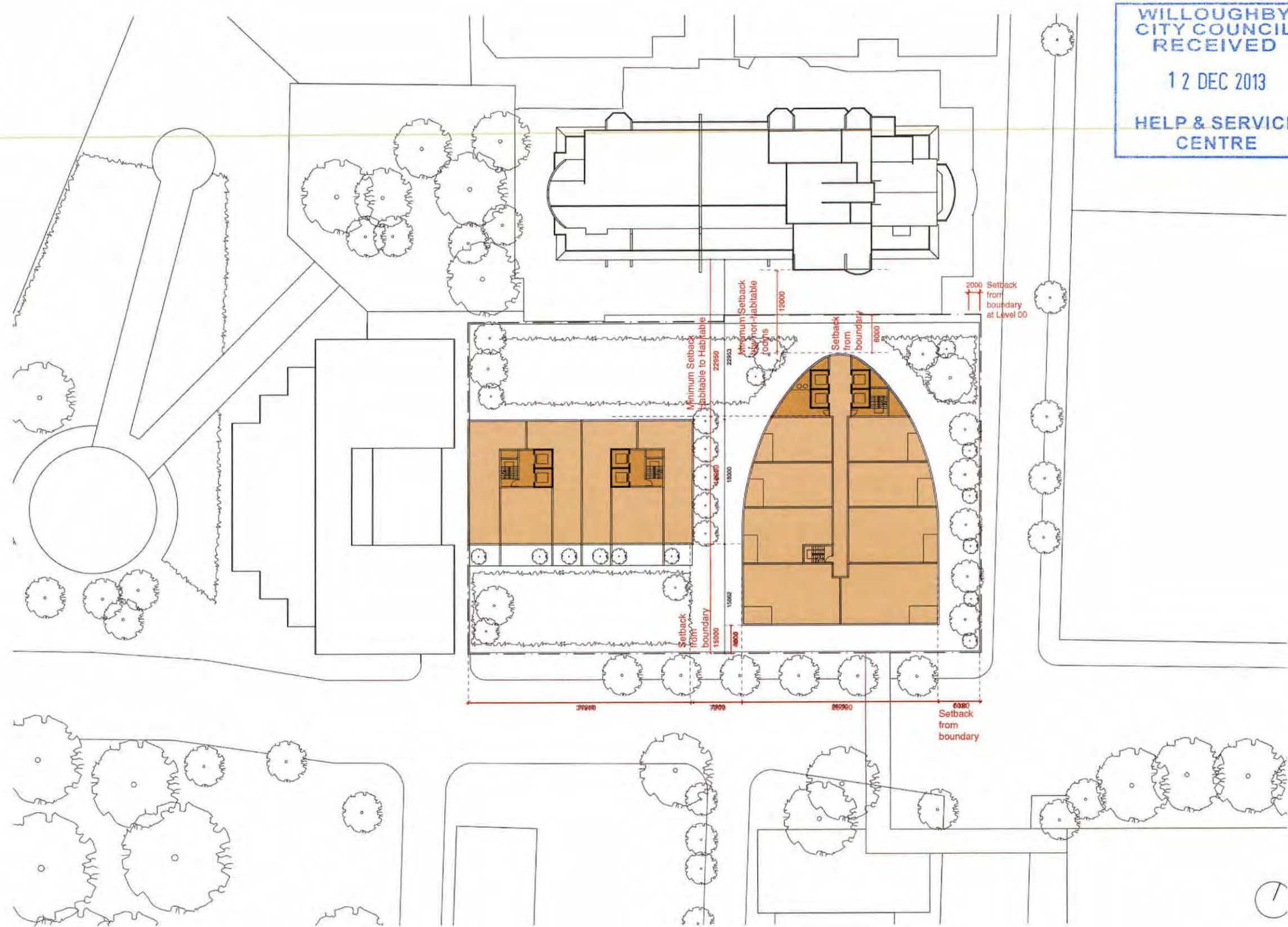


Pedestrian Private Access /
Residential Lobby



Connection to Public
Carpark & Roof terrace

5.0 TYPICAL LEVEL SETBACKS



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5.0 SITE PLAN

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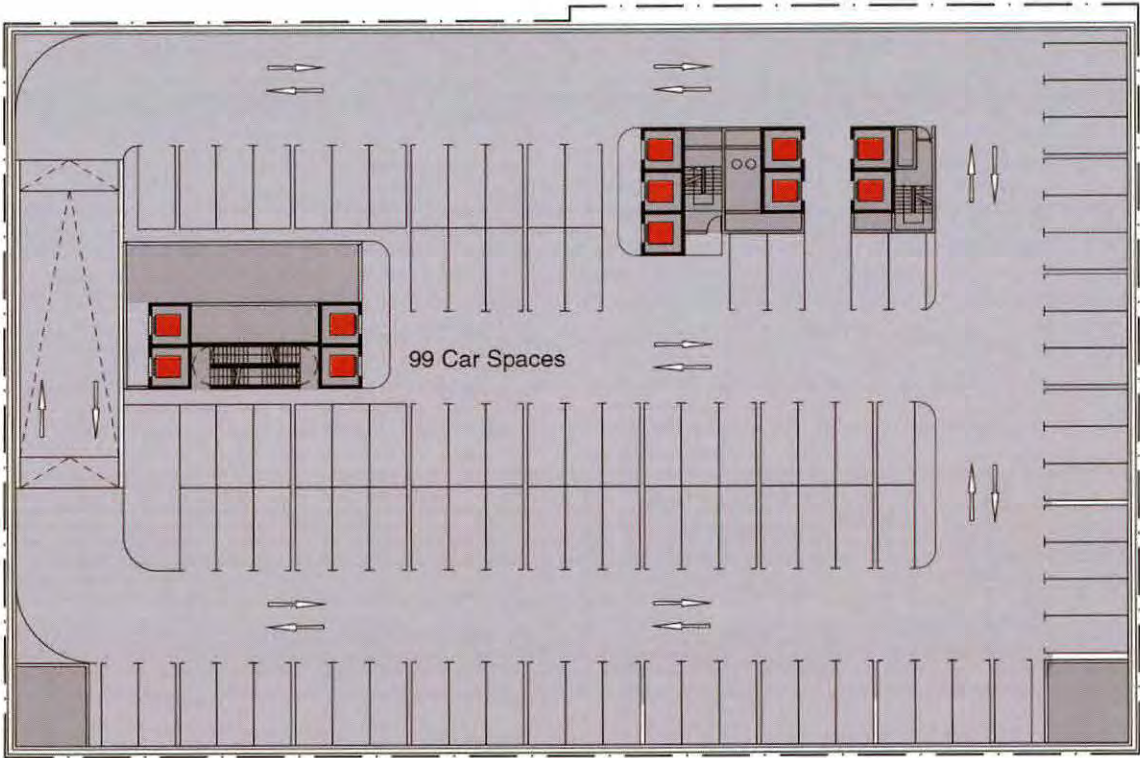


5.0 TYPICAL LOWER BASEMENT FLOOR

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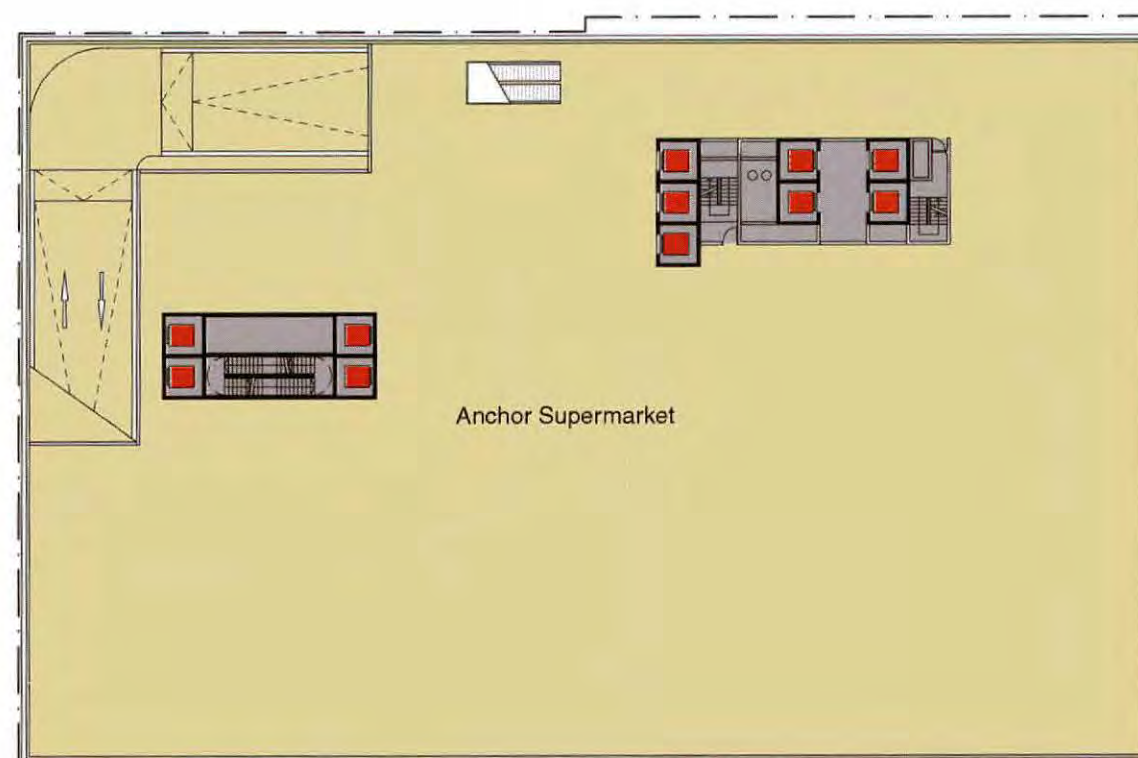
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5.0 BASEMENT LEVEL B001

