



Planning Proposal

12-14 Malvern Avenue, 5-7 Havilah Street, and
345 Victoria Avenue Chatswood (Chatswood Chase)

July 2016

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Job Code SA6145

Report Number SA6145_Planning Proposal Report_Final v1

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Executive Summary

OVERVIEW

This Planning Proposal request has been prepared by Urbis on behalf of Vicinity Centres, the responsible entity of CC No 1 Pty Ltd and CC no.2 Pty Ltd being the owners of Chatswood Chase shopping centre (the “applicant”), seeking to initiate the preparation of an amendment to Willoughby Local Environmental Plan 2012 in respect to the land at 12-14 Malvern Avenue, 5-7 Havilah Street, and the Chatswood Chase shopping centre site at 345 Victoria Avenue Chatswood.

The purpose of the Planning Proposal is to align the planning controls of two recently acquired properties and the Chatswood Chase shopping centre site to facilitate the lodgement of a future development application for expansion of the centre over the properties.

PROPOSED DEVELOPMENT CONCEPT

The concept is illustrated by the accompanying plans, on a broad level the planning proposal will allow for:

- Increasing the overall building heights on 12-14 Malvern Avenue and the northern portion of the Chatswood Chase shopping centre site to a maximum of 40m;
- Increasing the overall building height on 5-7 Havilah Street to a maximum of 34m;
- Increase the Gross Lettable Area (GLA) within the shopping centre by approximately 17,000m² to provide new retail stores, promoting greater activation and services within the existing Chatswood Chase Shopping Centre; and
- Increase car parking capacity on the site in line with the required rate of provision for the increased GLA (approximately 680 required based on additional GLA).

As shown on the concept plans the Havilah Street site will be used mainly for the future expansion of the retail area while the Malvern Ave site is intended to be used for ancillary car parking.

The plans are indicative only and are not committing to a final design and yield, but do however provide a conceptual redevelopment plan for the shopping centre site.

PROPOSED LEP AMENDMENT

The intended outcome of this Planning Proposal is to amend the Willoughby LEP 2012 to align the land use zones, height and FSR controls of the two newly acquired sites with those currently applicable to the Chatswood Chase site, as well as increasing the building height applicable to the northern portion of the greater site area.

It is also intended to amend the Savings provisions within Clause 1.8A of LEP2012 to enable the determination of a Development Application reliant on the amended planning controls should a development application be lodged with Council prior to gazettal of the Amending Instrument.

The proposed built form amendments to Willoughby LEP 2012 are detailed in **Table 1** below.

TABLE 1 – SUMMARY OF PROPOSED DEVELOPMENT CONTROLS

PROPERTY		EXISTING ZONE	PROPOSED ZONING	PROPOSED HEIGHT	PROPOSED FSR
12-14 Avenue	Malvern	B3 Commercial Core	No change	40m	4.5:1
5-7 Havilah Street		B4 Mixed Use	No change	34	4.5:1
Chatswood site	Chase	B3 Commercial Core	No change.	40m (portion fronting Malvern Avenue) 34m (remainder of site) – no change	4.5:1 - no change

It is proposed that subclause (2) be added to clause 1.8A to read as follows:

(2) To avoid doubt, Willoughby Local Environmental Plan 2012 (Amendment No XX) applies to the determination of a development application made (but not finally determined) in relation to Chatswood Chase shopping centre before the commencement of that Plan.

PLANNING OUTCOMES

The proposed amendments to the Willoughby LEP 2012 will achieve the following:

- Provide consistent land use and development standards (height and FSR) across all land to which the Chatswood Chase shopping centre relates to enable a consistent approach to the redevelopment of this significant asset.
- Allow the future expansion of retail development which reflects the importance of Chatswood Chase as a major regional shopping centre within a key strategic centre identified in 'A Plan for Growing Sydney'.
- Enhance the retail offering by providing increased lettable area with only a minor increase in the overall building footprint.
- Allow for increased number of on-site car parking spaces to cater for increased demand generated by increased retail area.

ASSESSMENT

The site has no discernible environmental constraints that would restrict its future development in accordance with this Planning Proposal. Careful consideration has been given to the potential overshadowing impacts of the proposal on adjacent development, most specifically on the adjacent residential apartment building at 1-3 Havilah Street.

The shadow diagrams indicate that there will be additional impacts to the adjacent buildings in particular those residential buildings to the south of the Chatswood Chase site. The shadow diagrams illustrate the shadows according to the maximum building envelope that could be achieved by the proposed building height. It is noted that the final height of the proposed development concept has yet to be determined. Final heights of the concept will pay regard to the shadow analysis and will ensure that on balance an acceptable outcome is achieved in relation to any overshadowing of adjacent development and the public domain.

Similarly, the relationship of the proposed future built form with the surrounding urban context has been considered. Traffic advice prepared by GTA included as an appendix to this report confirms that the traffic impacts associated with the potential future development proposal can be suitably accommodated by the local road network.

CONCLUSION

Following our extensive analysis of the site and its surrounding context, and the applicable State and local planning policies, we believe there is a clear public benefit of proceeding with this Planning Proposal.

The Planning Proposal demonstrates consistency with '*A Plan for Growing Sydney*'. The proposal continues to support and strengthen the commercial core of Chatswood by increasing the provision of jobs in an identified strategic centre with good access to existing and planned public transport services. The planning proposal will enable Chatswood Chase to provide additional retail floor space in a location suitable in terms of economic density.

By aligning the planning controls for two adjacent sites with the existing and proposed controls for the land on which Chatswood Chase is located, the planning proposal can facilitate the orderly future expansion of the Chatswood Chase site. The proposal is considered to maintain a balance of uses within the Chatswood City Centre.

Therefore we recommend that this Planning Proposal be favourably considered by Council; that Council resolve to forward it to the Department of Planning and Environment to consider the Planning Proposal for Gateway Determination under section 56 of the *Environmental Planning and Assessment Act, 1979*.

1 Introduction

This Planning Proposal has been prepared by Urbis on behalf of Vicinity Centres, the responsible entity of CC No 1 Pty Ltd and CC no.2 Pty Ltd, being the owners of the land the subject of the Planning Proposal (the “applicant”). The applicant seeks to initiate the preparation of a Local Environmental Plan amendment for two (2) separate land parcels adjacent to Chatswood Chase shopping centre, 12-14 Malvern Avenue and 5-7 Havilah Street, Chatswood and the Chatswood Chase shopping centre site at 345 Victoria Avenue Chatswood (the “subject sites”). The applicant has recently acquired 12-14 Malvern Avenue and 5-7 Havilah Street.

This report has been prepared to assist Willoughby City Council in preparing a Planning Proposal for the rezoning of the land in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The current principal planning instrument for the subject site is the Willoughby Local Environmental Plan 2012. Under this instrument, 12-14 Malvern Avenue is zoned B3 - Commercial Core whilst 5-7 Havilah Street is zoned B4 – Mixed Use. The adjacent Chatswood Chase site is zoned B3 Commercial Core, has a maximum permissible building height of 34m and floor space ratio of 4.5:1.

The intended outcome of this Planning Proposal is to amend the Willoughby LEP 2012 to align the land use zones, height and FSR controls of 12-14 Malvern Avenue and 5-7 Havilah Street with the existing and proposed controls for the Chatswood Chase site. It is also intended to amend the Savings Provisions of LEP 2012 in relation to determination of a Development Applications lodged in anticipation of this LEP amendment.

The proposed built form amendments are detailed in **Table 2** below.

TABLE 2 – SUMMARY OF PROPOSED DEVELOPMENT CONTROLS

PROPERTY	EXISTING ZONE	PROPOSED ZONING	PROPOSED HEIGHT	PROPOSED FSR
12-14 Malvern Avenue	B3 Commercial Core	No change	40m	4.5:1
5-7 Havilah Street	B4 Mixed Use	No change	34m	4.5:1
Chatswood Chase site	B3 Commercial Core	No change.	40m (portion fronting Malvern Avenue) 34m (remaining area) – no change	4.5:1 - no change

This Planning Proposal has been prepared in accordance with NSW Department of Planning and Environment (DP&E) documents ‘*A guide to preparing Planning Proposals*’ and ‘*A guide to preparing local environmental plans*’ and provides the following:

- Description of the subject sites and context.
- Indicative site plans showing sufficient detail to indicate the effect of the proposal.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.

The Planning Proposal is supported by the following documentation:

- Concept Plans prepared by The Buchan Group (**Appendix A**); and
- Traffic and Parking Assessment prepared by GTA (**Appendix B**).

2 Site Analysis

2.1 SUBJECT SITES

The subject sites - 12-14 Malvern Avenue, 5-7 Havilah Street and 345 Victoria Avenue, Chatswood are presently developed as follows:

- **12-14 Malvern Avenue** is developed as a 2 storey commercial building that is strata titled and legally known as SP36362. This site has an area of approximately 2,605m².
- **5-7 Havilah Street** is developed as a 2 storey commercial building that is strata titled and legally known as SP33860. This site has an area of approximately 1,195m².
- **Chatswood Chase Shopping Centre:** is a major regional shopping centre and legally known as Lot 10 DP 1143909. The site has an area of 35,334m².

