

**PLANNING PROPOSAL TO THE MINISTER FOR PLANNING
126 GREVILLE STREET AND 25 MILLWOOD AVENUE, CHATSWOOD**



Prepared on behalf of
Toga Group & Barana Group

DECEMBER 2010

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O	Environmental Summary, by EDAW AECOM (22 May 2007 and 7 July 2010) (Appendices to this report have been updated and are attached separately)	
P	Toga/Barana Submission on Draft WLEP 2009, prepared by Robinson Urban Planning Pty Ltd (dated 20 May 2010) (excluding attachments)	

PRELIMINARIES

INTRODUCTION AND BACKGROUND

In May 2007, Toga/Barana lodged a rezoning application to Willoughby City Council (**the Council**). The application requested a rezoning of land at 126 Greville Street and part of 25 Millwood Avenue, Chatswood to permit its redevelopment for medium density residential purposes.

The site is in Zone No. 5 (a) (Special Uses – Acoustic Laboratory) under the provisions of Willoughby Local Environmental Plan 1995 (**WLEP 1995**). Australian Hearing Services (**AHS**) is due to vacate the site on 31 May 2013, therefore this existing zoning will cease to be relevant.

The 2007 rezoning application sought to rezone the site to Zone R3 Medium Density Residential under Draft Willoughby Local Environmental Plan 2009 (**Draft WLEP 2009**). Council Officers prepared several reports to Council concluding that medium density housing is supportable on the site and recommending a rezoning to Zone R3 and E2. However Council, on 1 December 2008, resolved to refuse the application.

Draft WLEP 2009, as adopted by Willoughby Council on 3 November 2010, includes the site in Zone E2 Environmental Conservation and Zone E4 Environmental Living with development standards setting out a 650m² minimum allotment size, 8 metre height limit, 0.4:1 floor space ratio (**FSR**) and 15m foreshore building line on either side of the creek that traverses the site. Bates Smart estimate that the draft provisions would yield around 30 dwellings on the site. A local provision would permit adaptive re-use of the buildings and carpark on the site for residential flat buildings, office premises and laboratories and require the provision of a satisfactory Stage 2 contamination Investigation report.

The Toga/Barana rezoning proposal offered an opportunity to integrate the site physically into the surrounding community and to remedy the existing land use and built form inconsistency between the site and its locality.

This Planning Proposal to the Minister for Planning describes a local environmental plan (**LEP**) amendment that prescribes the following zones and provisions for land at 126 Greville Street and 25 Millwood Avenue, Chatswood (**the site**):

- Zone R3 Medium Density (28,925m² of the site) and Zone E2 Environmental Conservation (5,775m² of the site)
- FSR development standard of 0.8:1 across the land in Zone R3
- Height of buildings standard of 13.5m to 20m
- Special provision allowing pedestrian access from the site over the adjoining land at 25 Millwood Avenue and requiring a Stage 2 Detailed investigation for contaminated land prior to the grant of development consent.

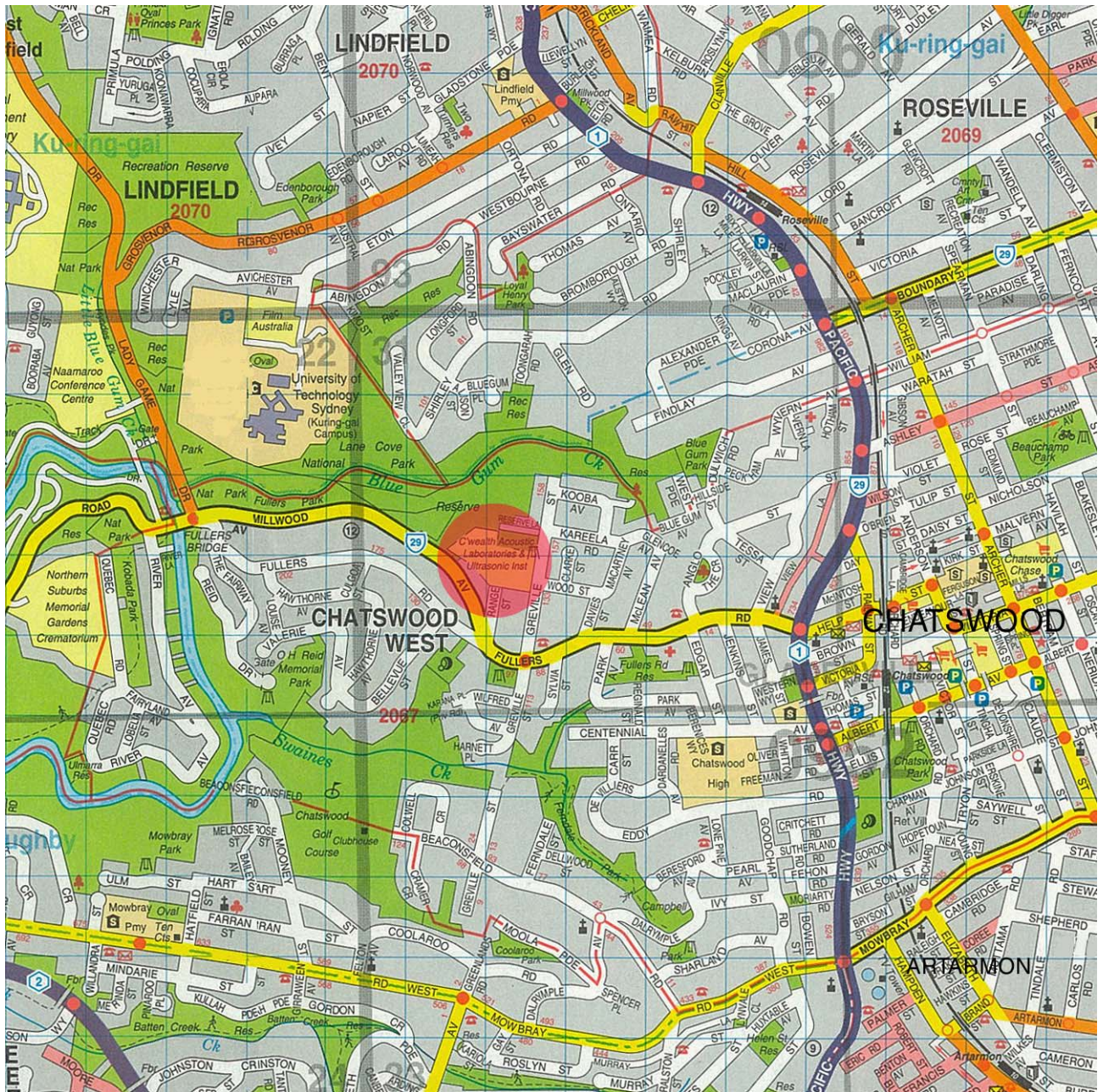


Figure 1 – Location plan

The proposed zone boundaries are in accordance with the Council Officer's recommendation to the Council meeting of 17 November 2008, however the development standards and pre-conditions differ from the Officer's recommendation.