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5.0
LEVEL 00

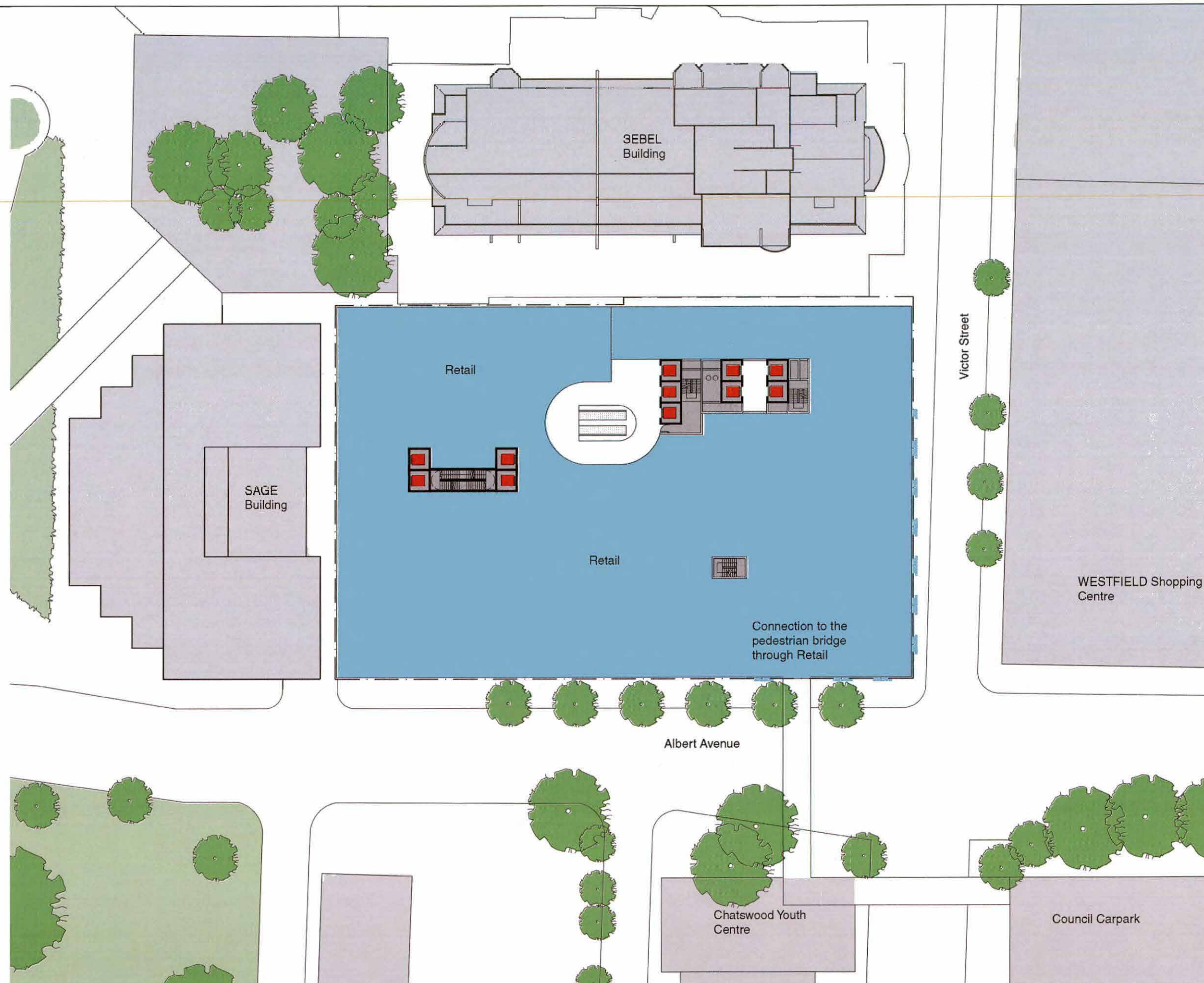
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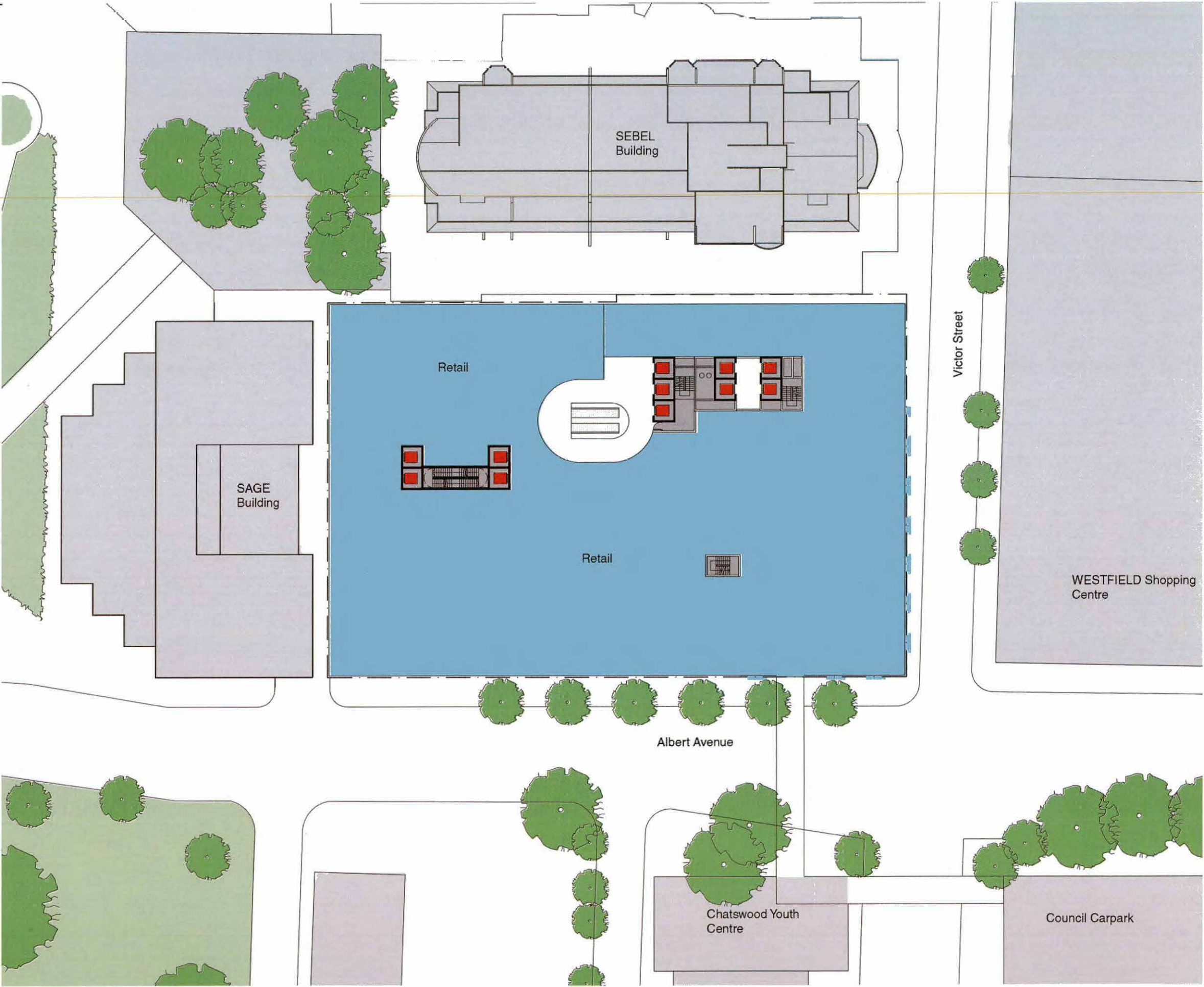
5.0 LEVEL 01 PODIUM

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5.0
LEVEL 02
PODIUM

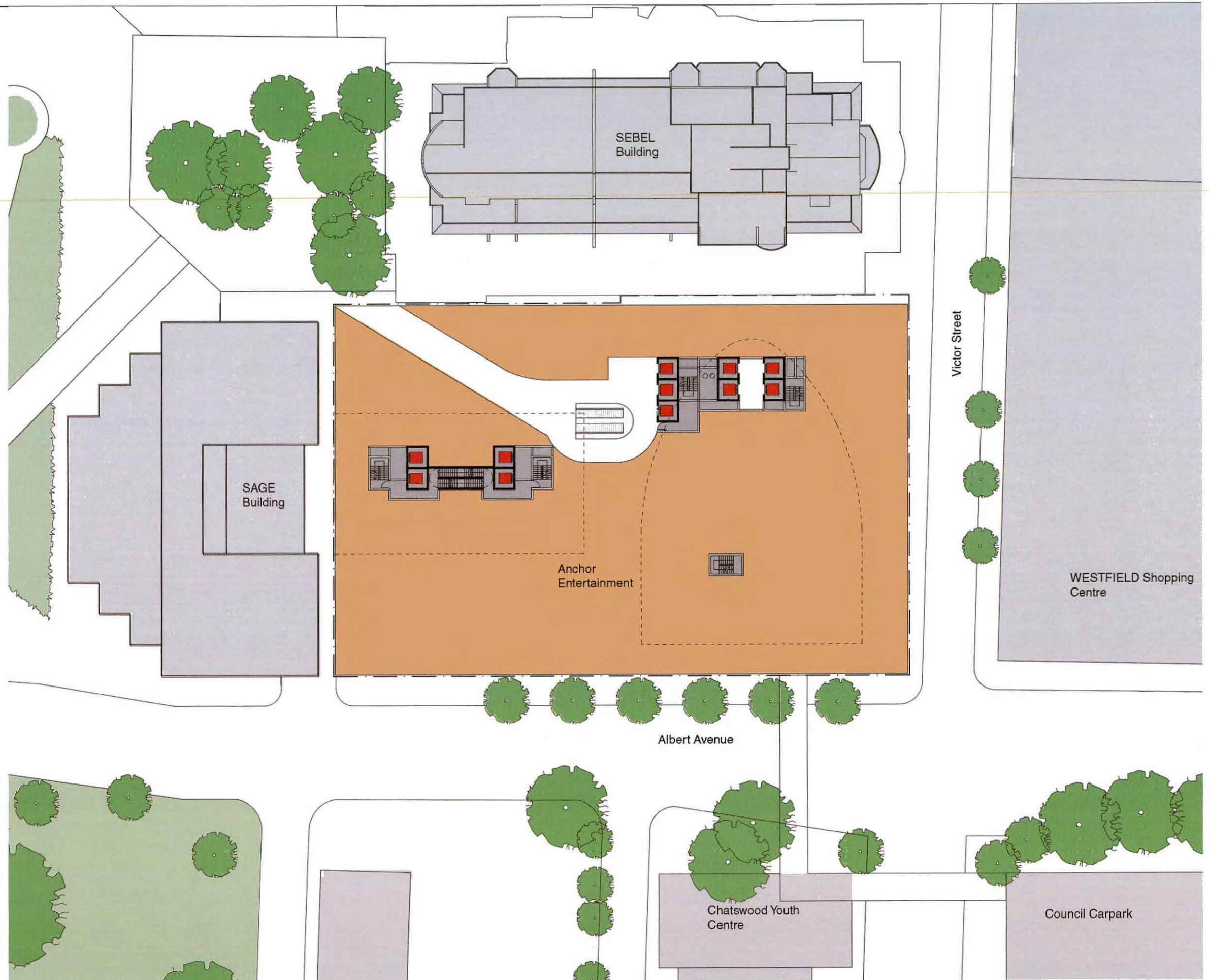
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5.0 LEVEL 03 PODIUM

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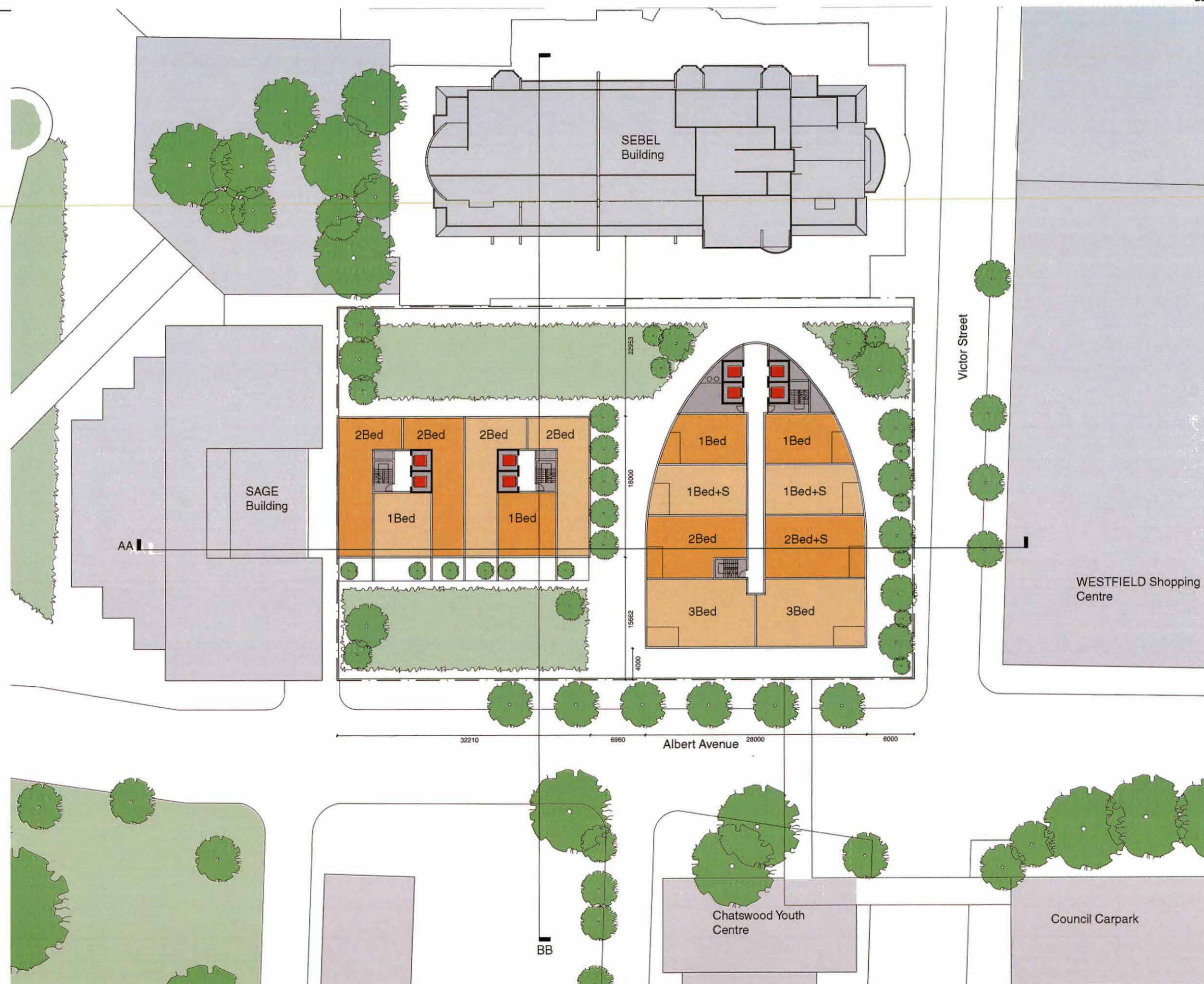