It is expected that 12-14 Malvern Avenue and 5-7 Havilah Street will be amalgamated into the Chatswood Chase allotment as part of any future development application for the subject site.

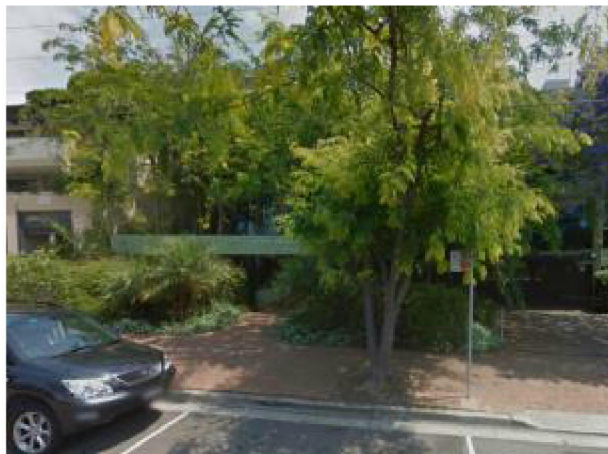
Immediately east of 12-14 Malvern Avenue is the northern entrance to the shopping centre car park. Immediately north of 5-7 Havilah Street site is a pedestrian entry to the Chatswood Chase shopping centre which provides accessibility to the retail centre and a through site link to Archer Street for nearby residents. **Figure 1** provides an aerial photograph of the sites subject of this planning proposal.

FIGURE 1 – SITES SUBJECT TO THE PLANNING PROPOSAL (SOURCE: WWW.MAPS.SIX.GOV.AU)



Photos of the site and surrounds are shown within **Figure 2** below.

FIGURE 2 – PHOTOS OF THE SUBJECT SITES AND SURROUNDS



PICTURE 1 – EXISTING BUILDING 5-7 HAVILAH STREET



PICTURE 2 – EXISTING BUILDING 12-14 MALVERN AVE



PICTURE 3 – CHATSWOOD CHASE FAÇADE ADJECNT TO 5-7 HAVILAH STREET



PICTURE 4 – EXISTING CAR PARK ENTRY ADJACENT TO 12-14 MALVERN AVENUE



PICTURE 5 – EXISTING RESIDENTIAL FLAT BUILDING 3-5 HAVILAH STREET



PICTURE 6 – LOOKING TOWARDS CORNER OF MALVERN AVENUE AND HAVILAH STREET.

2.2 CHATSWOOD CHASE SHOPPING CENTRE

Chatswood Chase is a major four level regional shopping centre located approximately 11 kilometres north of the Sydney CBD. The shopping centre site has main frontages to Archer Street to the west and Victoria Avenue to the south. Vehicle access to the Centre is via Malvern Avenue to the north, Archer Street to the west and Victoria Avenue to the south. Approximately 2,500 car spaces are provided over 9 car parking levels, which are located both above and below ground level and on the existing roof top. A pedestrian access point to the centre is provided from Havilah Street to the east. Other than this pedestrian entrance there is no street level activation of the shopping centre to the Havilah Street frontage.

The centre currently has a total Gross Lettable Area (GLA) of approximately 59,000m². The centre has 230 tenants and approximately 99.8% occupancy. The centre currently accommodates three major retail tenants, David Jones, Kmart and Coles and is a major employer in the region.

Chatswood Chase has operated on the site since 1983 and underwent major refurbishment in 2009. Vicinity Centres, the owner of the centre, has recently acquired 12-14 Malvern Avenue and 5-7 Havilah Street to facilitate the future expansion of the centre in order to upgrade the retail offer and provide additional floor area and car parking to support this expansion.

2.3 SURROUNDING CONTEXT

Chatswood Chase and the two sites being the subject of this Planning Proposal are located on the eastern edge of the Chatswood City Centre, which is a major regional mixed use centre on the north shore of Sydney. The land use character of Chatswood presents a mix of large scale retail shopping centres, traditional 'main street' two storey retail and commercial development in addition to newly constructed mixed use commercial/residential buildings. The Chatswood City Centre is bisected by the North Shore Railway Line.

The land use character at this eastern edge forms a transitional zone between the Chatswood commercial core and adjacent residential areas. The Chatswood Chase block, bound by Malvern Ave, Havilah St, Victoria Avenue and Archer St, accommodates strata titled commercial buildings, medium density residential and special land uses (schools) on the land not occupied by the shopping centre.

Land uses to the north and east of this block consist mainly of low and medium density residential development.

Key features of the Chatswood City Centre include:

- Excellent public transport connections (train, bus and future metro rail) to major employment districts, essential services (health, recreation etc.) and surrounding residential areas.
- Nearby to key arterial roads including the Pacific Highway, connecting Chatswood City Centre to St Leonards, North Sydney and Sydney CBD and Fullers Road which provides road access to Macquarie Park, the M2 Motorway and Sydney Orbital road network.
- It is a major regional retail centre largely dominated by the two larger shopping complexes, Chatswood Chase and Westfield/Myer, and smaller centres such as the Mandarin Centre and Lemon Grove.
- Chatswood Mall, which provides pedestrian connectivity and a range of smaller active ground level retail uses primarily with commercial offices above, is located between the intersection of Victoria Ave and Anderson Street and the Chatswood Interchange to the west.
- A commercial office precinct located west of the train line which includes high rise office, mixed use and some high density residential development.
- Lower scale commercial uses interspersed within the main retail centre east of Chatswood Station.
- Mixed use development either existing or approved/under construction is interspersed throughout the Chatswood CBD.

- A strong and vibrant Civic precinct east of the train line including the Concourse and the Willoughby Performing Arts Centre, Civic Pavilion and Chatswood Library on the northern side of Victoria Avenue.
- Large and accessible public open space including Chatswood Mall, Garden of Remembrance and Chatswood Park and Oval.

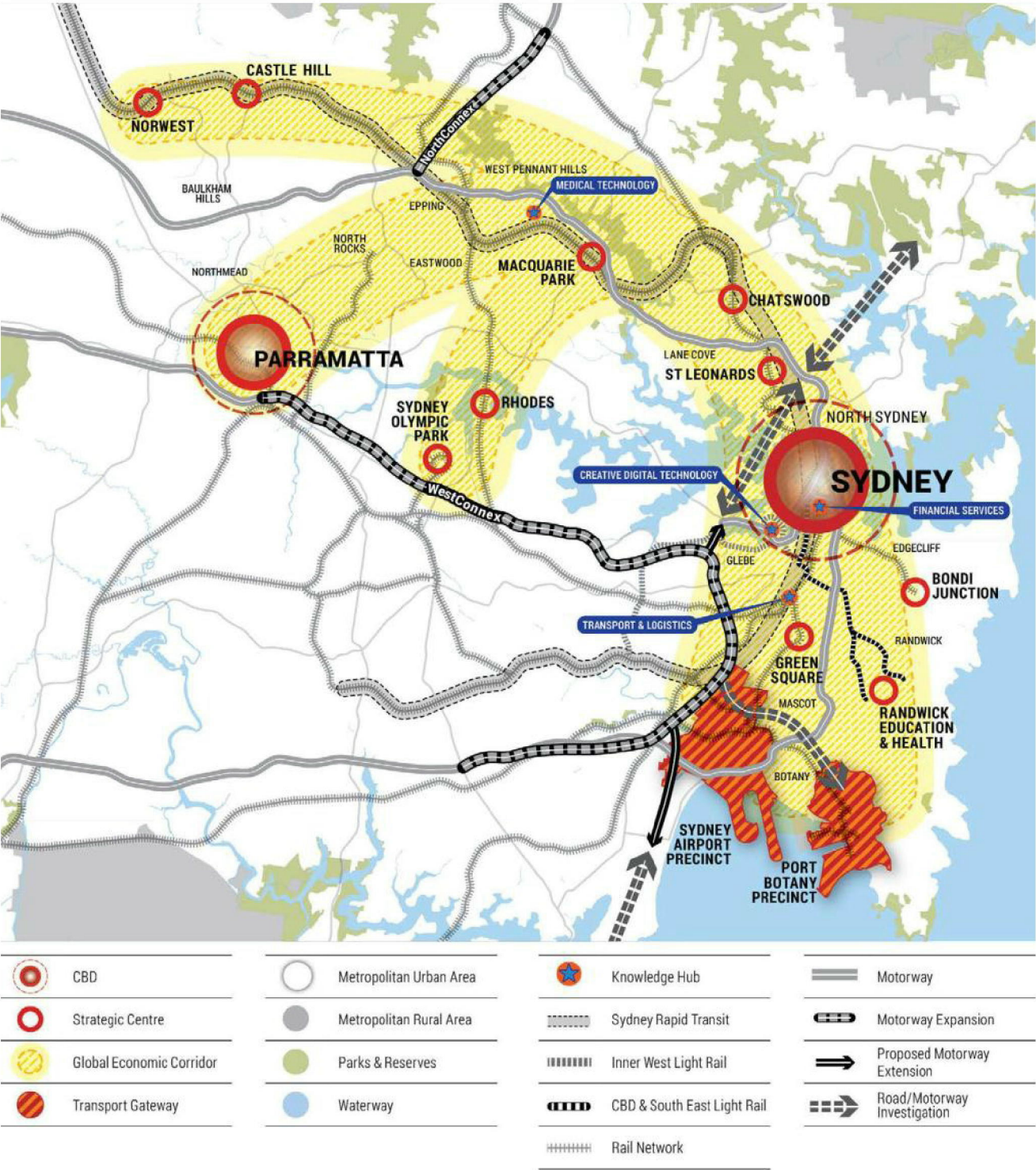
2.4 BROADER REGIONAL CONTEXT

Chatswood is located 11km north of the Sydney CBD and is one of a number of major centres located on the North Shore of Sydney. The centre is in close proximity to the commercial centres of North Sydney, St Leonards and Macquarie Park. Chatswood is identified within the current Metropolitan Plan *'A Plan for Growing Sydney'* as a strategic centre within the 'Global Economic Corridor'.