Prepared by Robinson Urban Planning on behalf of the proponent, this Planning Proposal provides a brief description of the site and addresses the four parts set out in the Department of Planning (**DoP**) publication titled *A Guide to Preparing Planning Proposals*. It is accompanied by specialist consultant inputs on traffic, market demand, flora and fauna, existing trees, bushfire, aboriginal archaeology, contamination, landscape and architecture (including a separate *Woodlands Design Report*, by Bates Smart and EDAW AECOM). The following documents are appended to this Planning Proposal:

- Appendix A** Chronology of events, prepared by Robinson Urban Planning
- Appendix B** Council Officer's reports (to meetings of 3 December 2008, 17 November 2008, 14 July 2008 and 3 December 2007)
- Appendix C** Site survey work, by Denny Linker & Co (27 September 2007)
- Appendix D** Ecological Assessment, by Cumberland Ecology (July 2010)
- Appendix E** Arborist Report, by Australian Tree Consultants (15 May 2007 and 11 May 2010 update)
- Appendix F** AECOM advice on contamination (10 May 2010)
- Appendix G** Bushfire Protection Assessment, by Australian Bushfire Planners (21 May 2007 and 3 June 2010 update)
- Appendix H** Aboriginal Heritage and Archaeological Assessment, by Total Earth Care (February 2007)
- Appendix I** Transport Reports, by Masson Wilson Twiney and Halcrow (dated 24 May 2007, 18 October 2007 and 25 June 2010)
- Appendix J** Planning maps (Land zoning, Height of buildings, Floor space ratio and Special provisions area maps)
- Appendix K** Agency referrals from NSW Rural Fire Service (**RFS**), Sydney Regional Development Advisory Committee (**SRDAC**) of Roads and Traffic Authority (**RTA**), Department of Environment and Conservation (**DEC**) and Department of Natural Resources (**DNR**)
- Appendix L** *Residential Development*, background report (by Council Officers)
- Appendix M** *Special Uses*, background report (by Council Officers)
- Appendix N** Market Analysis, by UrbisJHD (April 2006)
- Appendix O** Environmental Summary, by EDAW AECOM (22 May 2007 and 8 July 2010)
- Appendix P** Toga/Barana Submission on Draft WLEP 2009, prepared by Robinson Urban Planning Pty Ltd (dated 20 May 2010)



Figure 2 – Aerial photograph

BRIEF DESCRIPTION OF THE SITE

The key characteristics of the site affected by the Planning Proposal are summarised below:

Location	126 Greville Street and 25 Millwood Avenue, Chatswood (Figures 1, 2 and 3)
Description	126 Greville Street - Lot 1 DP 532353 25 Millwood Avenue - Lot 1 DP 408490 and Lot 138 DP 14799
Site area	34,700m ² being the land to be rezoned and excluding the remainder of 25 Millwood Avenue which is to provide pedestrian access only (Lot 138 DP 14799).
Frontages	71.41m to Greville St, 13.565/3.995m to Range St, 33m to Millwood Ave.
Existing use	National Acoustic Laboratory and Ultrasonics Institute on 126 Greville Street and a detached dwelling house at 25 Millwood Avenue.
Zoning - WLEP 1995	126 Greville Street and the rear portion of 25 Millwood Ave are in Zone No. 5(a) Special Uses – Acoustic Laboratory (Figure 4). There are no existing height or FSR development standards for Zone 5(a). The majority of 25 Millwood Avenue is in Zone 2(a2) - Residential A2.
Zoning - Draft WLEP 2009	<i>Zoning:</i> part E2 Environmental Conservation and part E4 Environmental Living, <i>Minimum Lot size:</i> Zone E4 – 650m <i>Height -</i> 8m <i>FSR -</i> 0.4:1 <i>Foreshore Building Line</i> – 15m on either side of the creek that traverses the site <i>Special Provisions</i> - permit adaptive re-use of the buildings and carpark on the site for residential flat buildings, office premises and laboratories and require the provision of a satisfactory Stage 2 contamination Investigation report.