5.0 LEVEL 04 PODIUM

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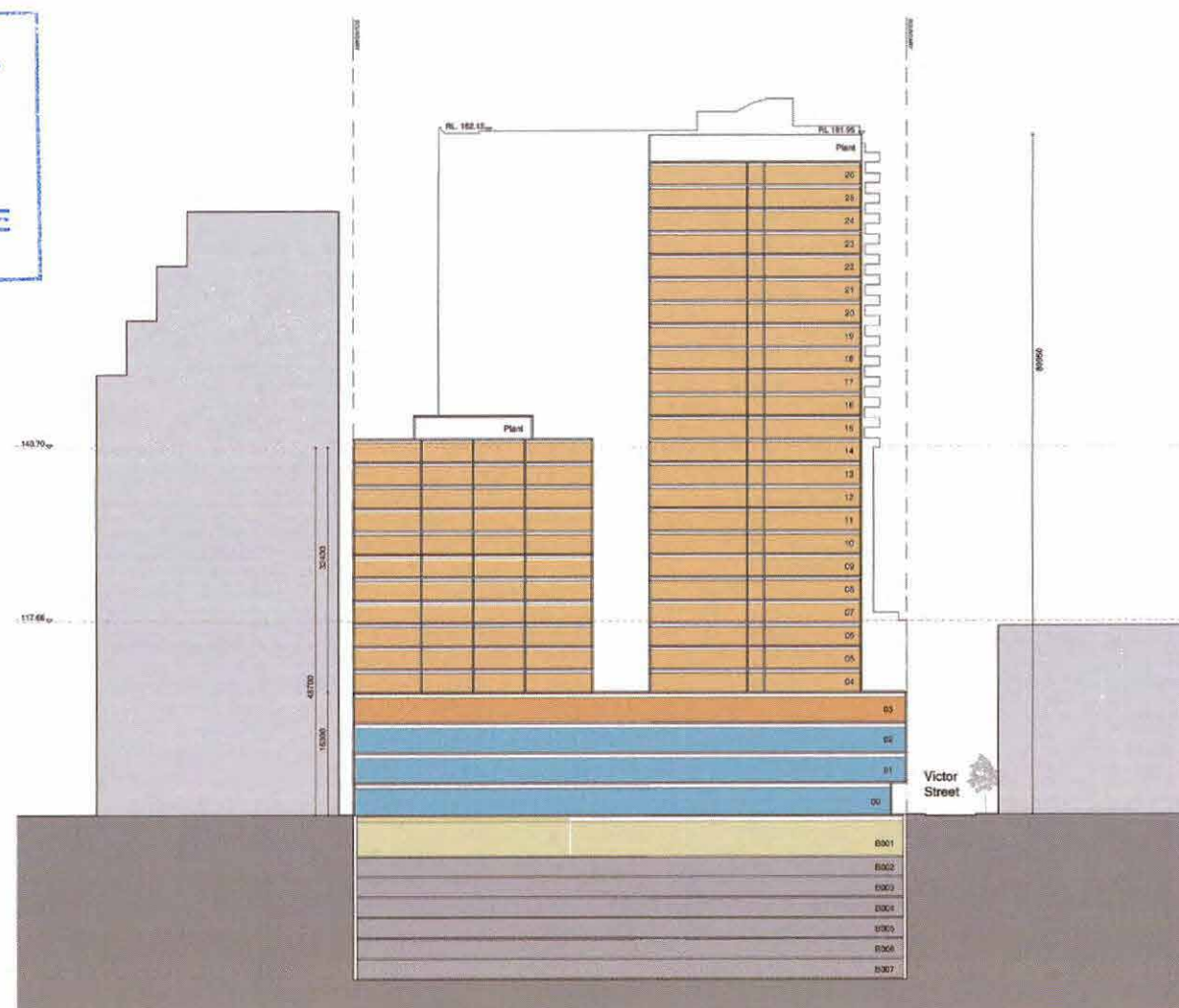
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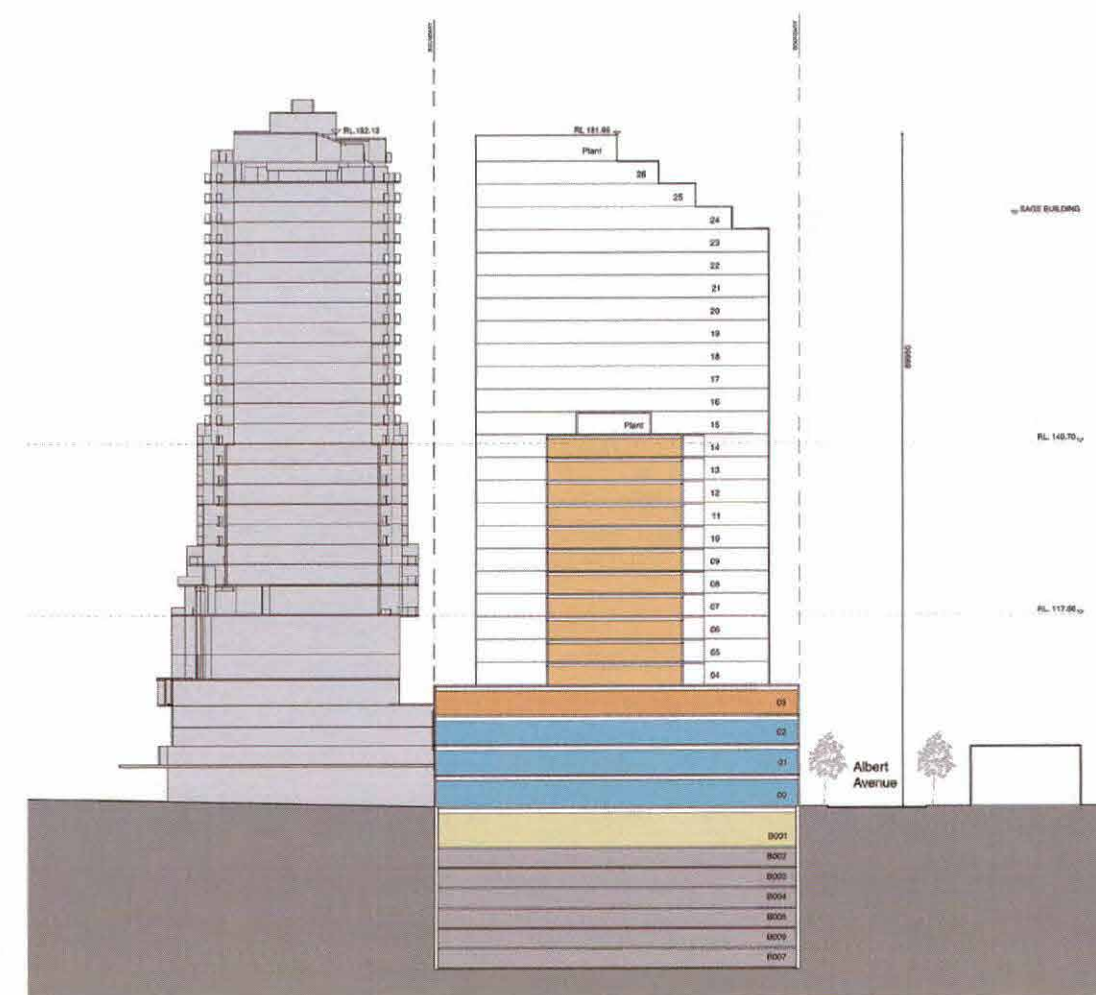
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6.0 SECTIONS

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SECTION AA



SECTION BB

7.0
AREA SCHEDULE

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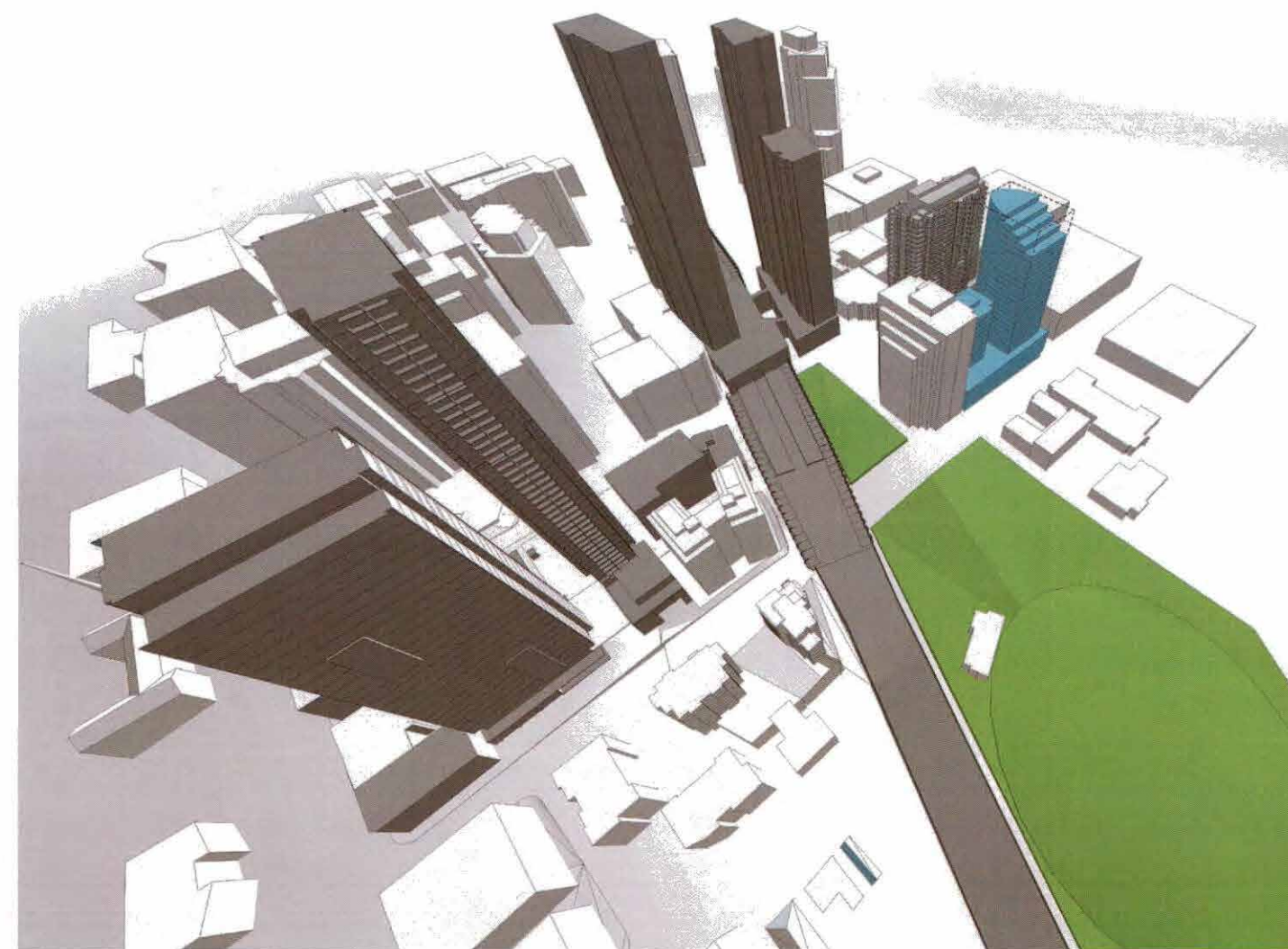
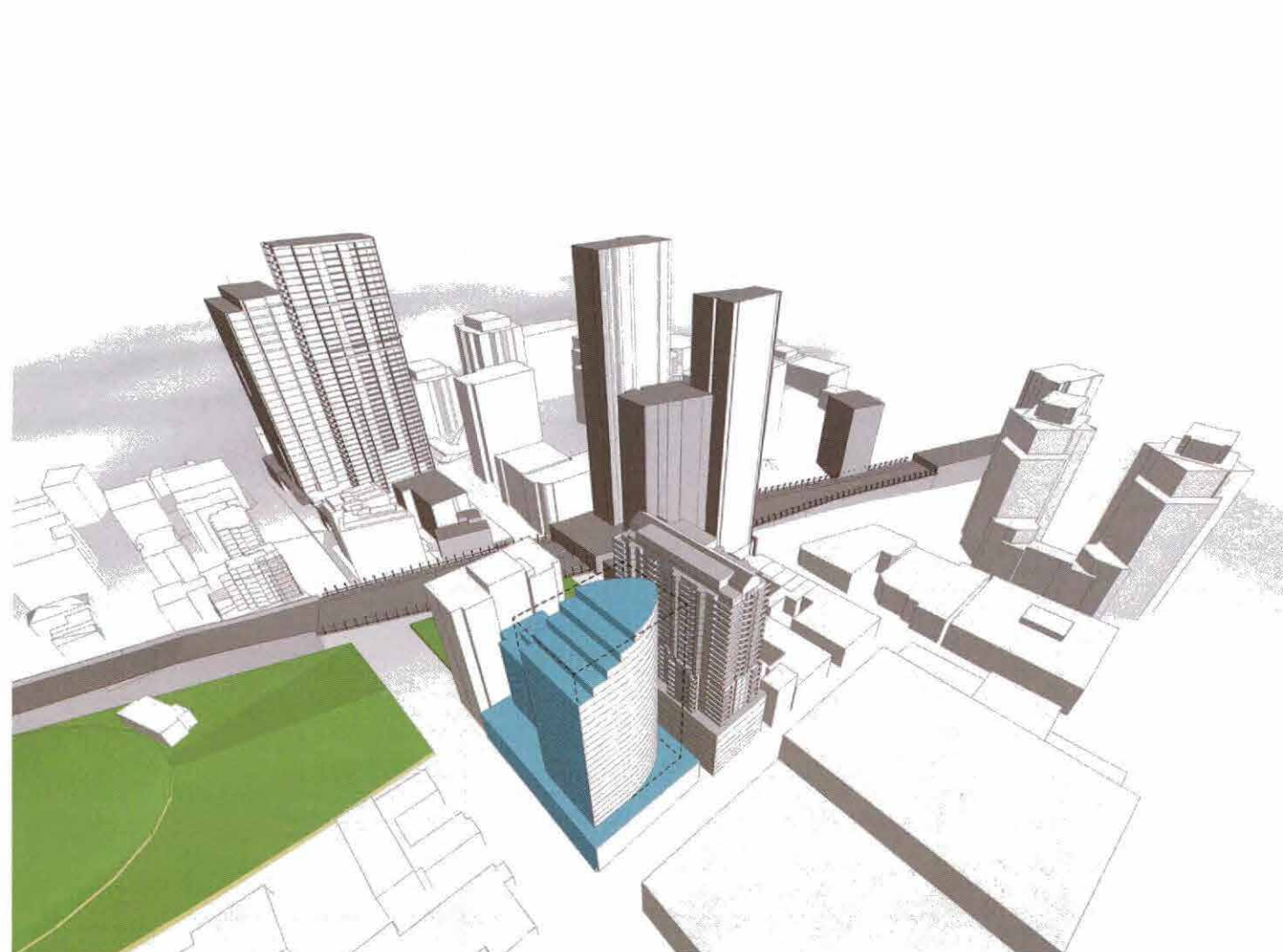
ALBERT AVENUE, CHATSWOOD - Capitel Group