The plan specifically identifies Strategic Centres as *'Sydney's largest and most important hubs for business and employment and that these locations will be an important focus for future growth because of their size, diversity of activities, their connections (mainly to the rail network).'*

From a regional perspective, the Chatswood CBD is ideally located to service the broad retail needs of both the residential population of Sydney's north shore as well as the growing populations of nearby strategic centres including Macquarie Park, St Leonards and North Sydney.

FIGURE 3 – STRATEGIC CENTRE AND GLOBAL ECONOMIC CORRIDOR



2.5 OPPORTUNITIES AND CONSTRAINTS

The sites which are the subject of this Planning Proposal are influenced by a number of opportunities and constraints which have been considered in the concept design at **Appendix A** and outlined in more detail below.

Key opportunities of the subject sites are:

- The location of the two new sites (12-14 Malvern Avenue and 5-7 Havilah Street) will enable their seamless integration into the existing Chatswood Chase centre, enabling it to increase and improve the existing retail offering to reinforce the centre's pre-eminent position as one of Sydney's most exclusive shopping centres.
- The proximity of the Malvern Avenue site to existing car parking within the centre will easily enable provision of additional car parking in a rational location to meet the needs of the anticipated increase to the existing retail floor space and to reduce parking pressure on surrounding streets.
- Future redevelopment will improve the future legibility of the public domain surrounding the site, in particular how the site interacts with the Havilah Street frontage and nearby residential development opposite the site.
- The expansion of the centre will reinforce the economic and social significance of Chatswood as a major regional retail centre within Sydney's north shore.

Key constraints of the subject sites are.

- Traffic movement and access to the site via Malvern Avenue and Victoria Avenue and the ability of existing intersections to cope with increased traffic demand.
- Relationship of the built form with the surrounding context, including the height transition to the lower density residential areas on the opposite sides of Malvern Avenue and Havilah Street.
- Solar access to existing surrounding residential development most specifically to the residential properties at 3-5 Havilah Street and 339 and 341 Victoria Avenue and residential properties on the eastern side of Havilah Street.

2.6 MEETINGS

The proponent met with representatives of Willoughby City Council on Tuesday 1 March 2016 for an initial briefing to outline proposed concept and approach to the planning proposal. In attendance from WCC were, Ian Arnott, Norma Shankie-Williams and Craig O'Brian. In this meeting, Council raised no concerns with the proposed approach to the Planning Proposal.

In addition GTA has met with RMS on 8 March 2016. That meeting clarified the extent and type of modelling exercise to be carried out and confirmed that the assessment should take into account the traffic from any known development approvals/ planning proposals.

Prior to submission the applicant met with Willoughby Council to formally present the draft Planning Proposal on Friday 13 May 2016.

3 Current Planning Controls

The Willoughby LEP 2012 is the principal planning instrument applicable to the subject sites. The land use zoning, building height and floor space ratio (FSR) controls for the subject sites are detailed within the **Table 3** below:

TABLE 3 – EXISTING KEY LEP CONTROLS

PROPERTY	ZONING	HEIGHT	FLOOR SPACE RATIO
12-14 Malvern Avenue	B3 Commercial Core	14m	1.7:1
5-7 Havilah Street	B4 Mixed Use	14m	1.7:1
Chatswood Chase Site	B3 Commercial Core	34m	4.5:1

As demonstrated within **Table 3**, the controls for the Malvern Avenue and Havilah Street sites do not align with the adjacent Chatswood Chase site and as such, currently do not enable the orderly expansion of the shopping centre across the subject properties.

3.1 ZONING

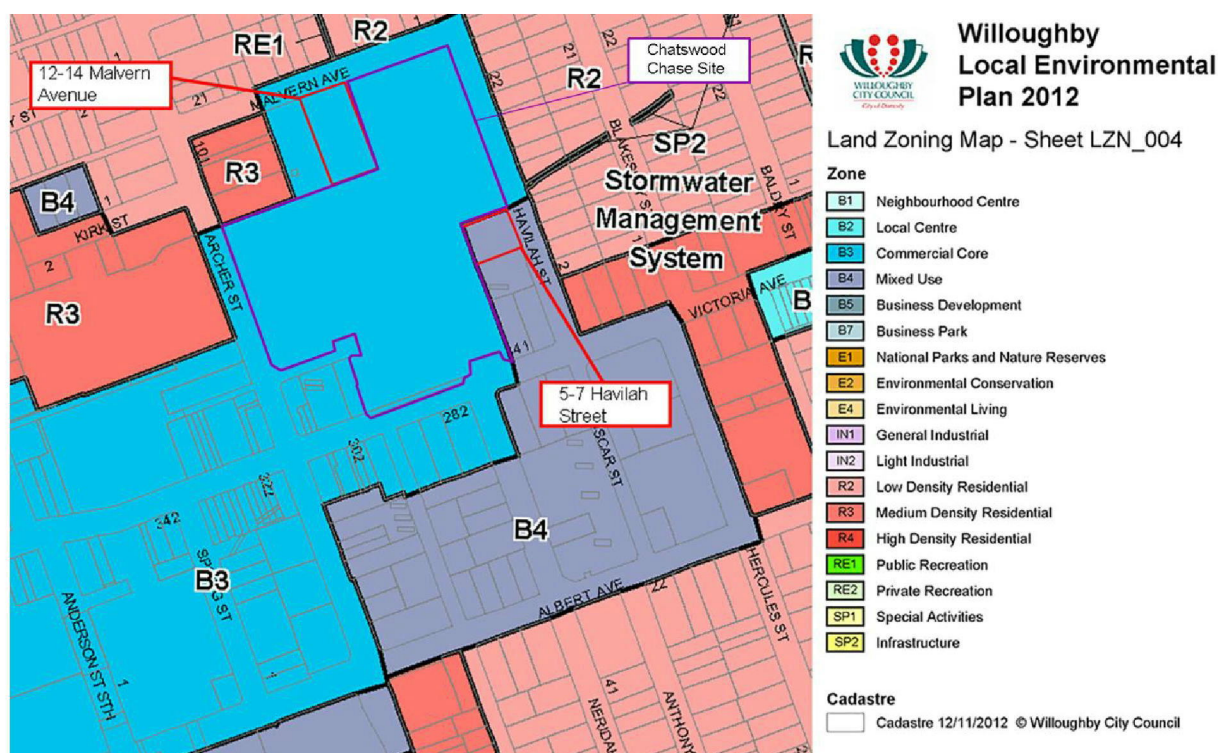
B3 – Commercial Core

12-14 Malvern Avenue and the Chatswood Chase site are zoned B3 Commercial Core. Commercial premises are permissible in the B3 zone. Office premises and retail premises (both as a form of commercial premises) are permissible with consent. However, 'residential flat buildings' are prohibited. Accordingly mixed use developments, including residential uses are not permissible on the site.

B4 – Mixed Use

5-7 Havilah Street is zoned B4 Mixed Use. Commercial premises are permissible within this zone as are shop-top housing, seniors housing and boarding house development.