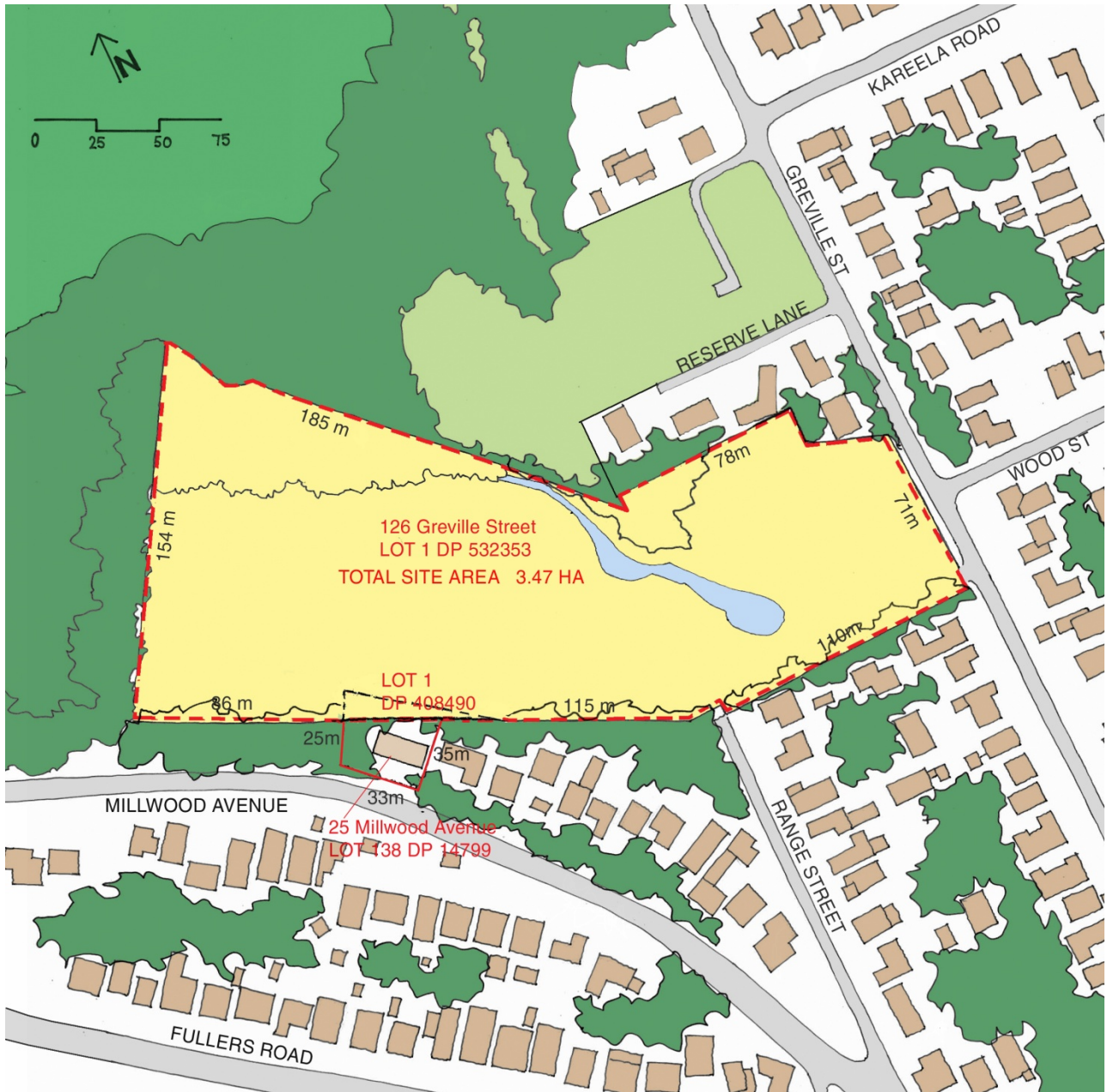
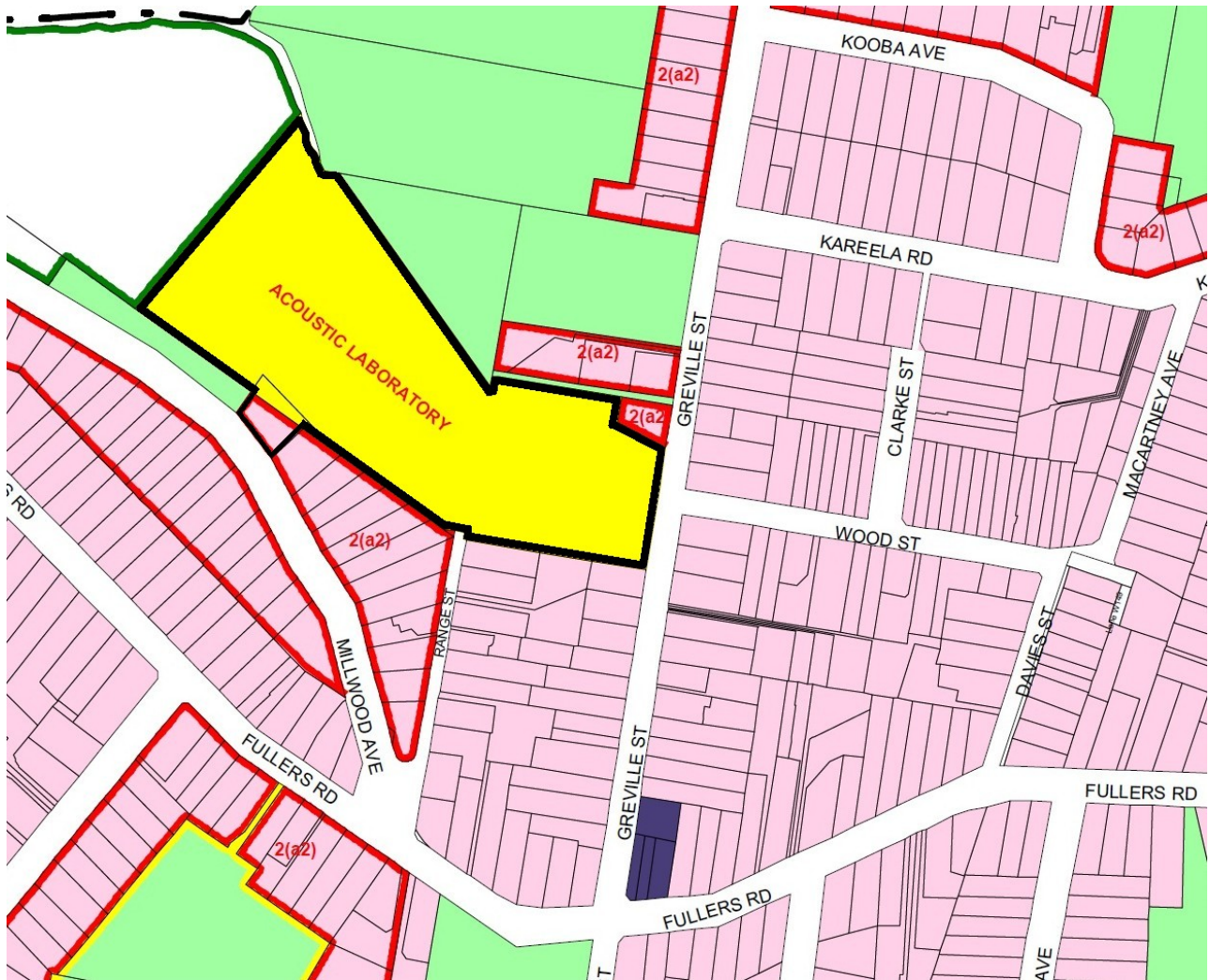