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Site Areas & Calculations									
Site Area	3519								
GFA	37108								
FSR	10.54 : 1								
Measured Areas		Measured Apartment Mix							
Floor Areas	GFA(excl.balc)	Retail NLA	1B	1B+study	2B	2B+study	3B	4B	Total
Level 27 - Plant									
Level 26	401							2	2
Level 25	520							4	4
Level 24	650							4	4
Level 23	741		2	2	1	1	2		8
Level 22	741		2	2	1	1	2		8
Level 21	741		2	2	1	1	2		8
Level 20	741		2	2	1	1	2		8
Level 19	741		2	2	1	1	2		8
Level 18	741		2	2	1	1	2		8
Level 17	741		2	2	1	1	2		8
Level 16	741		2	2	1	1	2		8
Level 15	741		2	2	1	1	2		8
Level 14	1253		4	2	5	1	2		14
Level 13	1253		4	2	5	1	2		14
Level 12	1253		4	2	5	1	2		14
Level 11	1253		4	2	5	1	2		14
Level 10	1253		4	2	5	1	2		14
Level 9	1253		4	2	5	1	2		14
Level 8	1253		4	2	5	1	2		14
Level 7	1253		4	2	5	1	2		14
Level 6	1253		4	2	5	1	2		14
Level 5	1253		4	2	5	1	2		14
Level 4	1253		4	2	5	1	2		14
Level 3 -Podium	2917	2625							
Level 2 - Podium	2917	2625							
Level 1 - Podium	2917	2625							
Ground Level	3167	2625							
Basement 001	3167	2625							
Basement 002									
Basement 003									
Basement 004									
Total	37108	13125	62	40	64	20	40	10	236
Residential Mix (by apartments nos.)									
	Percentage	No. Units							
1 bed	26%	62							
1 bed+study	17%	40							
2bed	27%	64							
2 bed+study	8%	20							
3bed	17%	40							
4bed	4%	10							
Total		236							
Definitions									
GFA- as per Council definition- in summary, the sum of the floor area of each floor of a building measured from the internal face of external walls excluding common vertical circulation and other items.									
GBA -The sum of the floor area of each floor of a building measured to inside face of exterior walls and including balconies and the like but ignoring any projections.									
Unit Area- GFA unit area measurement of apartment area. Measured to the centreline of party walls and inside face of external walls.									
All Area measured is approximate only.									

8.0 OPTION 4 3D VIEWS

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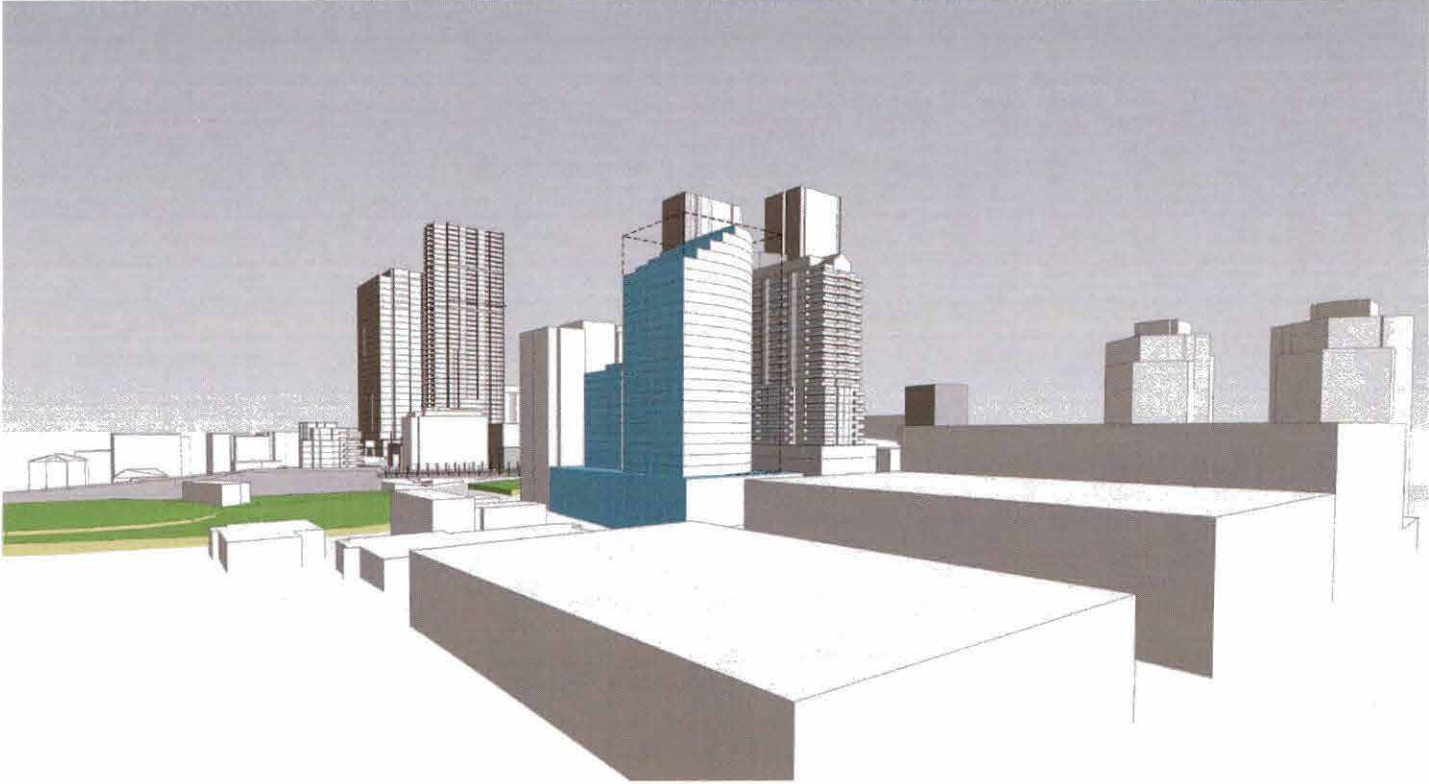
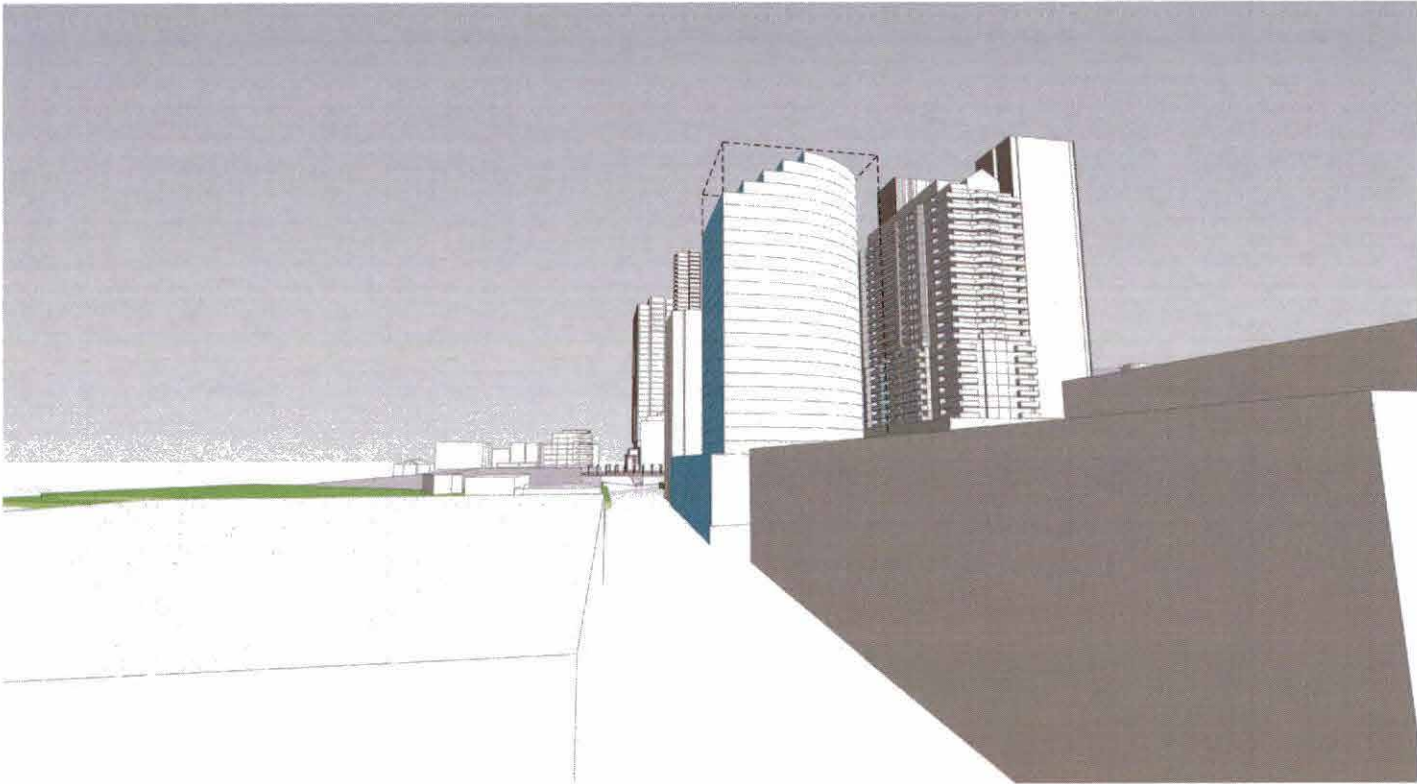
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9.0
OPTION 4
3D VIEWS

