

PLANNING PROPOSAL ADDENDUM
SUBMITTED TO NSW DEPARTMENT OF INFRASTRUCTURE AND PLANNING AND
THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL

126 Greville Street and 23-25 Millwood Avenue, Chatswood

Prepared on behalf of
Toga Group & Barana Group

NOVEMBER 2012

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- A** Updated Design Report which includes the amended concept for the site, by Bates Smart
- B** Comparison of Planning Proposal Addendum and other concepts for the site
- C** Halcrow Traffic Generation Review, dated 8 December 2011
- D** Bushfire Advice from Australian Bushfire Protection Planners (**ABPP**), dated 13 November 2012

1.0 INTRODUCTION

In October 2012, the Minister for Planning and Infrastructure directed that the Sydney East Joint Regional Planning Panel (the **JRPP**) act as the relevant planning authority (**RPA**) for a planning proposal to rezone land at 126 Greville Street and 25 Millwood Avenue, Chatswood (the **site**) to permit medium density residential development.

The Minister's direction followed a review of the planning proposal by the Planning and Assessment Commission (**PAC**), as submitted to Willoughby Council and the Minister for Planning in July and December 2010 respectively (**Planning Proposal 2010**) (see PAC report dated 10 March 2011). The PAC report concluded that Planning Proposal 2010 had strategic merit and that a medium density residential zone would facilitate an appropriate development for the site. The PAC did not complete a detailed assessment of the density, heights, number of buildings or proposed layout. The PAC, however, suggested that the site could accommodate heights of four storeys along Greville Street and up to five storeys elsewhere with a floor space ratio (**FSR**) at the lower range of 0.5:1 to 0.6:1.

In response to the preliminary height and FSR recommendations of the PAC, and following consultation with residential market advisors, the applicant wishes to amend Planning Proposal 2010. In accordance with Section 55(2)(b) of the *Environmental Planning and Assessment Act, 1979 (EPA Act)*, this Planning Proposal Addendum provides an explanation of the provisions that should be included in the proposed instrument to accommodate the following concept:

- Up to 60 dwelling houses on lots with a minimum area of 220m² (previously 220 apartments accommodated in 14 residential flat buildings)
- Building heights of two to three storeys above a basement garage (previously four to six storeys)
- A FSR of 0.45:1 across the land in proposed Zone R3 and 0.4:1 across the entire site (previously 0.8:1 across the land in proposed Zone R3 and 0.67:1 across the entire site)
- Adjustment of the site boundaries to include 23 Millwood Avenue making the entire site area 36,807m²

The Planning Proposal Addendum, which should be read in conjunction with Planning Proposal 2010, is accompanied by the following information:

- | | |
|-------------------|---|
| Appendix A | Updated Design Report, by Bates Smart |
| Appendix B | Table comparing the Planning Proposal Addendum with other concepts for the site |
| Appendix C | Halcrow Traffic Generation Review, dated 8 December 2011 |
| Appendix D | Bushfire Advice from ABPP, dated 13 November 2012 |

Table 1 – Comparison of Planning Proposal 2010 & Planning Proposal Addendum

	Planning Proposal 2010	Planning Proposal Addendum
Number of dwellings	220 apartments	Up to 60 dwellings
FSR		
- Zone R3	0.8:1	0.45:1
- Entire site	0.67:1	0.4:1
Height		
- Storeys	4 to 6 storeys	2 to 3 storeys above garage
- Metres	13.5m to 20m	Up to 12m (more generally 9.5m)
Lot size	Not stated	Minimum of 220m ²

2.0 PLANNING PROPOSAL ADDENDUM

2.1 Overview and explanation of provisions

In response to the preliminary height and FSR recommendations of the PAC, and following consultation with local residential market advisors, the applicant wishes to amend planning proposal to facilitate up to 60 dwelling houses instead of the 220 apartments shown in Planning Proposal 2010. The Planning Proposal Addendum is described in detail in the Design Report by Bates Smart. The Design Report includes a residential concept that would comply with the proposed provisions (**Appendix A**) and accommodating 53 attached and detached dwellings (including retention of the existing dwelling house at 25 Millwood Avenue).

The table at **Appendix B** compares the Planning Proposal Addendum with the existing development on the site and previous proposals put forward by the applicant (including Planning Proposal 2010), Willoughby Council planners, the community and the PAC recommendation. It shows that the Planning Proposal Addendum provides for a modest number of dwellings, FSR, height and traffic movements. An extract from this comparison showing Planning Proposal 2010 and the Planning Proposal Addendum is set out at **Table 1**.