Figure 3 – Site plan

Existing improvements	Three/four storey concrete building (built c. 1986) with entry foyer, specialised acoustic facilities, offices, cafeteria and lecture hall (gross floor area (GFA) of 14,225m ²). Car parking is provided for 145 cars (140 in a separate two storey structure with an additional five spaces outside the main entry). 25 Millwood Avenue is occupied by a dwelling house.
Existing height	Three/four storeys, RL 49.82 on 126 Greville Street.
Ecology and Vegetation	Landscaped gardens and cleared areas exist around the laboratory building and car park structure. There is some infestation of exotic weeds. A remnant of bushland is located in the north-west corner of the site. Five significant trees (categorised as AA) have been identified on the site (Figure 5 and Figure 16 later). <i>Darwinia biflora</i> , a vulnerable plant species, has been recorded in the site in the western boundary AOPZ. Part 3 - Section C and Appendices D and E consider ecology and existing trees.
Watercourse/topography	Fed from a man-made pipe collecting stormwater from a wide residential catchment, a minor tributary of Blue Gum Creek runs through the site in a south-east to north-west direction towards Lane Cove National Park and Lane Cove River. The creek corridor was classified by DNR as a Category 2 and 3 stream (refer Figure 5), now known as a first order watercourse. Land surrounding the existing buildings is generally level or gently sloping. To the north and west, the site falls towards the National Park and Council reserve. A cliff (RL 48.52 to RL42.37) runs along the western section of the southern site boundary to 126 Greville Street, with 23 and 25 Millwood Ave elevated above.
Contamination	Past or present activities on the site do not pose a significant risk of contamination (Part 3 Section C and Appendix F consider contamination).



LEGEND

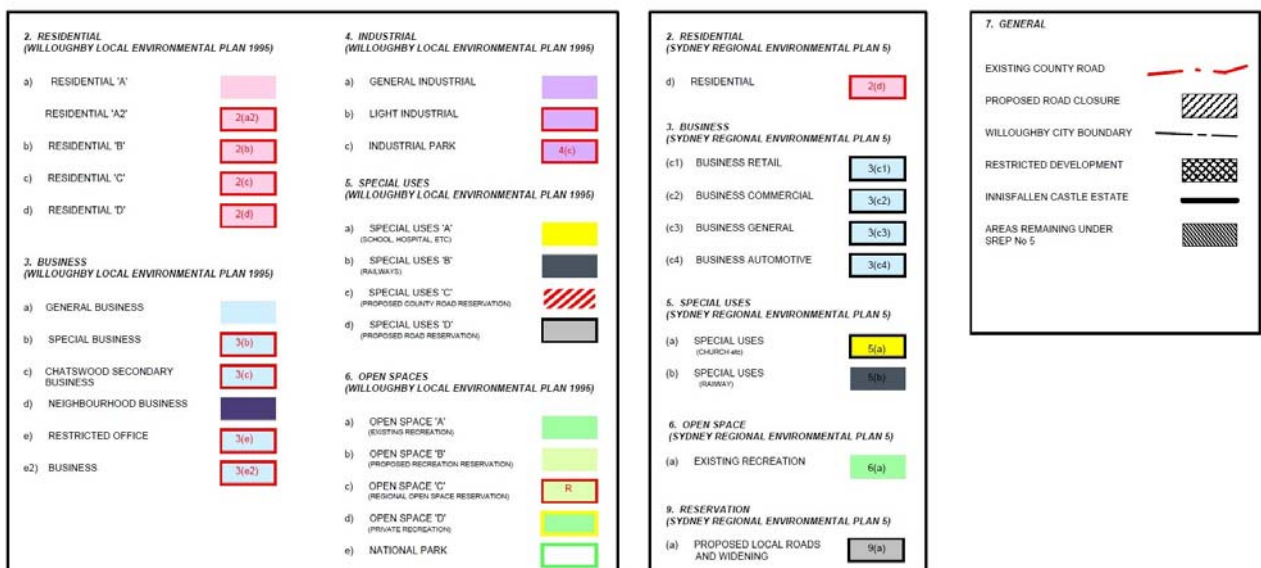


Figure 4 – Existing zoning (WLEP 1995)

Bushfire risk	The site is affected by and adjoins land identified on the Bushfire Prone Land Map to WLEP 1995 (Part 3 Section C and Appendix G consider bushfire risk). The RFS has reviewed the <i>Woodlands</i> design concept and Bushfire Protection Assessment and advised that the proposal is acceptable (the RFS referral is included in Appendix K).
Heritage	Not applicable (Part 3 Section C and Appendix H consider Aboriginal heritage and archaeology).
Roads and traffic	Part 3 Section C and Appendix I consider existing transport and traffic conditions.
Adjoining uses	<p>North Open Space (Zone No. 6(a) (Open Space A – Existing Recreation) and detached housing to the north-east Zone No. 2(a2) Residential A2). Ku-ring-gai Local Government Area (LGA) is to the north of Blue Gum Creek.</p> <p>South Detached housing addressing Greville Street, Range Street or Millwood Avenue (Zone No. 2(a) (Residential “A”) and Zone No. 2(a2) Residential A2) and Open space owned by Willoughby Council (Zone No. 6(a) (Open Space A – Existing Recreation)).</p> <p>East Detached housing beyond Greville Street (Zone No. 2(a) (Residential “A”)).</p> <p>West Lane Cove National Park (Zone No. 6(e) National Park).</p>



Figure 5 - Location and categorisation of existing vegetation (prepared by EDAW AECOM)

SITE HISTORY




A brief overview of the site's history (use and zoning) follows (this chronology addresses 126 Greville Street only). A series of historic aerial photographs is included at **Figures 6, 7 and 8**, showing the site conditions over the last 55 years.

Pre-1915	Privately owned farm/orchard. At this time there were no planning schemes in existence.
1915	Formed part of an army rifle range, owned by the Commonwealth Government.
1951	Continued to form part of the army rifle range. Designated as County Open Space – Proposed, under the Cumberland County Planning Scheme. An aerial photograph from 1951 shows that it was substantially clear of vegetation (Figure 6).
1970	Continued to form part of the army rifle range. Zoned Special Use – Defence, under Willoughby Planning Scheme Ordinance, 1970.
1985	By 1985, the site is substantially vegetated with bushland regrowth (Figure 7).
1986 - present	Construction of National Acoustic Laboratory and Ultrasonics Institute completed in 1986. The construction process included substantial clearing of vegetation between the main building and car park structure (Figure 8). Recent photographs of the building are included at Figure 9 . WLEP 1995 gazetted on 17 November 1995, zoning the site 5(a) Special Uses – Acoustic Laboratory.
25 March – 20 May 2010	Draft WLEP 2009 exhibited, showing the site in Zone SP2 – Infrastructure (Acoustic Laboratory).