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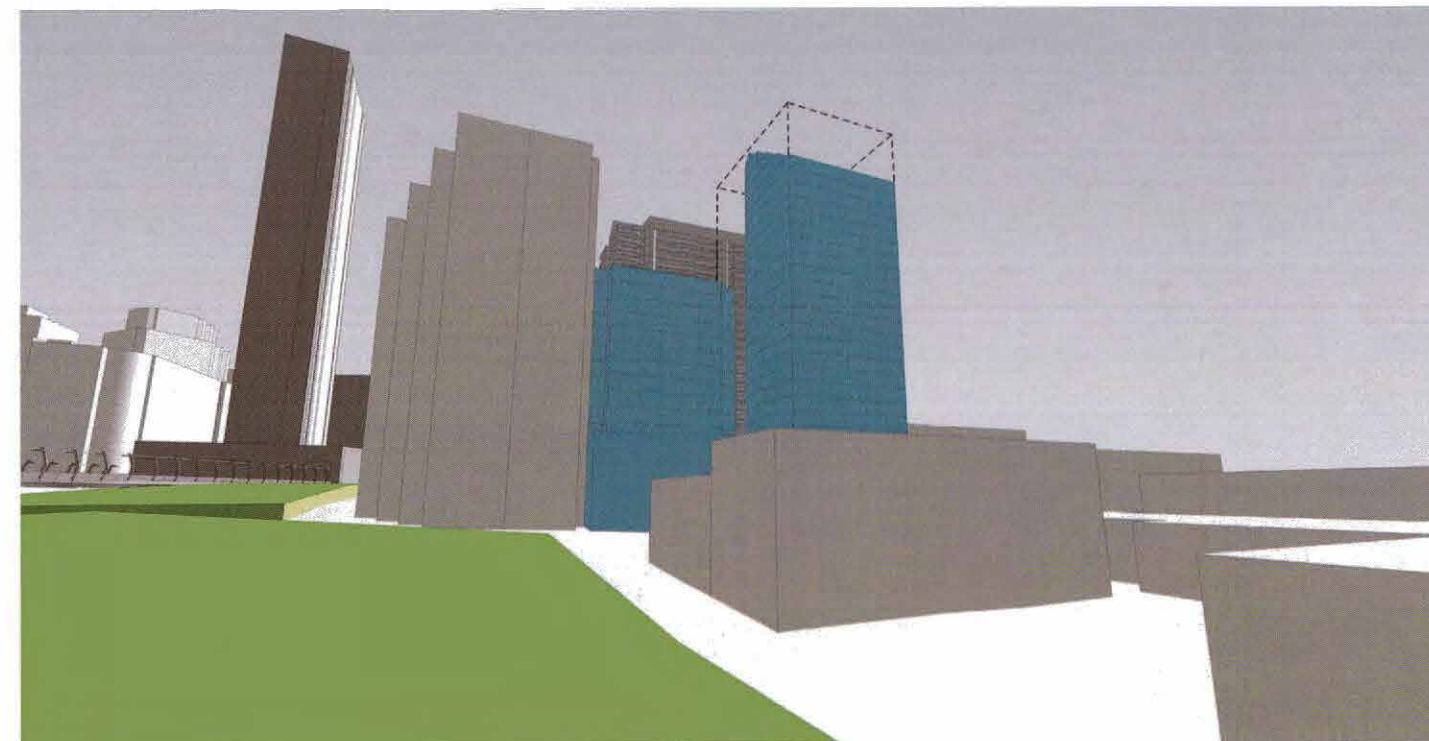
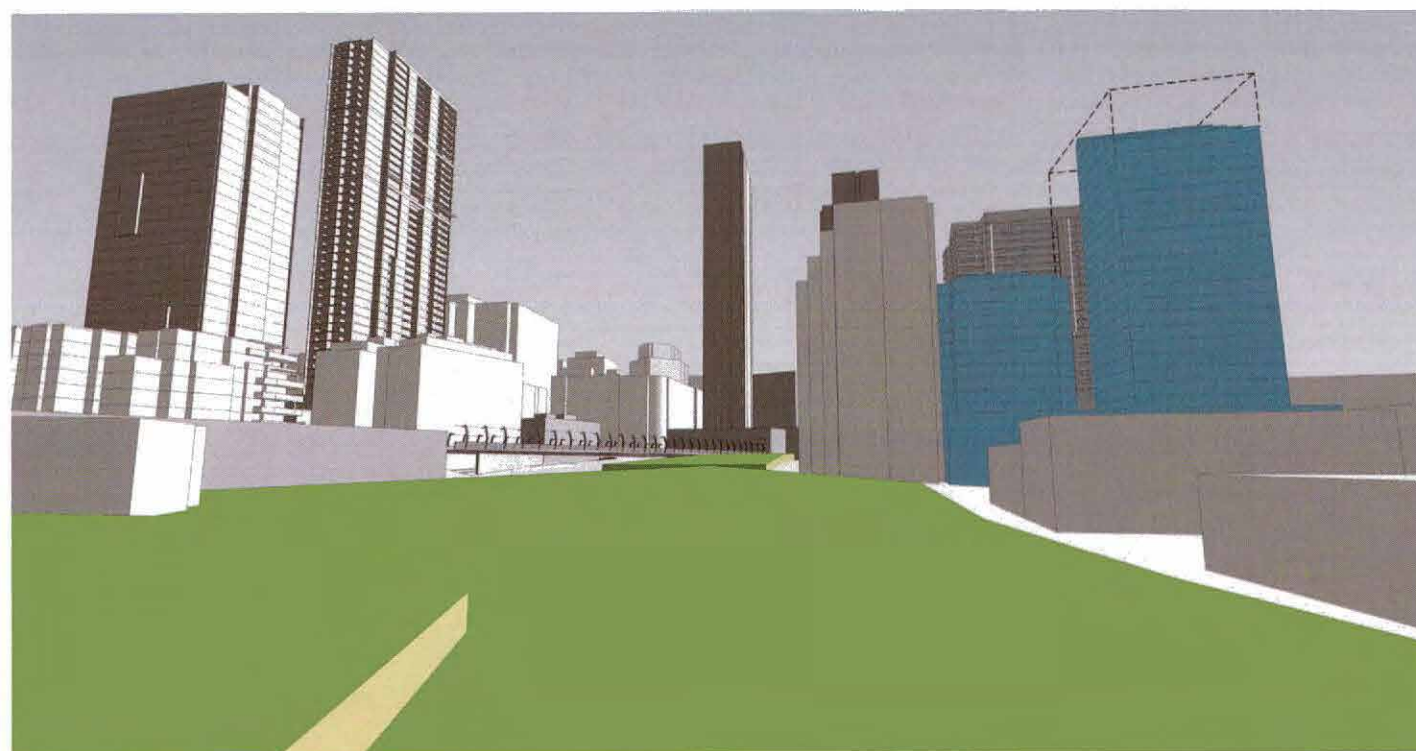
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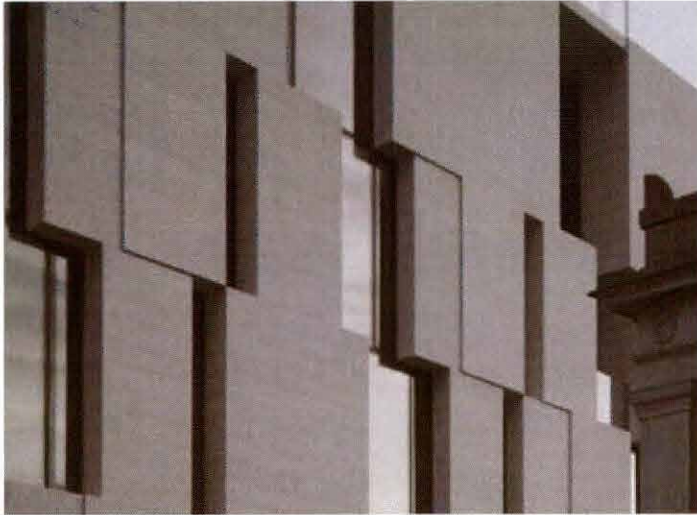
10.0 OPTION 4 3D VIEWS

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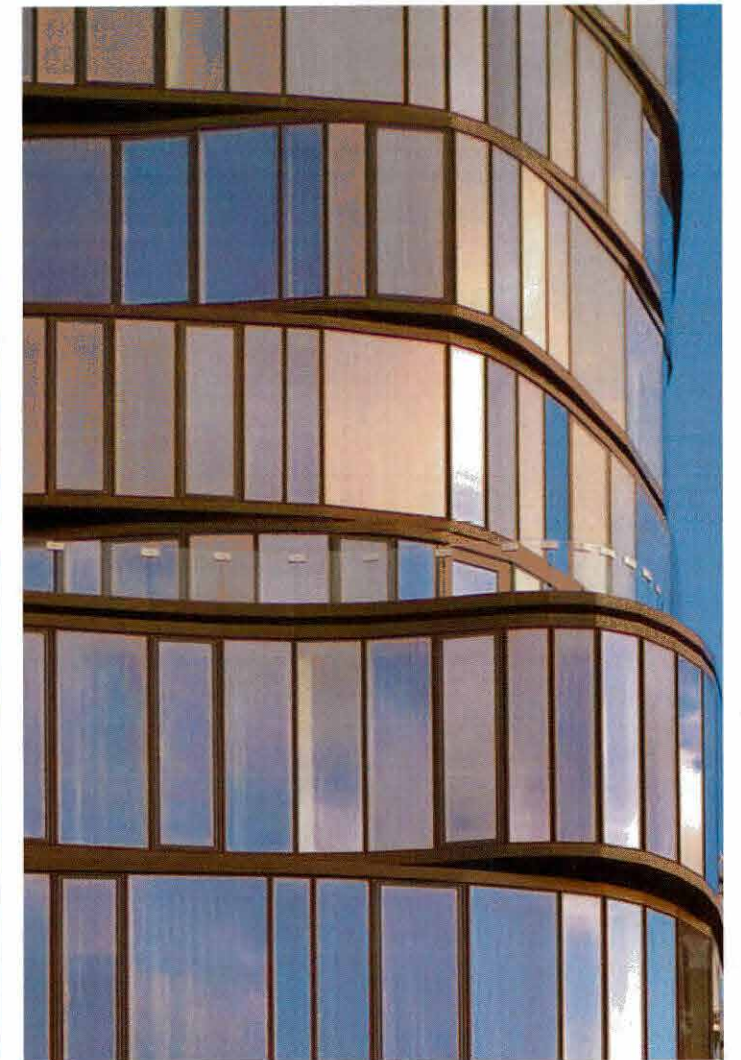
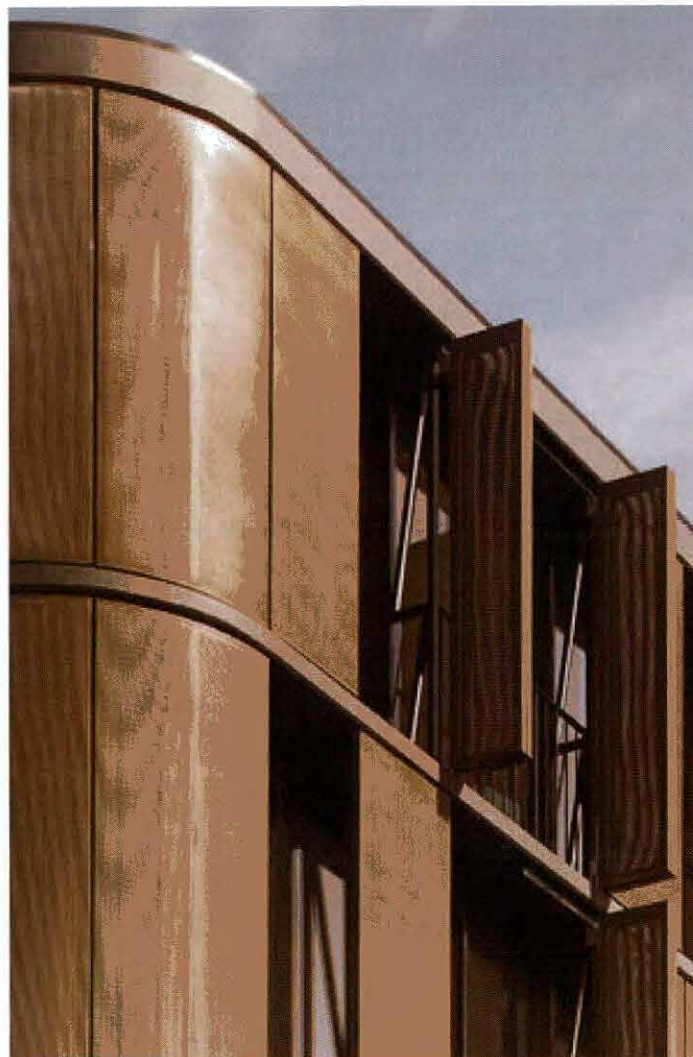