An explanation of the provisions that should be included in the proposed instrument to accommodate the Planning Proposal Addendum follows:

- | | |
|-------------------------------|--|
| - Zoning | Zone R3 - Medium Density (31,032m ² being part of 126 Greville Street and 23-25 Millwood Avenue)

Zone E2 – Environmental Conservation or Zone E3 - Environmental Management (5,775m ² being the remainder of 126 Greville Street) |
| - Lot size standard | 220m ² |
| - FSR standard | 0.45:1 on land in Zone R3 (this is a FSR over all land in Zone R3 and must not be calculated on a per lot basis) |
| - Height standard | 12 metres |
| - Special provisions area map | Stage 2 detailed investigation for contaminated land prior to the grant of development consent

Total number of dwellings capped at 60 |
| - Schedule 1 listing | Retain existing schedule 1 listing in <i>Draft Willoughby Local Environmental Plan 2012 (Draft WLEP 2012)</i> (Schedule 1, 21. Use of certain land at 126 Greville Street, Chatswood) and insert <i>dwelling houses</i> as an additional permitted use |

2.2 Zoning

Residential zone

As with Planning Proposal 2010, the Planning Proposal Addendum includes most of the site in Zone R3 – Medium Density Residential (31,032m²). This is consistent with other small lot housing developments in Willoughby, most relevantly the Willoughby Market Gardens site, Mowbray Place Willoughby. The relevant provisions in Draft WLEP 2012 for Zone R3 follow:

Zone R3 Medium Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To accommodate development that is compatible with the scale and character of the surrounding residential development.*
- *To allow for increased residential density in accessible locations, while minimising the potential for adverse impacts of such increased density on the efficiency and safety of the road network.*
- *To encourage innovative design in providing a comfortable and sustainable living environment that also has regard to solar access, privacy, noise, views, vehicular access, parking and landscaping.*

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Group homes; Home businesses; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Seniors housing

4 Prohibited

Any development not specified in item 2 or 3

To accommodate the small lot housing concept shown in the Design Report by Bates Smart, the Planning Proposal Addendum also proposes that *dwelling houses* be included in the site's Schedule 1 listing in Draft WLEP 2012. This will ensure that future dwellings on the site can be subdivided in to separate allotments of land.

Environmental zone

The Planning Proposal Addendum suggests Zone E2 – Environmental Conservation or Zone E3 - Environmental Management for the remaining 5,775m² of the site (being land in the north-western corner of 126 Greville Street). The applicant considers that Zone E3 is the most appropriate environmental zone for this land given the suburban context and special (rather than high) ecological attributes of the site. The following descriptions of Zone E2 and Zone E3 in the Practice Note titled *Preparing LEPs using the Standard Instrument: standard zones* is informative and supports the applicant's view in this regard (noting that the Practice Note states that many councils will have limited area displaying the characteristics suitable for Zone E2):

E2 Environmental Conservation

This zone is generally intended to protect land that has high conservation values outside the national parks and nature reserve system. The use of this zone needs to be justified by appropriate evaluation of the area in terms of meeting the core zone objectives of having high ecological, scientific, cultural or aesthetic values. A number of land uses considered to be inappropriate for this zone have been mandated as prohibited uses.

It is anticipated that many councils will generally have limited areas displaying the characteristics suitable for the application of the E2 zone. Areas where a broader range of uses is required (whilst retaining environmental protection) may be more appropriately zoned E3 Environmental Management.

E3 Environmental Management

This zone is generally intended to be applied to land that has special ecological, scientific, cultural or aesthetic attributes, or land highly constrained by geotechnical or other hazards.

A limited range of development including 'dwelling houses' could be permitted. This zone might also be suitable as a transition between areas of high conservation value and other more intensive land uses such as rural or residential.

Table 2 – Comparison of development scenarios

	Number of dwellings	FSR	Height
Existing use	-	Across the site - 0.41:1	3 to 4 storeys
Rezoning Application 2006	250 apartments	Across the site - 0.75:1	4 to 6 storeys
Rezoning Application 2007	230 apartments	Across the site - 0.7:1	4 to 6 storeys
Willoughby Council Officer's Report (14 July 2008)	180 apartments	Zone R3 - 0.7:1 Across the site – 0.57:1	2 to 4 storeys
Planning Proposal 2010	220 apartments	Zone R3 - 0.8:1 Across the site – 0.67:1	4 to 5 storeys 13.5m to 20m
PAC report	Not stated	0.5:1 to 0.6:1 (lower range)	4 to 5 storeys
Adopted version of Draft WLEP 2012 (23 July 2012)	45 dwellings (28,925m ² /650m ²)	Zone E4 - 0.4:1	8.5m
Resident feedback	120 apartments (conversion) or 50 residential lots		
Planning Proposal Addendum	Up to 60 dwellings	Zone R3 - 0.45:1 Across the site – 0.4:1	2 to 3 storeys 12 metres