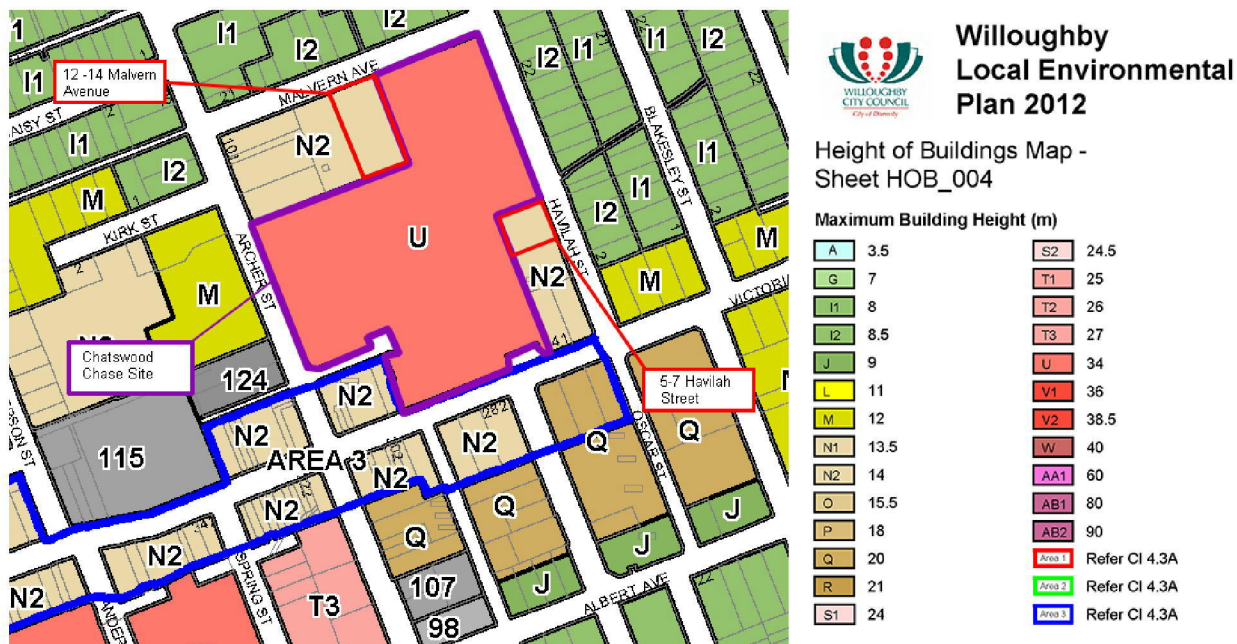
FIGURE 4 – EXISTING ZONING MAP EXTRACT



3.2 BUILDING HEIGHT

As detailed on the current Height of Building Map below at **Figure 5**, both 12-14 Malvern Avenue and 5-7 Havilah Street have a maximum building height of 14m. This building height contrasts with the maximum building height on the Chatswood Chase site of 34m.

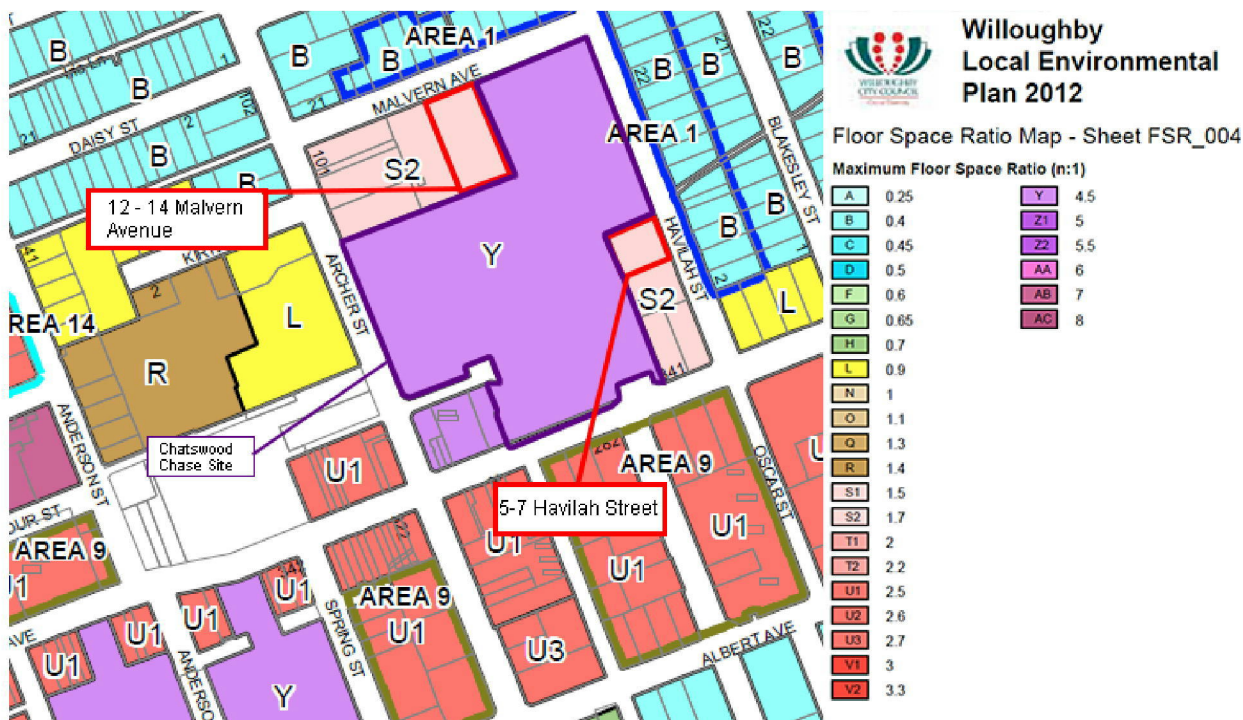
FIGURE 5 – EXISTING HEIGHT OF BUILDINGS MAP EXTRACT



3.3 FLOOR SPACE RATIO

As detailed on the current FSR map below at **Figure 6**, 12-14 Malvern Avenue and 5-7 Havilah Street both have a maximum floor space ratio of 1.7:1. This floor space ratio contrasts with the maximum FSR permissible on the Chatswood Chase site of 4.5:1.

FIGURE 6 – EXISTING FLOOR SPACE RATIO MAP EXTRACT



3.4 CONSISTENCY WITH ZONE OBJECTIVES

This planning proposal is considered to be consistent with the relevant objectives of the B3 Commercial Core and B4 Mixed Use zone for the following reasons:

- The proposed amendments will allow for the future expansion of an existing major regional retail shopping centre, allowing it to continue provide a wider range of retail offers to serve the needs of the local and wider community and to provide increased employment opportunities in accessible locations.
- The shopping centre is located within 520 metres walking distance to Chatswood rail station and bus interchange and is therefore considered to encourage public transport patronage, walking and cycling.
- The planning proposal will contribute to strengthen the role of Chatswood as a major regional activity centre.
- Although not necessarily appropriate on the sites subject to this planning proposal it is noted that existing active street frontages associated with the existing Chatswood Chase shopping centre will be maintained.

4 Development Concept

4.1 DESCRIPTION OF THE DEVELOPMENT CONCEPT

The proposed amendments to the Willoughby LEP 2012 will support the subsequent lodgement of a development application (DA) for the future expansion of the Chatswood Chase shopping centre over the all three land parcels. Indicative envelopes for the expanded centre have been prepared by The Buchan Group and are provided at **Appendix A**.

Accordingly, designs relating to the overall expansion will be subject to more detailed development at DA stage.

The concept illustrated within the accompanying plans is indicative and does not intend to commit to a design or yield, however it is intended to illustrate how the subject sites 'fit' within an overall redevelopment concept. On a broad level the planning proposal will allow for:

- Increasing the overall heights on 12-14 Malvern Ave and the northern portion of the Chatswood Chase shopping centre site to a maximum of 40m.
- Increasing the overall height of 5-7 Havilah Street to a maximum of 34m.
- Increasing the Gross Lettable Area (GLA) within the shopping centre by approximately 17,000m² to provide new retail stores promoting greater activation and services within the existing Chatswood Chase Shopping Centre.
- Increasing car parking capacity on the site in line with the required rate of provision for the increased GLA (approximately 680 required based on additional GLA).

As shown on the concept plans the Havilah Street site will be used mainly for the future expansion of the retail areas while the Malvern Ave site and the northern portion of the current Chatswood Chase site is intended to be used for ancillary car parking.

4.2 URBAN DESIGN

The final design of the future development is not resolved and as such no commitment can be made at this time to the details of materials, finishes and urban presentation of the future building form. Vicinity is, however, committed to presenting a high quality building form to the public domain.

Any future development application will be assessed as to its appropriate interface with the public domain, including sensitive treatments to facades and urban landscaping.

4.3 SOLAR ACCESS

The increase in allowable building height may increase the possibility of future development of the centre impacting on solar access to adjacent residential development. A shadow analysis has been prepared to indicate the extent of shadows that may result from the proposed maximum building heights of 40m (to the north of the site) and 34m (for the remainder of the site).

The shadow analysis finds that if the centre is developed its maximum extent, there will be some additional impacts from overshadowing created to existing development to the south.

It is noted that the final height of the proposed development concept has yet to be determined and that the final height of any future development concept will be designed to ensure that it will maintain an acceptable shadow impact on the neighbouring development and the public domain.

4.4 ACCESS AND PARKING

GTA has prepared a Transport Impact Assessment (TIA) which is provided in **Appendix B**. The assessment has considered the estimated traffic demand for the concept based on the approximate increase to GLA and future minimum car parking requirements.

In terms of the proposed development concept the TIA indicates that it is not proposed to provide any additional vehicle access points to service the expanded centre, but rather rely on the existing vehicle access points as identified in the following **Figure 7**.

The TIA does not specify the exact numbers of additional car parking spaces and notes that car parking will continue to be provided generally in accordance with the existing car parking rate. Notwithstanding this the TIA has calculated that based on the approximate additional floor area being provided that the required number of additional spaces would be approximately 680 (based on the statutory rate of 1 space per 25m²).