11.0 PRECEDENTS RETAIL PODIUM

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11.0 PRECEDENTS RESIDENTIAL TOWER



12.0 PERSPECTIVE SKETCH

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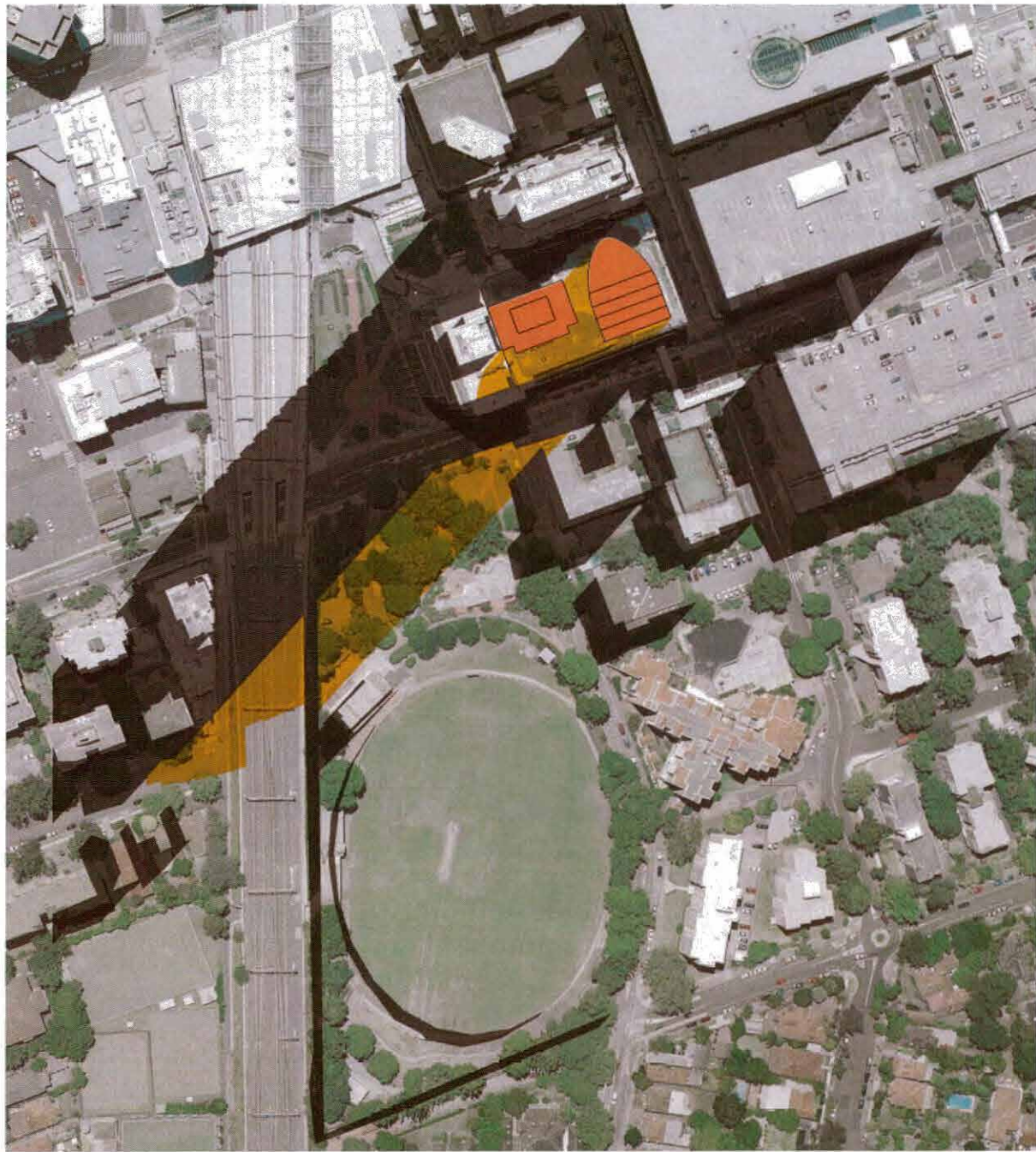
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APPENDIX

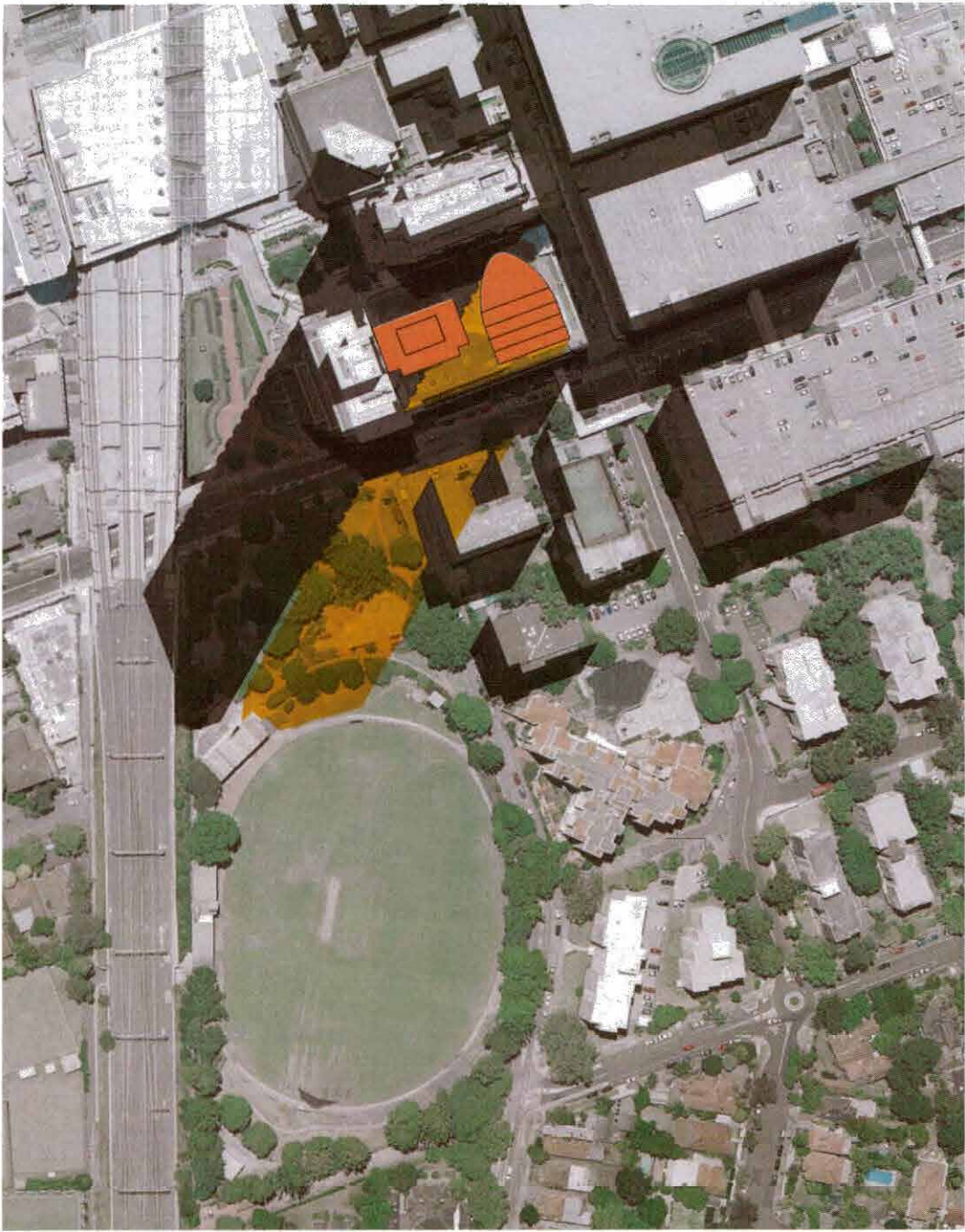


13.0 SHADOW STUDIES WINTER SOLSTICE

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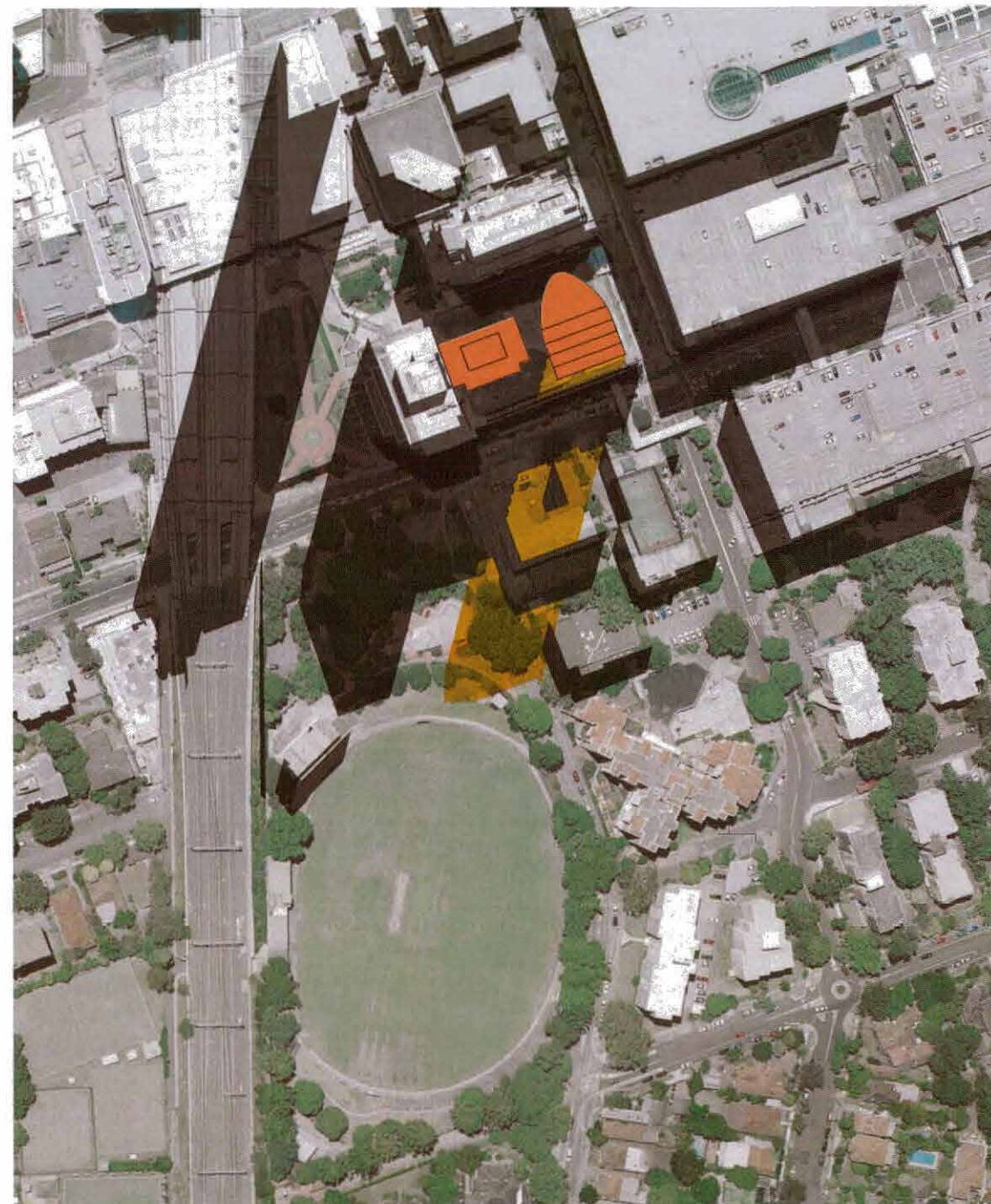
WINTER SOLSTICE - JUNE 21 - 9AM