1951



LEGEND

-  APPROXIMATE BOUNDARY OF N.A.L
-  FIRING RANGE - FIRING MOUNDS
-  DIRECTION OF FIRE

Reference: DLWC Aerial Photograph (enlarged), 1951.

Figure 6 - 1951 Aerial photograph of the site showing the former army rifle range on substantially cleared land

1985



Figure 7 - 1985 Aerial photograph of the site showing site conditions just before construction of the National Acoustic Laboratory and Ultrasonics Institute commenced

1986

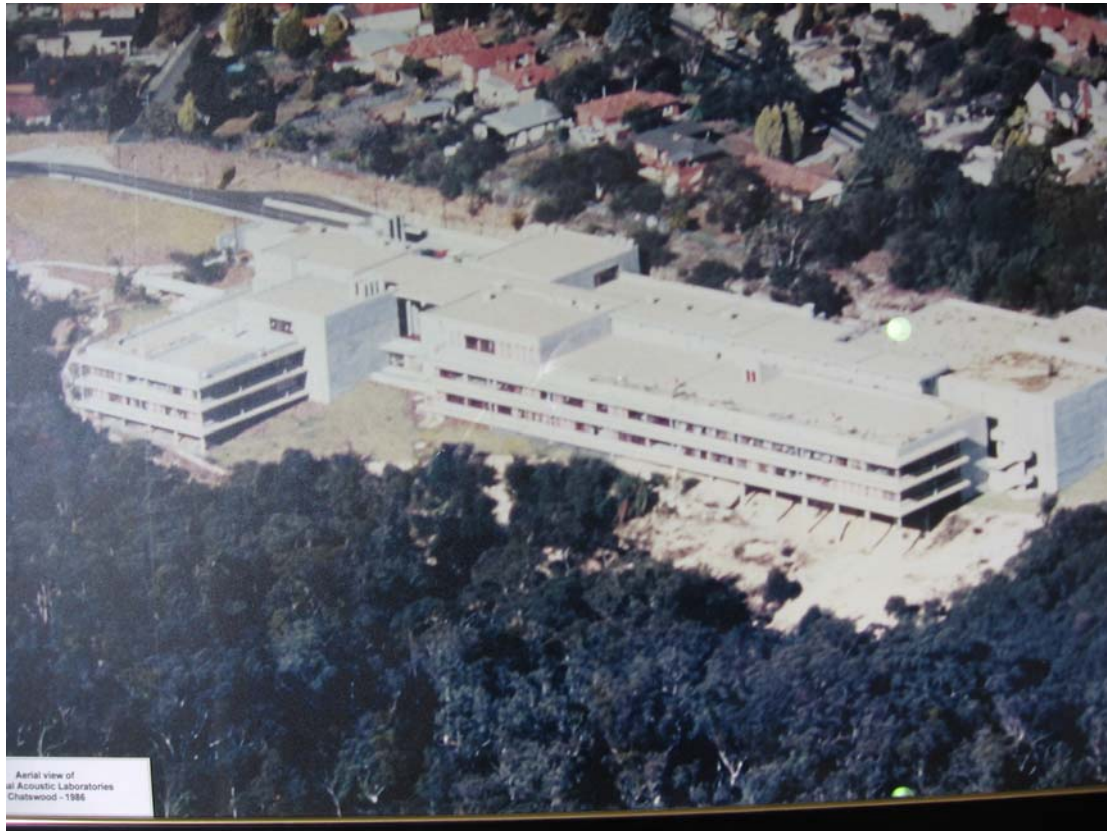


Figure 8 - 1986 Aerial photographs of the site showing the constructed National Acoustic Laboratory and Ultrasonics Institute and decked parking structure. The second photograph shows the extensive earthworks that occurred around the minor tributary of the Blue Gum Creek



Figure 9 – Photographs of the site

PART 1

OBJECTIVES AND INTENDED OUTCOME

The Planning Proposal relates to land that is predominantly occupied by a building specifically designed as an acoustic laboratory. The building is leased to Australian Hearing Services (**AHS**) (and several other tenants).

AHS is due to vacate the site on 31 May 2013 and is relocating to Macquarie University (evidence that stand alone locations such as the site do not meet contemporary employment expectations and that technology uses prefer to collocate with other compatible activities to create synergies and efficiencies).

With permitted uses on the site (under WLEP 1995) limited to an Acoustic Laboratory, there is no other occupant in Sydney (or perhaps even in Australia) that could use the site. The draft provisions under Draft WLEP 2009, as adopted by Council, would yield around 30 detached dwelling allotments on the 3.47ha site (which equates to around 8.6 dwellings per hectare). Given the site's proximity to transport and Chatswood Major Centre, this yield overlooks the urban consolidation opportunity offered by a residential rezoning of the site.

The objective and intended outcome of the Planning Proposal is to remedy this situation and to enable the construction of a medium density residential development at 126 Greville Street and part of 25 Millwood Avenue, Chatswood (except for a section of remnant bushland that adjoins Lane Cove National Park which is to be in Zone E2) with a pedestrian connection across the remainder of 25 Millwood Avenue.

PART 2 EXPLANATION OF PROVISIONS

This Planning Proposal addresses the following amendments to Draft WLEP 2009 (these provisions will take shape as the Planning Proposal progresses through the gateway and LEP approval process):

1. Amendment of the Land zoning map - sheet LZN_002 in accordance with the proposed zoning map (shown at Appendix J)

The proposed Land zoning map amendment shows the site in Zone R3 Medium Density (28,925m² of the site) and Zone E2 Environmental Conservation (5,775m² of the site).

Consistent with the proposed zoning boundary recommended by Council Officer's to the Council meeting of 17 November 2008 (**Appendix B**) and the draft zoning under Draft WLEP 2009, the remnant vegetation in the north-western corner of the site is to be in Zone E2.

2. Amendment of the Height of buildings map - sheet HOB_002 in accordance with the proposed Height of buildings map (shown at Appendix J)

The proposed Height of buildings map amendment shows the following heights:

- 13.5 metres along Greville Street
- 18 metres in the centre of the site
- 20 metres at the western corner of the site

3. Amendment of the Floor space ratio map - sheet FSR_002 in accordance with the proposed Floor space ratio map (shown at Appendix J)

The proposed Floor space ratio map amendment shows an FSR of 0.8:1 across the portion of the site in Zone R3 (the land in Zone R3 has a site area of 28,925m²). This equates to an FSR of 0.67:1 across the entire site (the entire site has an area of 34,700m²).