FIGURE 7 – EXISTING CAR PARK ENTRIES TO BE RETAINED (SOURCE: GTA)



4.5 SUMMARY OF BENEFITS OF THE PROPOSAL

The Planning Proposal provides a range of benefits to the Chatswood precinct and wider north shore region. These are summarised as follows:

- The proposal takes advantage of an existing regional shopping centre and its ability to sympathetically incorporate two adjoining sites to provide for an increase in GLA and car parking capacity to service the needs of the region.
- The proposal is supported by Chatswood's excellent public transport access and the excellent accessibility from major employment and residential populations in Sydney.
- The proposal is consistent with the directions of '*A Plan for Growing Sydney*', as it reinforces Chatswood's regional importance as a major retail and employment centre within the Global Economic Corridor.
- The proposal provides an opportunity for significant re-investment from the Centre owner, to support future retail growth and to maintain the centre's status as one of the pre-eminent shopping destinations within the Sydney metropolitan area.
- The proposal will facilitate development activity in Chatswood, supporting the diverse mixed use nature of the precinct.
- Raising the permissible building height to 40m on the northern portion of the subject sites will 'future proof' the centre to allow for the development of potential future lift overruns and plant areas without the need to request a variation under clause 4.6 of the Willoughby LEP 2012.

5 The Planning Proposal

The following sections are structured generally in accordance with the document “A Guide to Preparing Planning Proposals” (DPI, 2009).

5.1 OBJECTIVES AND INTENDED OUTCOMES

The key objective of this Planning Proposal is to amend the provisions of the Willoughby LEP 2012 to facilitate an increase in the overall height on all sites and an increase to the FSR on 14-16 Malvern Avenue and 5-7 Havilah Street.

The proposed amendments to the Willoughby LEP 2012 will achieve the following:

- Provide consistent land use and development standards (height and FSR) across all land to which this major regional shopping centre relates.
- Enhance the retail offering within this key regional retail centre by providing increased lettable area with only a relatively small increase in overall building footprint.
- Allow for increased number of on-site car parking spaces to cater for future increased demand.

Concept plans which illustrate how the subject sites will be incorporated into the overall Chatswood Chase redevelopment concept have been prepared and are included at **Appendix A**. The scheme will be refined as part of the DA process once this Planning Proposal has been endorsed by Council and DP&E issue a Gateway determination that supports the preparation of an LEP amendment.

5.2 EXPLANATION OF PROVISION

It is proposed that the zoning and built form controls applicable to the subject sites be amended to reflect the following land use, height and density controls contained in **Table 4**.

TABLE 4 – PROPOSED CONTROLS

PROPERTY	ZONING	PROPOSED HEIGHT	PROPOSED FSR
12-14 Malvern Avenue	No change	40m	4.5:1
5-7 Havilah Street	No change	34m	4.5:1
Chatswood Chase	No change	Part 40m Part 34m (no change)	4.5:1 (no change)

5.3 LAND TO WHICH THE PLAN WILL APPLY

Figure 1 identifies the land that is proposed to be included in the site specific LEP amendment known as Chatswood Chase, 12-14 Malvern Avenue and 5-7 Havilah Street. The land is legally described as:

- Chatswood Chase Site (Lot 10 DP 1143909).
- 12-14 Malvern Avenue (SP36362).
- 5-7 Havilah Street (SP33860).

5.4 SAVINGS PROVISIONS

Clause 1.8A of the Willoughby LEP 2012, Savings Provisions in Relation to Development Applications states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

This clause requires amendment by inserting the following wording after clause 1.8A (1):

(2) To avoid doubt, Willoughby Local Environmental Plan 2012 (Amendment No XX) applies to the determination of a development application made (but not finally determined) in respect to Chatswood chase shopping centre before the commencement of that Plan.

This amendment will allow the proponent to lodge a development application once the above plan is considered to be 'certain and imminent' and be determined in accordance with that LEP amendment, once it is made.

5.5 PROPOSED CONTROLS

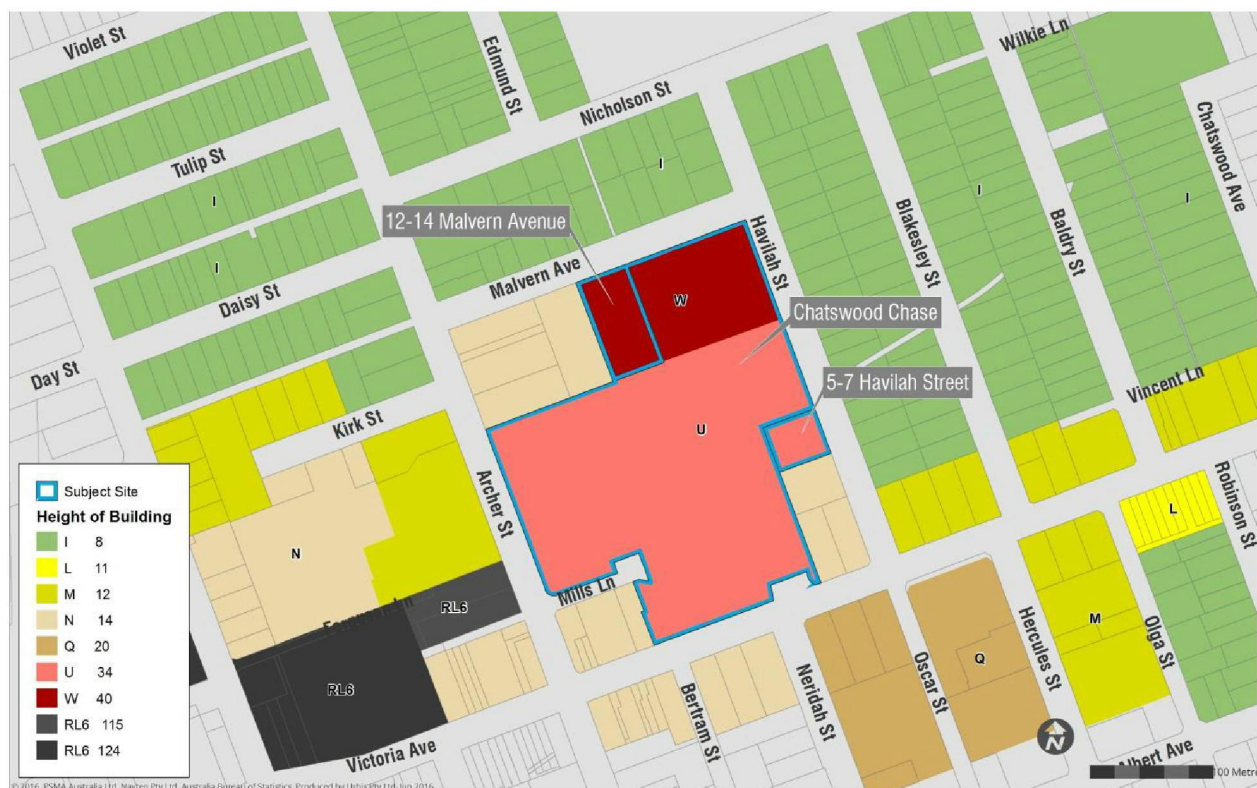
Proposed Building Height

It is proposed that the building heights for the subject sites be amended as follows:

- 12-14 Malvern Avenue – 40m
- Northern Portion of Chatswood Chase shopping centre site – 40m
- 5-7 Havilah Street – 34m

The proposed amendments to the Height of Buildings Map - Sheet HOB_004 are illustrated in the draft Height of Building Map at **Figure 8**.