WINTER SOLSTICE - JUNE 21 - 10AM

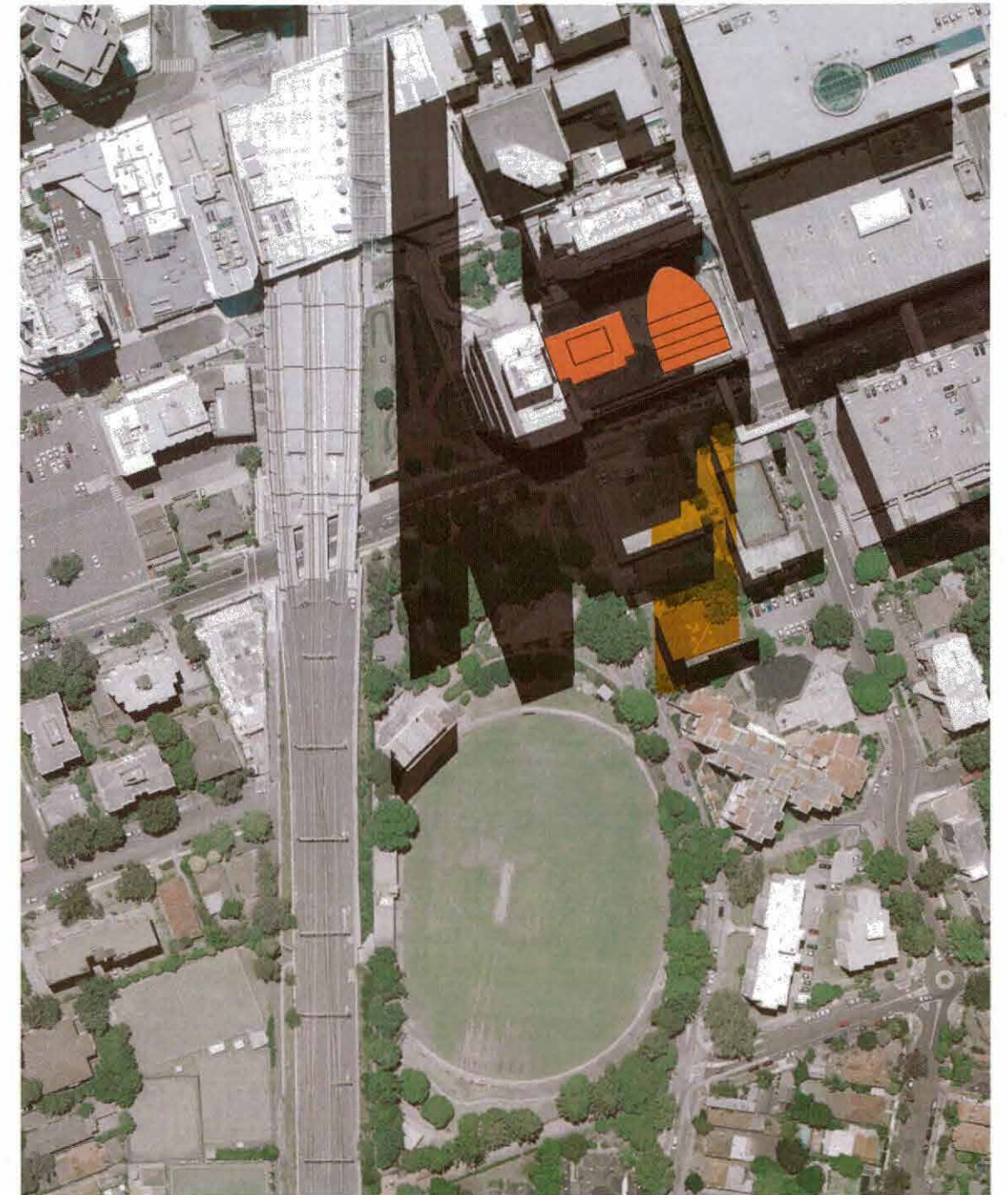
13.0 SHADOW STUDIES WINTER SOLSTICE

WILLOUGHBY
CITY COUNCIL
RECEIVED
12 DEC 2013
HELP & SERVICE
CENTRE



BATESSMART.

