

20 June 2014

Mr Tim Archer
Director Sydney Region East
NSW Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Sir,

**Re: Planning Proposal – Change to planning controls for 65 Albert Ave,
Chatswood**

At its meeting of 12 May 2014, Council considered a report regarding a planning proposal prepared by Urbis on behalf of Mandarin Developments and Blue Papaya Pty Ltd for 65 Albert Ave, Chatswood and resolved:

That:

1. the Planning Proposal for 65 Albert Ave, Chatswood (Mandarin Centre) be forwarded to the Department of Planning and Environment seeking a Gateway Determination for public exhibition under Section 56 of the Environmental Planning and Assessment Act 1979 subject to:

- a) the Planning Proposal amendments as outlined in the Officer's report;*
- b) the proposed draft amendments to Willoughby Local Environmental Plan 2012 as set out in the report; and*
- c) the proposed draft amendments to Willoughby Development Control Plan for specific controls for the site as outlined in the report.*

2. a draft Voluntary Planning Agreement be exhibited with the Planning Proposal, as outlined in the letter of offer from the applicant dated 11 April 2014, subject to the offer being amended to be consistent with the maximum height of the proposed tower buildings, that is, RL181.95 and RL 140.7 and the revised floor space ratio of 10.5:1 and to accord with the plans as shown on the Design Concepts and Urban Design Analysis dated March 2014. As well as achieving provision of on-site car parking in accordance with the DCP.

3. the applicant submit certification by a suitability qualified independent person of the Shadow Diagrams provided with the Planning Proposal prior to the exhibition.

Approval of the planning proposal would facilitate the redevelopment of the existing Mandarin Centre for mixed residential/commercial use.

Reference:

Enquiries: Jane Hosie
Phone: 9777 7673

Willoughby City Council

The indicative concept plans and report accompanying the planning proposal provides for a shop top development that would comprise a podium building with 6 storeys above ground level with two separate towers – a western tower having a height of 11 storeys plus plant and an eastern tower with a height of 23 storeys plus plant. The retail/commercial floor space includes a supermarket below ground level, 3 levels of specialty retail and one level of “Entertainment” use(s).

The planning proposal seeks the following amendments to Willoughby Local Environmental Plan 2012:

- (a) Inclusion of the additional use of shop top housing for the site in Clause 14 of Schedule 1 (Additional Permitted Uses).
- (b) Amendment of the Height of Buildings Map for the site as indicated in Attachment 4 of the report to Council dated 12 May 2014. This provides heights for the two residential towers and the podium discussed in the Council report in response to the consideration of streetscape, view loss and overshadowing issues.
- (c) Identification of the site as “Area 16” on the Floor Space Ratio Map.
- (d) Inclusion of the following additional sub clause 4.4A (20):
 - (20) The maximum floor space ratio for a building on land identified as “Area 16” on the Floor Space Ratio Map may exceed 2:5 if :
 - (a) The total floor space ratio will not exceed 10.5:1
 - (b) The floor space ratio of any shop top housing will not exceed 6:1
- (e) Identification of the site as “Area 3” on the Special Provisions Area Map for the purposes of affordable housing in accordance with Clause 6.8.
- (f) Inclusion of the site on the Land Acquisition Reservation Map to require a 3 metre wide strip of land along the Albert Ave frontage of the site for local road widening purposes.

The planning proposal is accompanied by a letter of offer to enter into a draft Voluntary Planning Agreement (VPA) with Council to provide public benefits to enable satisfactory site redevelopment. The draft VPA will be exhibited with the planning proposal should it receive a favourable gateway determination.

Amendments to the Willoughby Development Control Plan are also proposed to include site specific controls for the subject site to reflect the design principles and building envelopes of the indicative planning proposal and the development standards of the WLEP 2012 amendments.

It should be noted that the originally submitted planning proposal was amended during the assessment process in response to discussions with Council Officers in relation to issues such as urban design and streetscape, overshadowing, height, view corridors, setbacks, floor space ratio, provision of affordable housing, traffic and road capacity as well as the

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economic impact of residential development in the B3 Commercial Core zone. It was amended again by the applicant to reflect the Council resolution of 12 May 2014.

It is requested that the planning proposal and the following relevant documentation be referred to the LEP Review Panel for consideration:

- Council report and resolution of 12 May 2012.
- Amended design concepts and urban design analysis dated June 2014 and verified shadow diagrams dated 13 June 2014 prepared in response to the Council resolution dated 12 May 2014.
- Original planning proposal documentation prepared by Urbis dated September 2013.

Please note that Appendix A-*Indicative Design Concepts* and Appendix C-*Assessment of Retail, Residential and Office Development Options* have been superseded by the June 2014 documents following issues raised by Council Officers and the Council resolution of 12 May 2014

- Amended planning proposal dated 12 December 2013 which provided additional information in response to issues such as urban design raised by Council Officers.

Please note that the concept plans included in that documentation have also been superseded by the June 2014 documents following discussions with Council Officers and the Council resolution of 12 May 2014.

- Amended letter of offer to enter into a draft Voluntary Planning Agreement dated 16 June 2014.

I have enclosed a CD as well as a hard copy of the documentation. Should you have any enquiries regarding this matter please contact Jane Hosie on 9777 7673 or email jane.hosie@willoughby.nsw.gov.au.

Yours faithfully,

Greg P Woodhams
ENVIRONMENTAL SERVICES DIRECTOR
Per:



Reference:

Enquiries: Jane Hosie
Phone: 9777 7673