Table 3 – Comparison of traffic generation

	Weekday AM peak period	Weekday PM peak period	Weekend peak period
Existing use of the site (270 employees)	101 vph	84 vph	-
Existing use (full operation)	170 vph	140 vph	-
Planning Proposal 2010 (220 dwellings)	86 vph	86 vph	79 vph
Planning Proposal Addendum (up to 60 dwellings)	51 vph	51 vph	51 vph (approx)

2.3 Development standards

The Planning Proposal Addendum would facilitate up to 60 dwellings and a local provision is proposed to enforce this as a dwelling cap for the site. A local provision of this kind would be consistent with that applying to the Willoughby Market Gardens Site, where clause 6.14(4) of Draft WLEP 2012 states a dwelling cap of 80. It is also noted that Willoughby Council has adopted a cap of 50 dwellings for 126 Greville Street (therefore excluding 23 and 25 Millwood Avenue) under Draft Willoughby Development Control Plan.

The Design Report by Bates Smart includes a residential concept that provides for 53 dwellings on the site (including retention of the existing dwelling house at 25 Millwood Avenue). The final number of dwellings and site layout would be resolved at the development application (DA) stage.

Table 2 compares the number of dwellings, FSR and height of the Planning Proposal Addendum with the existing use on the site, various earlier proposals by the applicant, a residential concept supported by Willoughby Council Officers in 2008, the adopted version of Draft WLEP 2012, resident feedback and the PAC report. The comparison demonstrates that the Planning Proposal Addendum contains a significant reduction in dwellings, FSR and height when compared with the applicant's earlier proposals and the Willoughby Council Officer's report of 2008. It also shows that the total number of dwellings in the Planning Proposal Addendum is comparable with the theoretically density achievable under the adopted version of Draft WLEP 2012 (which shows a minimum lot size of 650m² for the site) and the informal feedback of residents.

2.4 Traffic

Halcrow has prepared several Transport Reports for the site including those at Appendix I of Planning Proposal 2010. Each Halcrow report concludes that Planning Proposal 2010 (proposing 220 apartments) would maintain or reduce traffic generated by the site and on-street parking demand.

Halcrow prepared a further traffic generation review for a medium density scheme containing 80 dwellings (comprising 36 houses and 44 apartments) (see Halcrow letter dated 8 December 2011, **Appendix C**). Halcrow concluded that the 80 dwelling scheme would generate 48 vehicle trips per hour in the weekday peaks and 47 vehicle trips per hour during the weekend peak (or around 28-34% of the traffic generated by a full occupation of the existing building on the site).

For dwelling houses, Halcrow relied on the low density dwelling traffic generation rate of 0.85 vehicle trips per hour per dwelling (as suggested by the then RTA). Applying this low density traffic generation rate to the Planning Proposal Addendum (up to 60 dwellings), up to 51 vehicle trips per hour would be generated during the weekday AM/PM peaks (or around 30-36% of the traffic generated by a full occupation of the existing building on the site).

Relying upon Halcrow's findings, **Table 3** compares the traffic generation of the existing acoustic laboratory use (partial and full occupation), Planning Proposal 2010 (220 dwellings) and the Planning Proposal Addendum (up to 60 dwellings).

2.5 Bushfire

ABPP has consulted the NSW Rural Fire Service and notes that the Service advised that (see ABPP letter dated 13 November 2012, **Appendix D**):

...given the NSW Rural Fire Service had issued a Bushfire Safety Authority for the previous planning proposal any proposed amendment should acknowledge the bushfire protection measures required under the Bushfire Safety Authority.

ABPP has confirmed the following in relation to the Addendum Planning Proposal:

- The buildings are located beyond the approved Asset Protection Zone setback to the vegetation on the land to the west, to the vegetation to the north and within the rehabilitated riparian corridor within the site
- The internal road layout and fire trail complies with the approved fire operational access provisions.

3.0 CONCLUSION

The Planning Proposal Addendum amends Planning Proposal 2010 which was submitted to Willoughby Council and the Minister for Planning in July and December 2010 (respectively).

The Planning Proposal Addendum sets out provisions that would facilitate an appropriate medium density development on the site.