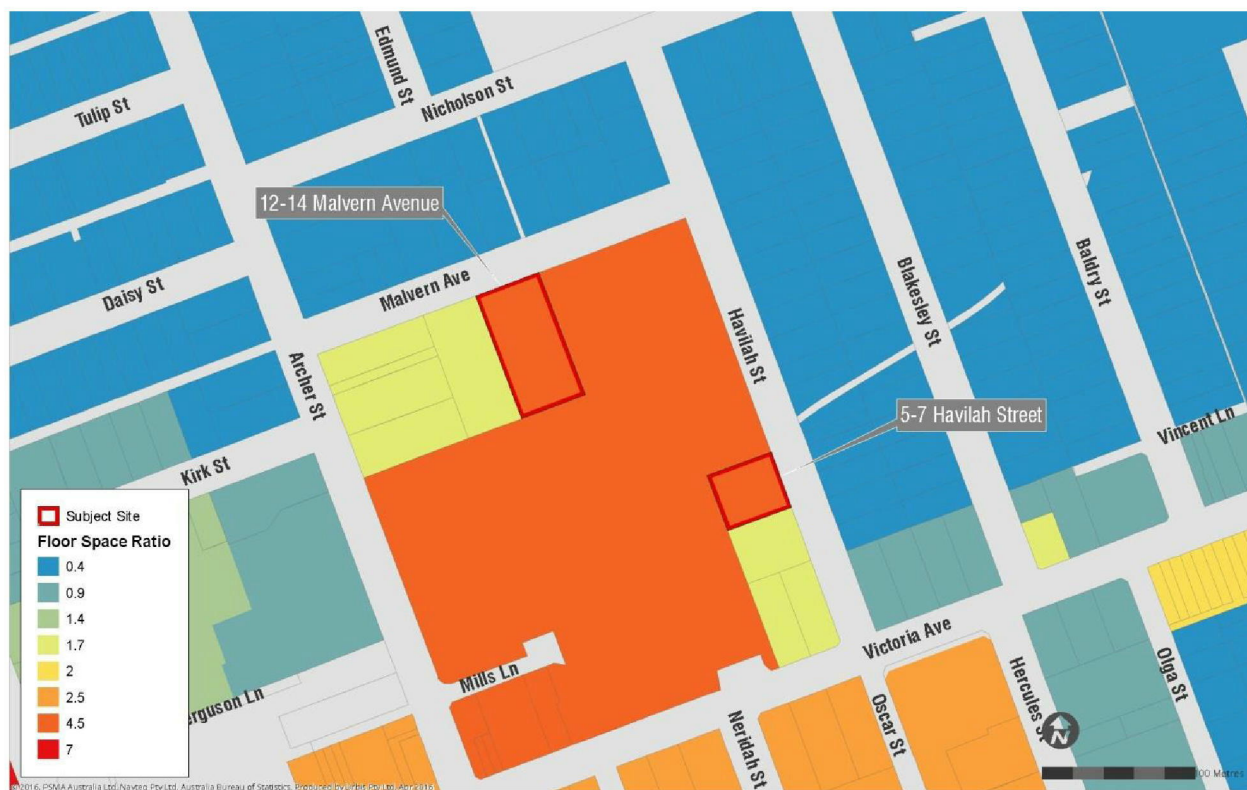
FIGURE 8 – DRAFT BUILDING HEIGHT MAP



Proposed Floor Space Ratio

It is proposed that the FSR for both 12-14 Malvern Avenue and 5-7 Havilah Street be amended to align with the maximum Floor Space Ratio on the Chatswood Chase Site of 4.5:1. The proposed amendments to Floor Space Ratio Map - Sheet FSR_004 are illustrated in the draft Floor Space Ratio Map at **Figure 9**.

FIGURE 9 – DRAFT FLOOR SPACE RATIO MAP



6 Justification for the Planning Proposal

6.1 NEED FOR THE PLANNING PROPOSAL

The following sections are a continuation of the assessment in accordance with the document “A Guide to Preparing Planning Proposals” (DPI, 2009).

Is this Planning Proposal a result of any Strategic Study or Report?

The Planning Proposal is not the direct result of a strategic study or report prepared by Council but is supported by detailed analysis within this planning proposal and supporting documentation within the Appendices.

In addition, there are a number of strategic documents which have been reviewed and relate to the proposal. These are discussed in **Section 7**.

Is the Planning Proposal the best means of achieving the objective?

It is considered that the Planning Proposal is the best means of achieving the objectives and outcomes stipulated in **Section 5.1**. The amendments to the Willoughby LEP 2012 will ensure a consistent built form is able to be achieved across the site, thus enabling a higher quality design outcome.

6.2 RELATIONSHIP WITH STRATEGIC PLANNING FRAMEWORK

Is the Planning Proposal consistent with the Objectives and Actions of the applicable regional or sub-regional strategy?

Environmental Planning and Assessment Act 1979

The planning proposal, which will facilitate a set of planning controls for the three subject sites is considered to be consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) for the following reasons:

- The subject sites are currently occupied by commercial developments. Potential future development for the purposes of expanding the Chatswood Chase shopping centre will not impact on any existing natural environments or ecological communities.
- Although no change is proposed to the zoning of 5-7 Havilah the proposal will promote orderly development as it will be consistent with the adjacent B3 Commercial Core development. It is noted that ‘commercial premises’ are currently permissible on the site under its existing B4 zoning.
- The proposal provides the opportunity for a consistent approach to the future development of the Chatswood Chase shopping centre allowing the built form of the centre to be consistent across all three development sites.
- The future development of the shopping centre will continue the efficient use of existing services and infrastructure and promote use of the frequent rail and bus public transport infrastructure which are highly accessible from the site.

The recently gazetted Part 3B - Strategic Planning of the EP&A Act 1979 provides for two new kinds of strategic plans (Regional and District Plans) which must be given effect in the local environmental plans and planning proposals within the local government areas to which the strategic plans apply.

Section 75A(2) of the EP&A Act 1979 states the following in relation to the implementation of strategic plans and the preparation of planning proposals under section 55.

- (2) *In preparing a planning proposal under Section 55, the relevant planning authority is to give effect:*

(a) to any district plan applying to the local government area to which the planning proposal relates (including any adjoining local government area), or

(b) if there is no district plan applying to the local government area – to any regional plan applying to the region in respect of which the local government area is part.

There is no district plan applying to the Willoughby LGA, as such the Relevant Planning Authority (RPA) is required to give effect to any applicable **regional plan**.

Section 75AE(3) of the EP&A Act 1979 states in relation to the making and review of regional plans:

- (3) *The document entitled **A plan for Growing Sydney** published on the website of the Department and in force as at the commencement of this Part is taken to be the **regional plan** made under this Part for the Greater Sydney Region (the initial GSR plan).*

Pursuant to Section 75A(2)(b) of the EP&A Act 1979 this proposal must have regard to 'A plan for Growing Sydney'.

A Plan for Growing Sydney (Metropolitan Plan)

The Metropolitan Plan was released by the Department of Planning and Environment in December 2014 as the NSW Government's plan for the future of the Sydney Metropolitan area over the next 20 years. Within the Metropolitan Plan the state Government has set down goals that Sydney will be:

- a **competitive economy** with world-class services and transport;
- a **city of housing choice** with homes that meet our needs and lifestyles;
- a **great place to live** with communities that are strong, healthy and well connected; and
- a **sustainable and resilient city** that protects the natural environment and has a balanced approach to the use of land and resources.

This planning proposal is consistent with the relevant directions and actions associated with the above goals for the following key reasons:

- The proposal continues to support and strengthen the commercial core of Chatswood by increasing the availability of jobs in an identified strategic centre with good access to existing and planned public transport services. The proposal will also provide more employment opportunities to local residents.
- The planning proposal will enable Chatswood Chase to provide additional retail floor space in the major regional retail precinct of Chatswood City Centre.
- By aligning the planning controls for two adjacent sites with the main Chatswood Chase site the planning proposal can be considered to be facilitating the orderly expansion of the shopping centre.
- The proposal encourages retail development adjacent to complementary land uses such as transport links, open space areas, adjacent mixed use development and other residential uses.
- The proposal promotes future urban renewal in proximity to existing and planned transport infrastructure.
- The proposal facilitates commercial development in a strategic centre which is located in proximity to the Pacific Highway and north shore railway transport corridor.

Of particular relevance to the future strategic planning priorities within Chatswood are the priorities for the North Sub-Region within 'A Plan for Growing Sydney' which are:

"Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal) and train services, including around Priority Precincts, established and new centres, and along key public transport corridors including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line and Sydney Rapid Transit."

"to work with Council to provide capacity for additional mixed-use development in Chatswood including offices, retail, services and housing."

This planning proposal clearly demonstrates that it is consistent with the NSW State Government priorities for the Sydney North Subregion and more specifically the Chatswood City Centre. The planning proposal assists in meeting the objectives and targets of the '*A Plan for Growing Sydney*'. The proposal will facilitate future expansion of Chatswood Chase, providing an improved retail experience and offer within an established and well regarded shopping centre site in an area accessible to public transport, community facilities, and employment. The proposal will support the anticipated future population of the Chatswood City Centre which is forecast to increase between 2011 and 2036 by 116.42% (from 6,600 to 14,284)¹

The proposed development will provide jobs through the construction phase of the development, as well as through the expansion of retail and commercial employment opportunities.

NSW Long Term Transport Master Plan 2012

Released in 2012, the Transport Master Plan is an integrated transport strategy which brings together land use planning with transport planning, and integrates planning for freight and passenger movements, as well as all modes of transport. The plan includes actions for road, rail, bus, ferries, light rail, cycling and walking. The NSW Long Term Transport Master Plan sets the path that will deliver a transport system, with a strong focus on customer needs, integration, modernisation and meeting projected growth.

The planning proposal is considered to be consistent with this Master Plan by providing additional retail floor space in close proximity to multi nodal train and bus systems which provide excellent linkages for people wanting to access this major regional shopping centre by public transport. Accordingly the strategic location of this proposal will reduce the need for car dependence and encourage walking and cycling.

Is the Planning Proposal consistent with Council's local Strategy or other local strategic plan?

Willoughby City Strategy 2013-2029

The Willoughby City Strategy 2013-2029 was adopted by Council in 2013 and is the Council's community strategic plan for the future of the local government area to help guide decision making and planning for the next 16 years. The Willoughby City Strategy aims to identify what the community values about the area; to identify important issues and challenges for the future of Willoughby; to agree on future directions and long-term goals; and to set strategies to achieve these goals.