4. Amendment of the Special provisions area map - sheet SPA_002 in accordance with the proposed Special provisions area map (shown at Appendix J)

The proposed Special provisions area map amendment shows 126 Greville Street and 25 Millwood Avenue, Chatswood as Area 15 – Refer Cl. 7.16 (see point 5 below).

5. **Insert into Draft WLEP 2009 a new Clause 7.16 in Part 7 - Special Provisions that states the following:**

7.16 126 Greville Street and 25 Millwood Avenue, Chatswood

- (1) This clause applies to land in Willoughby that is in Area 15 on the Special Provisions Area Map.
- (2) Despite any other provision of this plan, development on 25 Millwood Avenue, Chatswood (Lot 138 DP 14799) may include pedestrian access from 126 Greville Street, Chatswood.
- (3) The consent authority may grant consent to development on land at 126 Greville Street, Chatswood that is in Area 15 on the Special Provisions Area map only if a Stage 2 Detailed investigation for contaminated land is prepared to the satisfaction of the consent authority.

The Planning Proposal described above was formulated following a detailed site analysis and design studies by Bates Smart and EDAW AECOM. It also responds to the recommendations of Council Officers (as detailed in various reports to Council included at **Appendix B**).

At this stage, the *Woodlands* design concept that could be accommodated if the Planning Proposal proceeds comprises the following. (These parameters provide an indication of the type of development that may occur on the site. The ultimate development proposal would be the subject of further approvals):

- Demolition of the existing car park and existing building
- Four, five and six storey buildings
- Approximately 220 apartments¹ (15% one bedroom, 50% two bedroom and 35% three bedroom)
- 23,140m² of GFA of which equates to a FRA of 0.8:1 over land in Zone R3
- 26% site cover (inclusive of buildings and access road but not including basements with landscaping above) compared with 33% existing site cover
- 25,595m² of landscaping (74% of the total site area) including retention and regeneration of the riparian corridor and remnant bushland
- Car parking (located within basements that are mostly underground), based upon the following Willoughby Development Control Plan (**WDCP**) requirements:
 - Studio/ 1 bedroom 1 space
 - 2 bedroom 1.2 spaces

¹ The *Woodlands* Design Report accompanying the May 2007 Rezoning Application suggested that the site could accommodate 230 apartments and a GFA of 24,290m² (which equates to an FSR of 0.85:1 across the land in proposed Zone R3). Further envelope analysis has showed that this should be reduced to 220 apartments and a GFA 23,140m² (0.8:1 across Zone R3).

- 3+ bedroom 1.5 spaces
- Visitor spaces 1 per 4 dwellings
- Vehicular access from Greville Street
- Potential public access to the regenerated creek corridor.

A plan of the *Woodlands* design concept (jointly prepared by Bates Smart and EDAW AECOM) follows at **Figure 10**. More details are provided in the Design Report.



Figure 10 - Woodlands design concept (prepared by Bates Smart and EDAW AECOM)

PART 3 JUSTIFICATION

This section sets out the reasons for the proposed development controls in the Planning Proposal. The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the Planning Proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

SECTION A - NEED FOR A PLANNING PROPOSAL

1. Is the Planning Proposal a result of any strategic study or report?

YES

The Planning Proposal is submitted following the preparation of the following Council Officer reports, external referrals and studies that assessed the site as suitable for residential development:

- a) Four Council Officer Reports on the rezoning application submitted to Council by the Toga/Barana to Council/Committee meetings of 3 December 2008, 17 November 2008, 14 July 2008 and 3 December 2007. Each of these reports recommends that the site be in part Zone R3 Medium Density and part Zone E2 Environmental Conservation Area (**Appendix B**).
- b) External Referrals from State agencies that support inclusion of the site in part Zone R3 Medium Density and part Zone E2 Environmental Conservation Area (**Appendix K**).
- c) *Residential Development*, background report (prepared by Council Officers) that provides background information to support Draft WLEP 2009 (**Appendix L**). This report recommends that the site be in Zone R3 Medium Density Residential (and part Zone E2), with the potential number of dwellings accommodated on the site being between 130 and 150.

It is noted that an additional 130 to 150 dwellings on the site, as suggested in this background report, would represent 9% to 11% of the new dwellings to be achieved from the rezoning of land in Willoughby (being 1,410 approx).

The Planning Proposal, which would provide for the site to accommodate around 220 dwellings, would provide even more new housing. A rezoning of the majority of the site to Zone R3 would therefore make a significant contribution towards achieving the Inner North Draft Subregional Strategy dwelling targets of 6,800 additional dwellings in Willoughby LGA between 2004 and 2031.

- d) The *Special Uses*, background report (prepared by Council Officers) that provides background information to support Draft WLEP 2009 (**Appendix M**). This report recommends that the site be in Zone R3 Medium Density Residential (and part Zone E2 Environmental Conservation).
- e) *Report on Greville Street/National Acoustic Laboratory Rezoning Workshop*, by Kerry Nash (16 October 2008) which notes at page 11 that residential use of the site is preferred by all parties (this report is included in the Officer's Report to the Council meeting of 17 November 2008 (**Appendix B**)).
- f) Rezoning Application (May 2007) by Robinson Urban Planning which is supported by the following expert reports:
- Bates Smart *Woodlands* Design Report
 - Identification Survey, by Whelans Land Information Consultants (dated 18 March 2003)
 - Transport Report, by Masson Wilson Twiney
 - Environmental Overview, by EDAW which includes:
 - Ecological Assessment, by Cumberland Ecology
 - Bushfire Protection Assessment, by Australian Bushfire Planners
 - Arborist Report, by Australian Tree Consultants
 - Aboriginal Heritage and Archaeological Assessment, by Total Earth Care
 - Preliminary Environmental Site Assessment, by Aargus
 - Market Analysis, by UrbisJHD
- (Council has a full copy of this report)
- g) Rezoning Application Addendum Report (October 2007) by Robinson Urban Planning which is supported by the following expert reports:
- Public Benefit Initiatives, by EDAW
 - Site Wide Environmental Initiatives for Investigation, by Cundall
 - Supplementary Transport Report, by Masson Wilson Twiney
 - Additional survey work, by Denny Linker & Co and Architectural Sections, by Bates Smart (Council has a full copy of this report)
- (Council has a full copy of this report)
- h) Officers Report to Special Council Meeting of 3 November 2010 recommending that the site be zoned (in part) for residential purposes.