Compared with the existing use, Planning Proposal 2010 and other design concepts/recommendations for the site; the Planning Proposal Addendum provides a very modest dwelling density, FSR and height.

APPENDIX A

Updated Design Report, by Bates Smart

APPENDIX B

Table comparing the Planning Proposal Addendum with other concepts for the site

126 Greville Street and 23-35 Millwood Avenue, Chatswood - Summary of Development Scenarios

	Existing	Rezoning application 2006	Rezoning application 2007	Willoughby Council Officer's report (14 July 2008)	Planning Proposal 2010	Planning Assessment Commission (PAC) recommendation	Draft WLEP 2012	Resident Feedback	Planning Proposal Addendum
Zone	5(a) Special Uses (Acoustic Laboratory)	R3 - Medium Density	R3 - Medium Density (28,925m ²) E2 - Environmental Conservation (5,775m ²)	R3 - Medium Density (28,925m ²) E2 - Environmental Conservation (5,775m ²)	R3 - Medium Density (28,925m ²) E2 - Environmental Conservation (5,775m ²)	"opportunity to create higher density development"	E4 - Environmental Living (28,925m ²) E2 - Environmental Conservation (5,775m ²)		R3 - Medium Density (31,032m ²) E2 or E3 (5,775m ²)
FSR	Across the site - 0.41:1	Across the site - 0.75:1	Across the site - 0.7:1	Zone R3 - 0.7:1 Across the site - 0.57:1	Zone R3 - 0.8:1 Across the site - 0.67:1	Across the site - 0.5:1 to 0.6:1	0.4:1		Zone R3 - 0.4:1 Across the site - 0.45:1
Height	3 to 4 storeys	4 to 6 storeys	4 to 6 storeys	2 to 4 storeys	4 to 6 storeys (13.5m to 20m)	4 storeys along Greville St 5 storeys in southern portion	8.5m		2 to 3 storeys (above garage)
Lot size	Not stated	Not stated	Not stated	Note stated	Not stated	Not stated	650m ²		220m ² (minimum)
Special provisions	None						Adaptive re-use for: <i>community facilities, educational establishments, eco-tourist facilities, information and education facilities, high technology industry, neighbourhood shops, office premises, public administration buildings, recreation areas, residential flat building, storage premises and tourist and visitor accommodation</i>		Adaptive re-use as provided for in Draft WLEP 2012 plus <i>dwelling houses</i> Cap of 60 dwellings
				Vehicular access to Millwood Ave (rejected by the RTA) Stage 2 contamination report	Stage 2 contamination report		Stage 2 contamination report		Stage 2 contamination report
Dwellings	N/A	250 apartments	230 apartments	180 apartments	220 apartments	Not stated	50 residential lots (WDCP control)	120 apartments (conversion) or 50 residential lots	up to 60 dwellings
Traffic generation	270 employees AM peak - 101 vehicle trips/hour PM peak - 84 vehicle trips/hour Full operation AM peak - 170 vehicle trips/hour PM peak - 140 vehicle trips/hour				AM peak - 86 vehicle trips/hour PM peak - 86 vehicle trips/hour				AM peak - 51 vehicle trips/hour PM peak - 51 vehicle trips/hour
Creek/foreshore setback							15m (either side of creek)		10m average (either side from centre of the creek)
Outer Protection Zone within Zone E2 land					10m				10m

APPENDIX C

Halcrow Traffic Generation Review, dated 8 December 2011

Halcrow

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Mr Andrew Urquhart
Barana Group Pty Limited
3A Macquarie Street
Sydney NSW 2000

8 December 2011

Dear Andrew

RE: 126 Greville Street, Chatswood West – Traffic Generation Review

As requested, Halcrow has undertaken a review of the potential traffic generation characteristics of a proposed revised scheme for the redevelopment of the former National Acoustics Laboratory at 126 Greville Street Chatswood West.

The traffic generation estimates for the revised redevelopment scheme have been compared with the traffic generation estimates for the existing uses on the site and the previous scheme for medium density residential apartments.

This letter sets out the findings of the traffic generation comparison.

Existing Use Traffic Generation

The site is the head office of Australian Hearing, an Australian Government agency dedicated to assist people with hearing impairment. It also accommodates the National Acoustic Laboratory and Ultrasonics Institute, a research division of Australian Hearing.

A traffic generation survey was conducted at the site in December 2006 by counting the number of vehicles movements entering and exiting the site. At the time of the survey the site had the potential to could accommodate up to 470 employees. However, when the surveys were undertaken the total number of employees working on the site was only 280. Thus, if fully occupied the site would have the potential to generate about 65 per cent more activity than was surveyed.