Of particular relevance to this planning proposal is the strategic direction in relation to Economic Activity. The planning proposal is consistent with the Willoughby City Strategy for the following reasons:

- The proposal will facilitate future expansion of an existing major shopping centre that will provide business and employment opportunities servicing local and regional needs.
- The proposal will encourage the future provision of a range of retail spaces which respond to existing market demand and will improve the retail offer and experience at this high end regional shopping centre.
- The proposal will ensure that Chatswood CBD remains a major regional employment, retail and entertainment destination.
- The planning proposal will provide land use planning controls to support the ongoing viability of this major shopping centre.
- The planning proposal is considered to support the needs of local business and industry.

Chatswood City Centre Vision and Strategic Plan

The Chatswood City Centre component of Willoughby LEP 2012 was informed by Council's strategic planning document '*Chatswood City Centre Vision and Strategic Plan*'. This plan sought to define what parts of the City Centre would be focused on commercial, retail and other land uses which translated into

¹ Source: <http://forecast.id.com.au/willoughby>

WLEP zoning maps. Section 4 defines “The Balance”, which includes the following relevant “features/opportunities”:

- *Chatswood provides a range and variety of employment opportunities with a broad range of retail and support services for that working population.*
- *Chatswood has one of the highest retail \$ turnovers in Australia. Retailing is not dominated by one shopping complex or department store ensuring a choice in retail experience. A broad range of professional services is also available.*

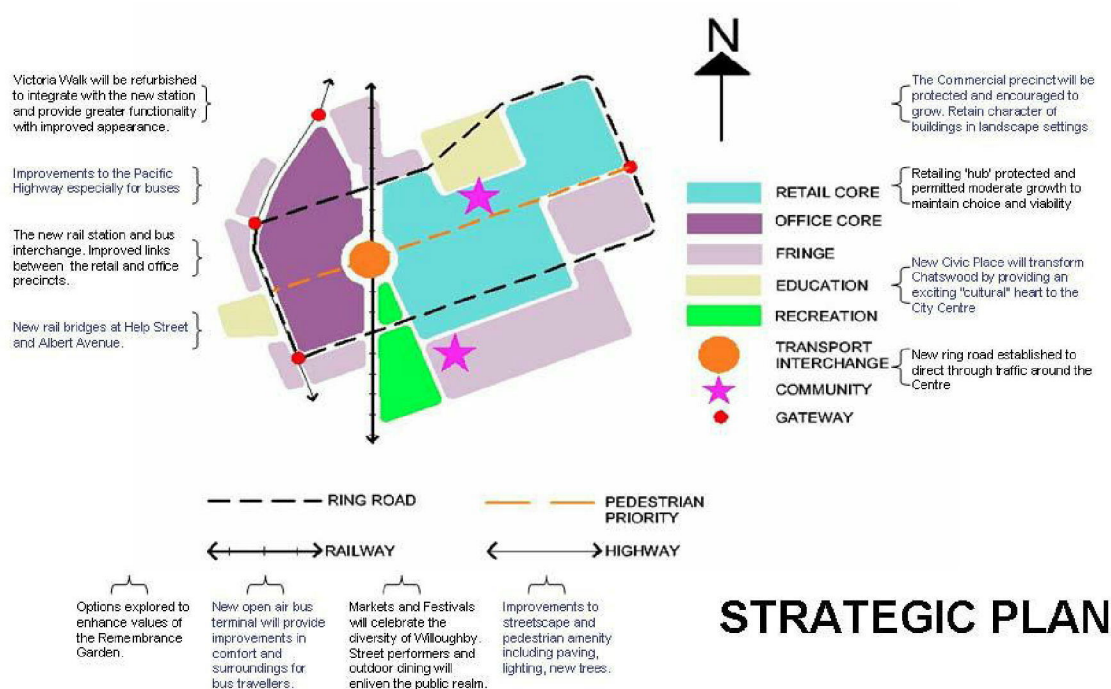
Section 4 also includes the following relevant “constraints/challenges”:

- *Chatswood is challenged to provide a large range of leasable floor spaces at competitive prices. The limits to the range available is narrowing the employment/business opportunities to local services rather than the broader economy.*
- *Chatswood is challenged in responding to market forces while maintaining the variety and scope of retail and professional services in Chatswood and their floor space needs.*

The planning proposal is considered to provide for a future increased range of leasable floor space associated with Chatswood Chase which will contribute to maintaining and increasing the range, variety and scope of retail services which will further contribute to the broader economy of Chatswood.

The Chatswood City Centre Strategic Plan identifies the distribution of precincts as illustrated within **Figure 10**.

FIGURE 10 – CHATSWOOD CITY CENTRE STRATEGIC PLAN: (SOURCE: WILLOUGHBY CITY COUNCIL)



The proposal is consistent with the Strategic Plan as illustrated above for the following reasons:

- The site is located on the eastern edge retail core. The future expansion of Chatswood Chase shopping centre onto the adjacent land holdings is consistent with the aim to protect the retail core and maintain choice and viability through moderate growth of retail GFA of approximately 15,000m².

- The concept will promote pedestrian activity through public domain improvements surrounding the subject site.

Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the applicable State Environmental Planning Policies as summarised in **Table 5**.

TABLE 5 – APPLICATION OF STATE ENVIRONMENTAL PLANNING POLICIES

SEPP TITLE	CONSISTENCY	CONSISTENCY OF PLANNING PROPOSAL
SEPP 55 – Remediation of Land	Yes	A phase 1 contamination report will be prepared for the DA stage and any necessary remediation will be proposed and carried out in accordance with SEPP 55.
SEPP – (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP (Infrastructure) 2007	Yes	The proposal has considered the relevant part of the SEPP (Infrastructure) 2007, namely traffic generating developments and is considered consistent.

Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?

There are five Ministerial Directions under s117 of the EP&A Act that provide guidance in the assessment of Planning Proposals and making of LEPs that pertain to the land and / or type of development contemplated on the subject sites. The applicable Section 117 Directions are discussed in **Table 6**.

TABLE 6 – SECTION 117 DIRECTIONS

DIRECTION AND OBJECTIVE	COMMENT
1.1 Business and Industrial Zones Objectives (1) The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	The subject planning proposal will increase the quantum of future employment generation within this identified strategic centre. The planning proposal will allow for the future increase to the GLA of the Chatswood Chase shopping centre to provide new retail floor space and jobs. The moderate expansion of the existing shopping centre over the subject sites is considered to support the ongoing viability of the B3 Commercial Core zone.
2.3 Heritage Conservation Objective (1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Located to the north of the Malvern Avenue site with frontages to Archer Street are two locally significant heritage items I58 and 59 and heritage conservation area C10. These items are known as: ▪ I58 – House (including original interiors) 105 Archer Street ▪ I59 - House (including original interiors) 107 Archer Street ▪ C10 - North Chatswood Shown by a heavy red outline and hatched and marked “C10” – Part of Malvern Avenue and Archer St to north of the

DIRECTION AND OBJECTIVE	COMMENT
	site. It is considered that it is unlikely that the planning proposal to increase the permissible height and FSR on the northern side of the centre including 12-14 Malvern Avenue will impact upon this area. Nevertheless it is considered that heritage impacts can be assessed once the proposed built form is finalised as part of a future development application.
3.4 Integrating Land Use and Transport (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Chatswood is highly serviced by frequent rail and bus public transport infrastructure, providing excellent linkages to key centres and destinations within the lower north shore and greater metropolitan Sydney. The subject sites are located within 520m walking distance of Chatswood Station and Bus Interchange. The interchange offers access to Chatswood, North Sydney, Sydney CBD and Macquarie Park within 20 minutes commute. Future connections via the Sydney Metro North West will offer rapid transport (Metro) connection to Norwest Business Park. Whilst it is noted that retail shopping centres do attract significant use of private vehicles, the proximity of these transport services will continue to supplement private vehicle use and encourage public transport use to the centre. The quantum of car parking associated with the potential increase in floorspace, and associated traffic generation, has been assessed to be acceptable within the current road network. Further, the increased retail floorspace results in an overall lower trip generation rate per m2. The efficiencies of a larger centre will be beneficial to the operation of the surrounding road network. It is therefore considered that the subject planning proposal is highly consistent with the objectives of this Direction.
4.1 Acid Sulfate Soils Objective (1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	The land is identified as being subject to Acid Sulfate Soils Class 5. However it is noted that the subject site is not within 500m of adjacent Class 1,2,3 or 4 land. Nevertheless it is considered that any impacts from the future use of the land and its probability of containing Acid Sulfate Soils can be assessed and managed at the development application stage.
7.1 Implementation of A Plan for Growing Sydney Objective (1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions,	Note Schedule 7 Savings and transitional provisions, Part 11 Provisions consequent on enactment of Greater Sydney Commission Act 2015 states: <i>51 Existing directions under section 117 relating to planning proposals in Greater Sydney Region of the EP&A Regulation relates to existing directions under section 117 relating to planning proposals in Greater</i>

DIRECTION AND OBJECTIVE	COMMENT
strategic centres and transport gateways contained in A Plan for Growing Sydney	<i>Sydney Region and provides that</i> Any direction given under section 117 of the Act before 27 January 2016 ceases to have effect on that date to the extent that the direction: (a) requires a relevant planning authority to give effect to the document entitled A Plan for Growing Sydney (as referred to in section 75AE (3) of the Act) in preparing a planning proposal under section 55 of the Act, or (b) imposes any obligation on a relevant planning authority that is inconsistent with the requirement under section 75AI (2) of the Act for the planning authority to give effect to certain strategic plans (as referred to in that subsection) in preparing a planning proposal. This is now a requirement of Section 57AI of Part 3B of the EP&A Act 1979 and is discussed in greater detail at Section 6.2 of this report.