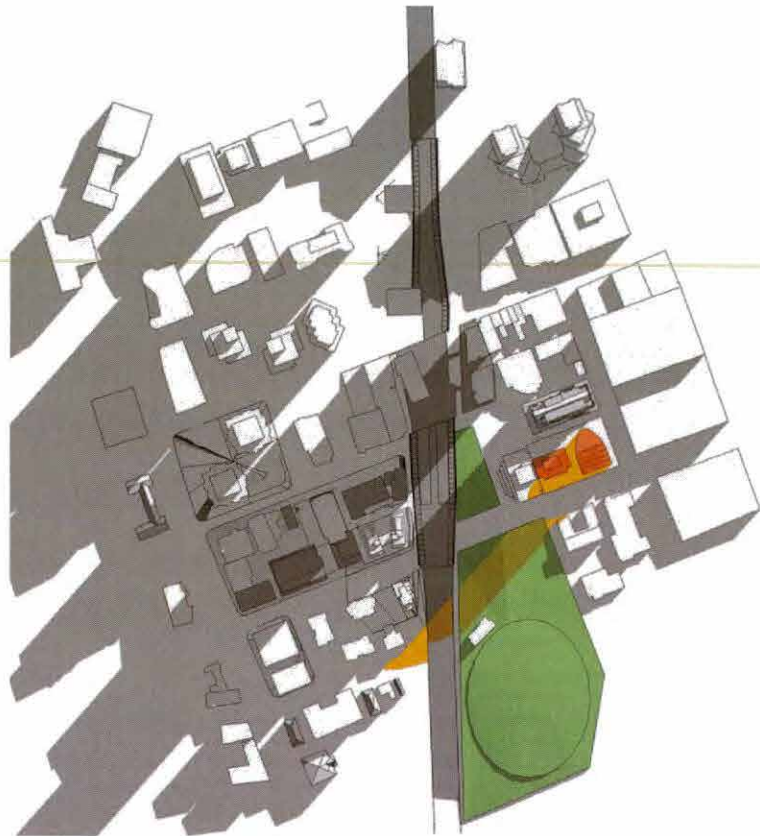
WINTER SOLSTICE - JUNE 21 - 11AM



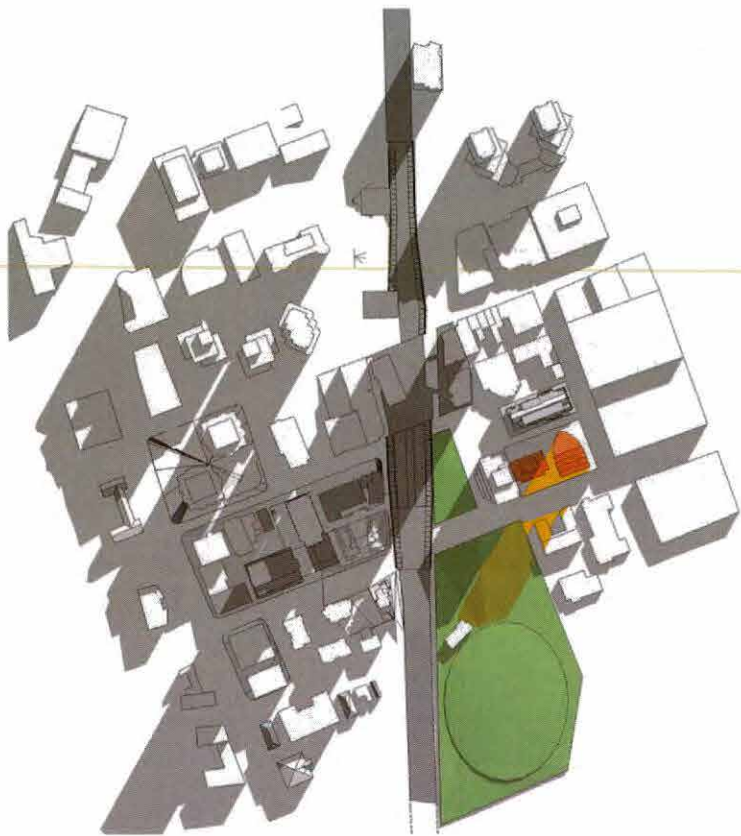
WINTER SOLSTICE - JUNE 21 - 12PM

14.0 SHADOW STUDIES

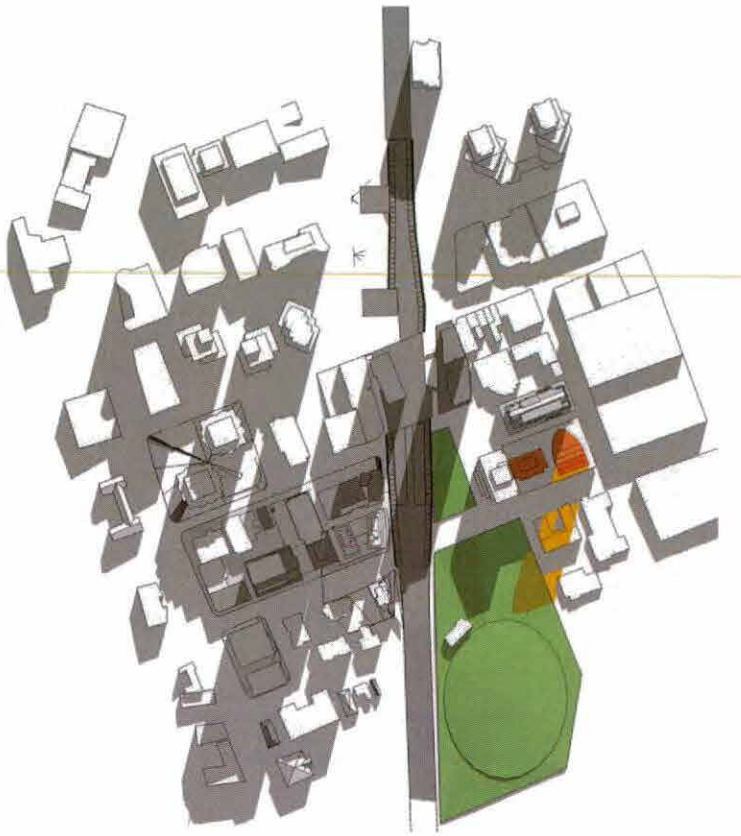
WINTER SOLSTICE - JUNE 21



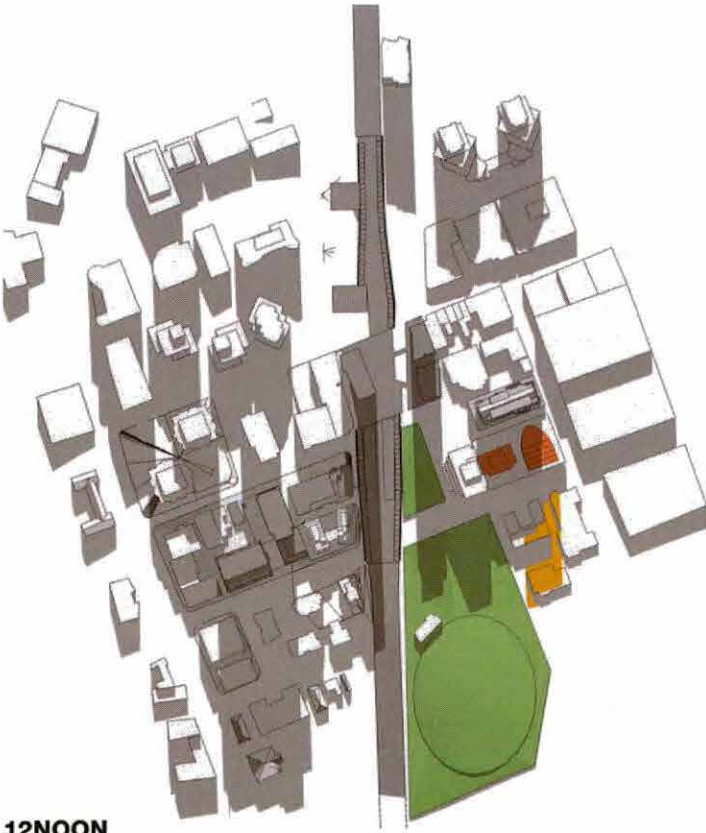
9AM



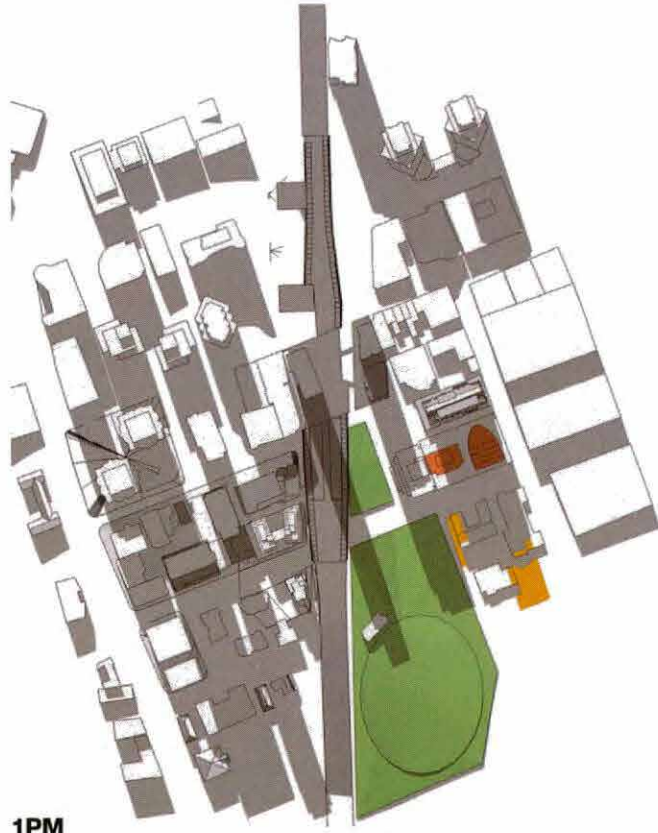
10AM



11AM

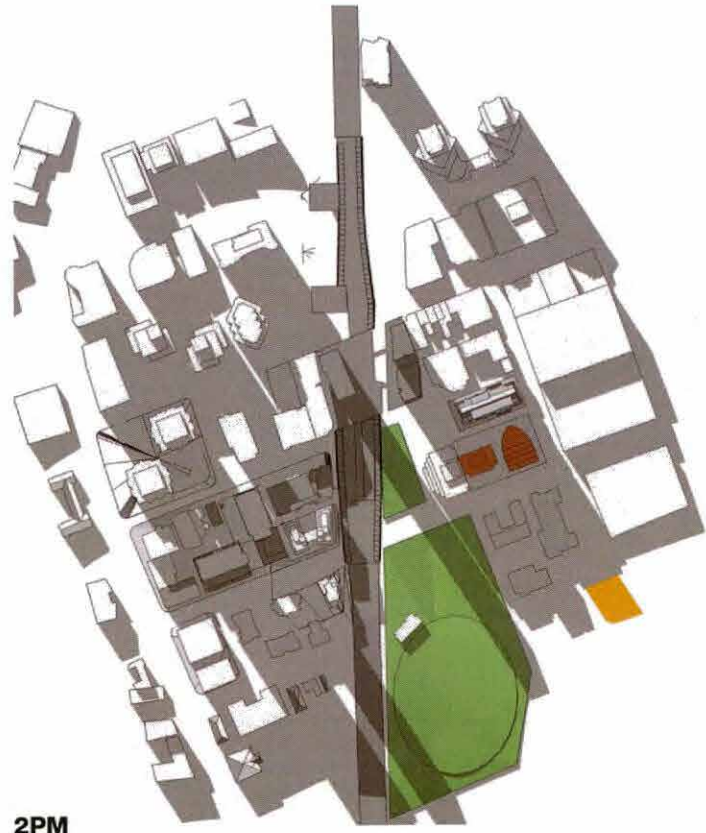


12NOON

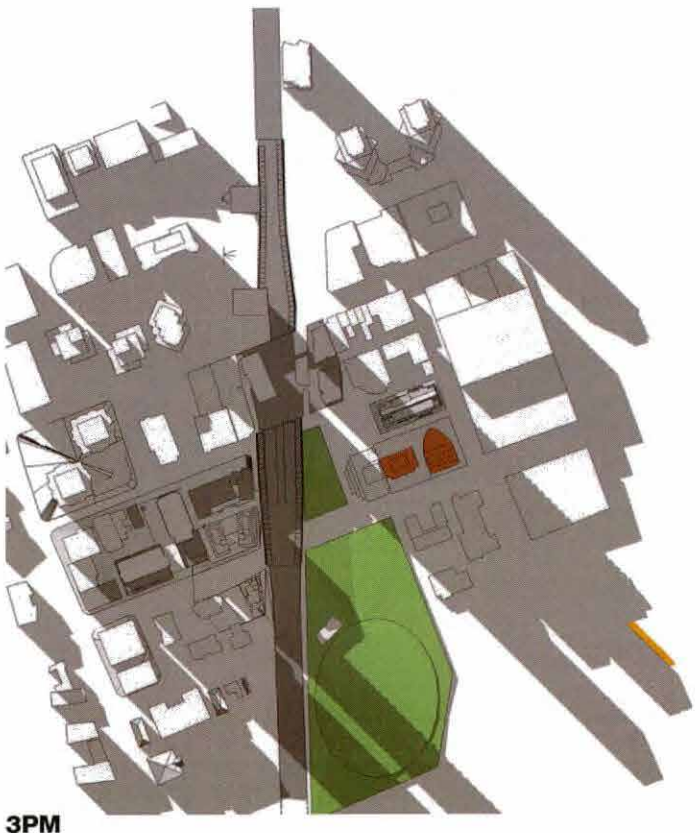


1PM

BATESSMART.



2PM



3PM

14.0 SHADOW STUDIES

EQUINOX - MARCH 20/SEPTEMBER 23

WILLOUGHBY
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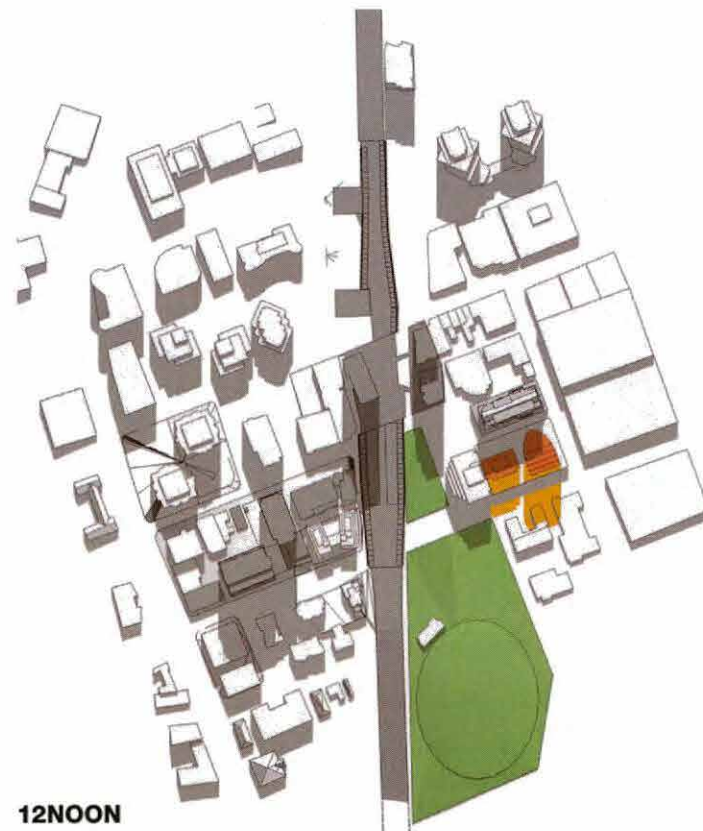
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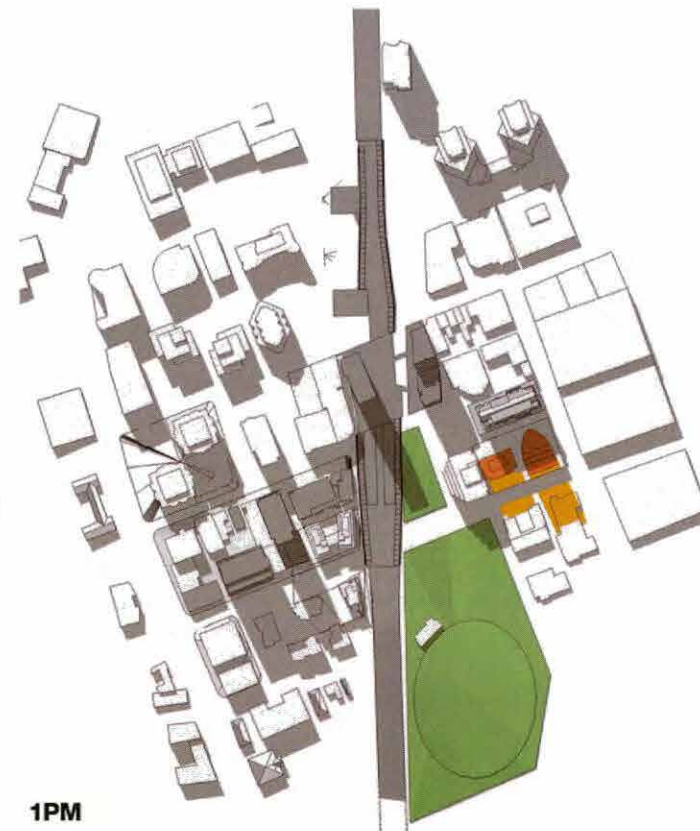
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11AM



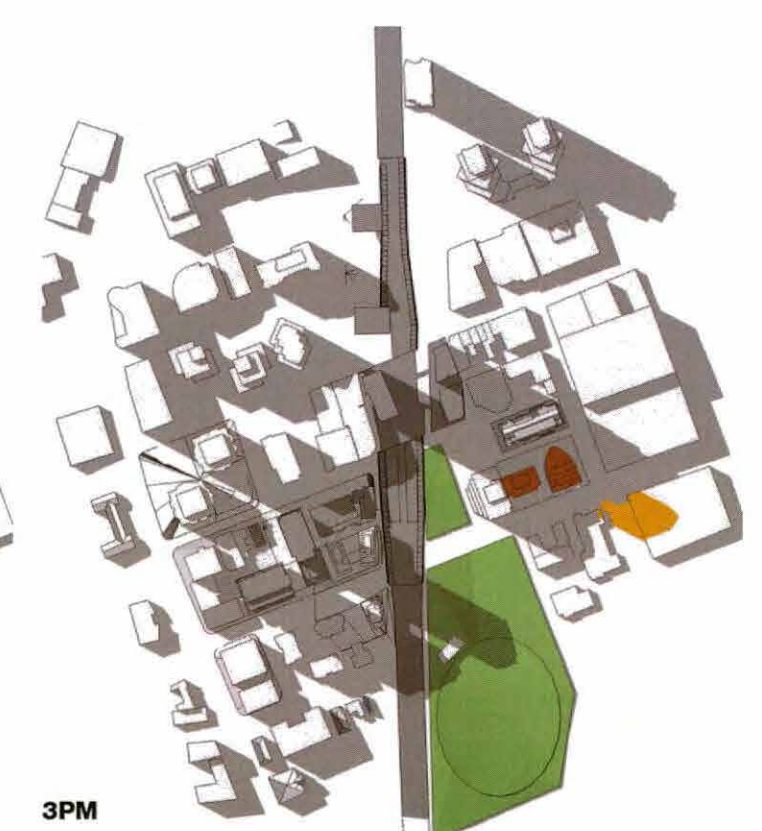
12NOON



1PM



2PM



3PM

BATESSMART™