From the 2006 surveys, the estimated morning and evening peak hourly traffic generation was determined to be 101 vehicles per hour (vph) and 84 vph respectively. Adjusting for the potential for the site to accommodate 470 employees, the traffic generation of the site at full utilization would be approximately 170 vph and 140 vph for the morning and evening peak hour periods respectively.

Previous Development Scheme Traffic Generation

Previously, the site was proposed to be redeveloped to provide 220 medium density residential apartments.

Using data from traffic surveys of nearby intersections, it was determined that average traffic generation rates for medium density residential flats were 0.39 and 0.36 vehicle trips per peak hour per unit for weekday and weekend peak periods respectively. Applying these surveyed rates to the previous scheme would generate about 86 vph and 79 vph for the weekday and weekend peak periods respectively.

Current Development Scheme Traffic Generation

The current scheme proposes to provide 36 houses and 44 apartments on the site.

Based on the traffic generation rates discussed above, the proposed 44 apartments would generate approximately 17 vph and 16 vph for the weekday and weekend peak periods respectively.

The houses would each have an area of about 250m². Traffic generation arising from the proposed 36 houses was estimated using the higher generation rate for low density dwellings suggested by the RTA i.e. 0.85 vehicle trips per hour per dwelling. On this basis, the proposed 36 houses would generate 31 vph during the peak periods.

Therefore, the current scheme would generate a total of 48 vph and 47 vph during the weekday and weekend peak periods respectively.

Summary

Table 1 below compares the traffic generation that would arise from the development scenarios with the site generation of the existing use.

Table 1 Comparison of Traffic Generation

	Weekday AM Peak Period	Weekday PM Peak Period	Weekend Peak Period
Existing Use (270 Employees)	101 vph	84 vph	-
Existing Use (Full Operation)	170 vph	140 vph	-
Previous Redevelopment Scheme (220 Apartments)	86 vph	86 vph	79 vph
Current Redevelopment Scheme (36 Houses + 44 Apartments)	48 vph	48 vph	47 vph

As can be seen from **Table 1**, the current proposed scheme is expected to generate significantly less development traffic than the previous residential scheme that was assessed in the traffic study¹ conducted in 2007.

¹ 126 Greville St, Chatswood Transport Report Prepared by Masson Wilson Twiney, May 2007

As such, we conclude that the nearby intersections would continue to operate efficiently as per existing conditions.

We trust the above is of assistance. Please do not hesitate to contact the undersigned should you require additional information.

Yours sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Michael Lee
Executive Transport Consultant

APPENDIX D

Bushfire Advice from ABPP, dated 13 November 2012

Our Reference B121843

Robinson Urban Planning Pty Ltd
83 Fletcher Street,
Tamarama
NSW 2026



Attention: Sandra Robinson

Re: Planning Proposal Addendum – Small Lot Housing, No. 126 Greville Street, Chatswood

Dear Sandra,

Further to your request I have met with Mr Lew Short, Group Manager Community Resilience, New South Wales Rural Fire Service in reference to the proposal to submit a Planning Proposal Addendum seeking approval for a small lot housing development on No. 126 Greville Street, Chatswood.

Mr. Short's verbal advice confirmed that given the NSW Rural Fire Service had issued a Bushfire Safety Authority for the previous planning proposal any proposed amendment should acknowledge the bushfire protection measures required under the Bushfire Safety Authority.

A copy of Mr. Short's written advice is attached to this letter.

In recognition of this advice I have reviewed the Concept Plan prepared by Bates Smart [SKO01 dated 7.11.2012] for the Small Lot Housing Planning Proposal and can confirm that the buildings are located beyond the approved Asset Protection Zone setback to the vegetation on the land to the west; to the vegetation to the north and within the rehabilitated riparian corridor within the site.

The internal road layout and fire trail complies with the approved fire operational access provisions.

If you require any further information please contact the undersigned.

Yours faithfully,



Graham Swain
Managing Director

Australian Bushfire Protection Planner Pty Limited

13.11.2012

Attachment A – Copy of Email from Mr. Lew Short – dated 12.11.2012

Mon 12/11/2012 11:49 AM

Corey,

In previous discussions with Graham I had advised him to use the approved setbacks from the earlier DA that was granted a BFSAs. If they keep within the agreed/ approved setbacks and footprint it shouldn't be a problem for you guys when assessing it.

Happy to discuss or for you to get back to Graham directly.

Cheers

Lew Short
Group Manager Community Resilience
NSW Rural Fire Service

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Email: Lew.Short@rfs.nsw.gov.au