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

YES

A Planning Proposal is the best means of achieving the intended outcome of providing medium density residential development on the site.

3. Is there a net community benefit?

YES

The Planning Proposal will deliver a net community benefit by:

- Providing new housing that:
 - Is located on a site that is within 1200m of the Chatswood Transport Interchange and less than 400m from the strategic bus corridor running along Fullers Road, promoting the use of public transport over private car.
 - Provides housing choice (style and number of bedrooms) in Willoughby LGA where there is a dominance of detached housing and high density residential housing in Chatswood Central Business District (**CBD**), Artarmon and St Leonards. As detailed in the Market Analysis by Urbis GHD (**Appendix N**), there is a lack of quality medium density housing in Willoughby LGA.
 - Assists older people to downsize their homes (in turn freeing up existing detached housing stock for families).
 - Assists younger people entering the property market.
 - Makes a meaningful contribution to Council's housing targets on a site that is no longer required for the purpose it is zoned.
- Remediating an existing land use inconsistency between the site and its residential neighbours.
- Providing economic activity as the introduction of a new residential population on the site will provide new customers for the existing Greville Street neighbourhood shops.
- Creating an opportunity to explore public benefits at the development application (**DA**) stage including preservation and extension of the riparian corridor, bush regeneration, public access to the site (formalised on the title), litter and stormwater quality treatment and extension of the Greville Street footpath (which presently terminates 20m west of the site).
- The payment of Section 94 contributions (at the DA stage) towards open space, recreation and community facilities, childcare etc.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

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

YES

The Planning Proposal is consistent with the objectives of the Sydney *Metropolitan Strategy*, the *Draft Inner North Subregional Strategy*, the *Metropolitan Strategy Review 2010* and *Metropolitan Transport Plan 2010*, as detailed below.

Metropolitan Strategy

The *Metropolitan Strategy* (2005) is a strategic document prepared by the Department of Planning that outlines a vision for Sydney over the next 25 years.

The site is located 11km from the Sydney CBD and some 1200m to the west of Chatswood CBD. Chatswood is nominated as a Major Centre in the *Metropolitan Strategy*. In 2001, Chatswood provided employment for 22,923 people. By 2031, the *Metropolitan Strategy* targets to increase Chatswood's employment to 28,000 (an increase of 22.2% between 2001 and 2031)².

The site also sits within the North Sydney to Macquarie Park corridor. This corridor is one of three significant corridors identified in *Metropolitan Strategy* (the other two corridors being Parramatta to City and City to Airport).

The *Metropolitan Strategy* sets out a framework to guide a broad range of local Council and State government agency decisions. Relevant housing and employment principles set out in *Metropolitan Strategy* are summarised below.

Housing

- On average, Sydney's population grows by about 780 people per week or around 40,000 people per year. The *Metropolitan Strategy* plans for a high growth scenario, which assumes average growth 10 to 15% higher than this average³.

² Department of Planning (1), *City of Cities, Metropolitan Strategy*, 2005, p. 95.

³ Department of Planning (1), p. 23.



Figure 11 - Metropolitan Strategy map showing the site's proximity to Chatswood, a nominated major centre



Figure 12 - Metropolitan Strategy showing the site's location within the North Sydney to Macquarie Park corridor

Housing *(continued)*

- Sydney's population is anticipated to grow by 1.1 million people between 2004 and 2031 (from 4.2 million to 5.3 million). To cater for this growth, Sydney will require 640,000 new homes. Even if Sydney has zero population growth, it would still require a further 190,000 new homes to respond to demographic changes where fewer people are living in each home⁴.
- The *Metropolitan Strategy* plans that 60-70% of Sydney's new housing (approximately 455,000 new dwellings) will be provided in existing urban areas focussed around centres and corridors. This will take advantage of existing services such as shops and public transport and reduce development pressure on other parts of Sydney⁵.
- The planning targets in the *Metropolitan Strategy*⁶ include 30,000 new dwellings for the Inner North sub-region (which comprises Willoughby, Lane Cove, North Sydney, Ryde, Hunters Hill and Mosman).
- There are less people living in each dwelling and there are an increasing number of single and couple households. The trend towards smaller households is partly driven by the aging of the population, which tends to result in more single or two person households.⁷

The site has very good access to public transport and other infrastructure. It is close to jobs in Chatswood (a Major Centre) and Macquarie Park (a Specialised Centre). It is also located on the North Sydney to Macquarie Park corridor. It is therefore ideally located to provide new dwellings within an existing urban area, implementing the City of Cities housing objectives.

Employment

- The *Metropolitan Strategy* seeks to concentrate employment, as a dispersed city with low concentrations of jobs would have high economic, social and environmental costs. By 2031, the majority of jobs are likely to be located in strategic centres or on employment lands, which will provide the basis for more sustainable, and targeted, infrastructure and transport planning⁸.

⁴ Department of Planning (2), *City of Cities, Metropolitan Strategy Overview*, 2005, p. 7.

⁵ Department of Planning (1), p. 134.

⁶ Department of Planning (2), p. 64.

⁷ Department of Planning (1), p. 122.

⁸ Department of Planning (1), p.39.

The site is located on the North Sydney to Macquarie Park Corridor, but is not in a Strategic Centre where employment is encouraged and is surrounded by parks and housing. Its continued use as employment lands is contrary to the City of Cities objective to concentrate employment. As detailed later, continued use of the site for employment uses is also undesirable in terms of traffic and transport.

Inner North Draft Subregional Strategy

The *Draft Inner North Draft Subregional Strategy* was released in July 2007. The Strategy has not been finalised.

One of the key directions for the Inner North is to “increase housing choice and create sustainable and liveable communities”. The draft Strategy confirms the *Metropolitan Strategy* goal of 30,000 additional dwellings for the Inner North Subregion by 2031 including a housing target of 6,800 additional dwellings in the Willoughby LGA.

Action C1.3.1 of the draft Strategy requires Inner North councils to plan for sufficient zoned land to accommodate their LGA housing targets through their principal LEPs. A significant majority of these dwellings are to be located in or adjoining centres.