6.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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?

Not applicable to this Planning Proposal.

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

Given the proposed uplift in building height and density, the potential environmental effects that are relevant to the Planning Proposal are addressed below.

Bulk, Scale and Massing of Indicative Design Concept

The planning proposal will increase the permissible heights and floor space ratio over the subject sites. As such the proposal will allow for an increased scale of built form over what currently exists.

The purpose of this planning proposal is to provide consistent built form standards that will guide a uniform approach to the future expansion of the Chatswood Chase site onto 12-14 Malvern Avenue and 5-7 Havilah Street.

Indicative building envelopes for the future development concept are illustrated on the plans within **Appendix A**. These are indicative only and have not been subject to detailed design development. Similarly, yield and internal layouts will be refined prior to the lodgement of a development application. Nevertheless, the draft concepts give an indication of potential future building scale and use layout. Broadly, the 12-14 Malvern Avenue site will accommodate car parking whilst 5-7 Havilah Street will accommodate retail floor space.

As the heights and floor space ratios will be uniform across the Vicinity landholding, it is intended that there be a generally consistent scale of development across the broader site. It is likely that taller building forms will be located towards Malvern Avenue to accommodate accessible car parking, whilst the building form will be lower towards the south (including that over 5-7 Havilah Street) at the interface of neighbouring residential development.

- Activation of the frontages will be focussed on the existing Victoria and Archer Street frontages, being higher order streets with a pedestrian focus.
- Limited privacy impacts will occur to residents across Havilah Street or Malvern Avenue due to the retail use of the centre which is by nature, inwardly focussed.

It is considered that design features to break up the façade including articulation, modulation, setbacks, softening and permeability can be addressed at the development application stage.

Solar Access and Overshadowing

The planning proposal will increase the likelihood that future development may impact upon existing solar access to adjacent residential development to the south (including 3-5 Havilah Street) and the front setback of properties on the eastern side of Havilah Street.

The shadow analysis provided by The Buchan Group demonstrates that there will be some additional shadow impact to the adjacent school to the west of the site between 9am and 12pm. There will be some additional shadow cast on the residential dwellings on the eastern side of Havilah Street between 12 midday and 3pm. It is noted, however, that this shadow is cast over the front yards and roofs of these dwellings with no additional shadows cast over their principle private open space areas at the rear.

The shadow diagrams indicate that there will be some impacts to the adjacent buildings in particular those residential buildings to the south of the Chatswood Chase site. The shadow diagrams illustrate the maximum shadows resulting from the proposed 34m building height at the southern end of the site. It is noted that the final height of the proposed development concept has yet to be determined. Final heights of the concept will pay regard to the shadow analysis and will ensure that on balance an acceptable outcome is achieved in relation to the overshadowing of adjacent development and the public domain.

Traffic and Parking

GTA has prepared a Transport Impact Assessment (TIA) which is provided at **Appendix B**. The TIA provides an assessment of anticipated transport implications of the proposed development and has considered the estimated traffic demand for the concept based on the increased GLA and car parking provision. This report responds to the traffic assessment brief requested by the RMS for Planning Proposal lodgement.

The TIA commissioned traffic movement counts on key roads in the vicinity of the site. These counts were undertaken during the following peak periods:

- Thursday PM peak: 3:30pm – 6:30pm (peak hour: 5:00pm – 6:00pm); and
- Saturday peak: 11:30am – 2:30pm (peak hour: 12:45pm – 1:45pm).

The operation of the key intersections within the study area were assessed using SIDRA INTERSECTION which determines the average delay that vehicles encounter and provides a measure of the level of service. The TIA also measured the existing and future traffic generation utilising boom gate data, traffic surveys and empirical analysis of the traffic generation rates of other similar sized shopping centres. Other proposals within Chatswood were also considered in a cumulative assessment of traffic generation.

The TIA finds that the Archer Street corridor is capable of accommodating the additional traffic generated by the proposed expansion. It did note however that further improvement works may be required at the Mowbray Road / Archer Street intersection to accommodate the additional future traffic volumes, subject to the confirmation of final volumes at DA stage.

The TIA concluded that the site is expected to generate up to 224 and 358 vehicle movements during the weekday PM and Saturday lunchtime peak periods, respectively and that SIDRA INTERSECTION modelling indicates that there is generally adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development.

Given the above it is considered that the proposed development concept arising from the planning proposal will be acceptable in terms of its traffic impacts and the ability of the existing road network to cater for the traffic generated by the proposed development.

How has the planning proposal adequately addressed any social or economic effects

The planning proposal will have positive social and economic effects for the following reasons:

- The proposal continues to support and strengthen the commercial core of Chatswood by increasing the availability of jobs with good access to existing and planned public transport services. The proposal will also provide more employment opportunities to local residents.
- The planning proposal will enable Chatswood Chase to provide additional retail floor space in the major regional retail precinct of Chatswood City Centre.
- Upgrading of this retail shopping centre will provide an improved retail experience and offer, commensurate with the expectation of its customers. These improved services will enhance the liveability and attractiveness of Chatswood and support its future growth as a Strategic Centre.
- Future Section 94A contributions generated at the Development Application stage will assist Council in improving the amenity and useability of open space and other community services in and surrounding the Chatswood City Centre.

The proposal will generate positive social and economic effects that will be beneficial to Chatswood and the broader Sydney north region.

6.4 STATE AND COMMONWEALTH INTERESTS

Adequacy of Public Infrastructure and Transport Infrastructure

The adequacy of the road network has been discussed in **Section 6.3**.

State and Commonwealth Public Authorities Consultation

Consultation with other stakeholders such as RMS has also been undertaken by GTA which has informed the preparation of their Transport Impact Assessment at **Appendix B**

6.5 COMMUNITY CONSULTATION

No formal public community consultation has been undertaken to date in regard to this Planning Proposal. The community will be advised of the Planning Proposal as part of the formal notification period following Gateway determination.

7 Conclusion

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal provides a comprehensive justification of the proposed amendment to the Willoughby LEP 2012, and is supported on the following grounds:

- The proposal is consistent with the objectives and actions contained within 'A Plan for Growing Sydney', and Council's Strategic Plans. It is also consistent with applicable State Environmental Planning Policies and Section 117 Directions.
- The proposal will provide consistent development standards (height and FSR) across all land owned by Vicinity Centres in and around Chatswood Chase, which will support a consistent approach to the future orderly redevelopment of this significant asset.
- The proposal will allow the future expansion of retail development which reflects the importance of Chatswood Chase as a major regional shopping centre within a key strategic centre identified in 'A Plan for Growing Sydney'.
- The proposal will facilitate a future redevelopment that will enhance the retail experience and offer provided for customers, in a rational manner. It will allow for the provision of increased retail GLA with only a minor increase in the overall building footprint.
- The proposal will allow for the future provision of adequate car parking on site to cater for future increased car parking demand, at a rate that can be accommodated within the capacity of the existing road network.
- The Planning Proposal will allow for a building envelope within which a retail shopping centre can be developed that will have minimal impact on the amenity of residential neighbours.

Following an extensive analysis of the site and its surrounding context, and applicable State and local planning policies, we submit there is a clear public benefit of proceeding with this Planning Proposal. The Planning Proposal supports the State government's direction of increasing density in major centres and broadening retail land uses in areas with good public transport and supports the primary employment function of the shopping centre.

We submit that this Planning Proposal should be favourably considered by Council and that Council resolve to forward it to the Department of Planning and Infrastructure to allow the Department to consider the Planning Proposal for Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act, 1979*.

Disclaimer

This report is dated May 2016 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis's (Urbis) opinion in this report. Urbis prepared this report on the instructions and for the benefit only, of Vicinity Centres (Instructing Party) for the purpose of a Planning Proposal (Purpose) and not for any other purpose or use. Urbis expressly disclaims any liability to the Instructing Party who relies or purports to rely on this report for any purpose other than the Purpose and to any party other than the Instructing Party who relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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All surveys, forecasts, projections and recommendations contained in or made in relation to or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

Urbis has made all reasonable inquiries that it believes is necessary in preparing this report but it cannot be certain that all information material to the preparation of this report has been provided to it as there may be information that is not publicly available at the time of its inquiry.

In preparing this report, Urbis may rely on or refer to documents in a language other than English which Urbis will procure the translation of into English. Urbis is not responsible for the accuracy or completeness of such translations and to the extent that the inaccurate or incomplete translation of any document results in any statement or opinion made in this report being inaccurate or incomplete, Urbis expressly disclaims any liability for that inaccuracy or incompleteness.

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Appendix A

Architectural Concept Plans

Appendix B

Traffic Impact Assessment

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