As detailed in Council’s *Residential Development*, background report (**Appendix L**) new medium density housing on the site has been included in Council’s estimate of new dwellings contributing towards achieving Willoughby’s target of 6,800 additional dwellings between 2004 and 2031.

Metropolitan Strategy Review 2010

The *Metropolitan Strategy Review - Sydney Towards 2036 Discussion Paper* was released for public comment in March 2010. It notes that Sydney’s population is now forecast to be 5.7 million by 2031 and 6 million by 2036 (as noted above, the *Metropolitan Strategy* forecast a population of 5.3 million by 2031). The *Metropolitan Strategy Review* identifies and invites comment on various challenges including the following (using bold to highlight the challenges most relevant to this Planning Proposal):

- ***New housing needs to be available in a variety of forms. It must be affordable and supported by services.***
- *Long term changes to the climate could fundamentally affect Sydney and alter our way of life. We will need to reduce carbon emissions and prepare to adapt to warmer temperatures, higher sea levels and more frequent storms.*

- *The NSW and National economies depend on the success of Sydney's economy. We need to work to grow Sydney's economic value whilst responding to changing economic conditions and global competitors.*
- *The **integration of land use and transport promotes sustainable travel and productivity improvements**. We need to provide better transport connections for our growing city and **make the most of places with good accessibility**.*
- ***Reduced car reliance**, well designed and plentiful public spaces and streets that are friendly to pedestrians and cyclists, will contribute to healthier lifestyles.*
- *Land constraints give us the **opportunity to renew older neighbourhoods** to introduce new energy-efficient buildings and improve street design and layout. Land valuable for biodiversity, resources and food production on the city fringes will then be protected from unsustainable growth.*

The discussion paper relevantly states the following as certain elements of the *Metropolitan Strategy Review*:

- *We know we need an adequate supply of land and a mix of housing that meets housing demand. The Strategy will plan for a **further 770,000 apartments and houses by 2036** to cater for the projected population increase.*
- *The current Metropolitan Strategy plans for approximately **70% of housing to be in existing areas** and 30% in new release areas.*
- ***We need to increase the number of people who live within 30 minutes by public transport of a City, Major or Specialised Centre**. Most new housing will be within 150 metres to 1 km walking distance of Sydney's many centres and cities.*
- *We aim to locate 80% of new housing within walking distance of a centre to ensure most **new housing and jobs are located near public transport**.*
- *The transport projects included in the Metropolitan Transport Plan have a 10 year funding guarantee*

Consistent with these statements from the *Metropolitan Strategy Review*, the Planning Proposal provides for:

- Medium density housing in a LGA dominated by detached or high density housing. It therefore provides new housing and housing choice.
- Increased density in an existing area (rather than a new release areas on the city fringe).

- Medium density housing on a site that has excellent access to the strategic bus corridor along Fullers Road that links Chatswood Major Centre and Macquarie Park Specialised Centre, making the most of places with good accessibility and reducing car reliance
- Renewal of a site that is zoned for a soon to be redundant purpose

Metropolitan Transport Plan 2010

In March 2010, the NSW Government released the *Metropolitan Transport Plan* for comment. The Plan is a 25 year vision for land use planning in Sydney and a 10 year fully funded package of transport infrastructure to support it.

The *Metropolitan Transport Plan* notes that in the Inner North Subregion, there will be a need for 39,400 new dwellings between 2006 and 2036 (compared with the *Draft Inner North Draft Subregional Strategy* and *Metropolitan Strategy* goal of 30,000 additional dwellings by 2031).

The *Metropolitan Transport Plan* shows an existing strategic bus corridor along Fullers Road (a short walk of less than 400m from the Greville Street entry to the site) linking Chatswood Major Centre and Macquarie Park Specialised Centre. The site is also around 1200m from the Chatswood Transport Interchange. The *Metropolitan Transport Plan* (p. 15) unequivocally caters for growth in areas with good access to buses stating that:

Buses will provide effective services for areas not served by the rail network.

5. Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

YES

As detailed above, Council prepared *Residential Development* and *Special Uses* discussions papers in preparing Draft WLEP 2009 (enclosed as **Appendix M** and **N**). Both papers endorse medium density residential development on the site and the contribution it will make to realisation of the dwelling targets for Willoughby LGA (although the Planning Proposal suggests a greater number of dwellings).

6. Is the Planning Proposal consistent with applicable state environmental planning policies?

YES.

Table 1 considers the consistency of the Planning Proposal with applicable State Environmental Planning Policies (**SEPPs**) (showing the most recent policies at the top of the table). SEPPs that did not proceed or that have been repealed are not included in **Table 1**.

As of 1 July 2009, all existing Regional Environmental Plans (**REPs**) became deemed SEPPs. There are no deemed SEPPs applicable to the Planning Proposal.

7. Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Table 2 considers the consistency of the Planning Proposal with Ministerial Directions under s. 117 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

Table 1 – State Environmental Planning Policies (SEPPs)

SEPP title	Consistency
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Infrastructure) 2007	Consistent RTA referral required (RTA advised Council that it had no objection to Toga/Barana's May 2007 rezoning application (Appendix K)).
SEPP (Temporary Structures) 2007	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries	Not applicable
SEPP (Major Development) 2005	Not applicable
SEPP (Development on Kurnell Peninsula) 2005	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Consistent Future DAs to include BASIX certificates
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable
SEPP No. 71 - Coastal Protection	Not applicable
SEPP 70 - Affordable Housing (Revised Schemes)	Not applicable This SEPP applies to Willoughby LGA. Willoughby Draft WLEP 2009 clause 6.7 - Affordable housing provisions (local) relates to certain nominated sites. The Planning Proposal does not suggest application of clause 6.7 to the site.
SEPP No. 65 - Design Quality of Residential Flat Development	Consistent The <i>Woodlands</i> concept by Bates Smart (and future DAs) has been designed to comply with SEPP 65 and the Residential Flat Design Code. These documents will be important considerations at the DA stage.
SEPP No. 64 - Advertising and Signage	Not applicable
SEPP No. 62 - Sustainable Aquaculture	Not applicable
SEPP No. 60 - Exempt and Complying Development	Not applicable
SEPP No. 59 - Central Western Sydney Regional Open Space and Residential	Not applicable
SEPP No. 55 - Remediation of Land	Consistent The potential for contamination is low and from a contamination point of view, the site is suitable for

SEPP title	Consistency
	residential development. (Appendix F). The Planning Proposal includes a local provision requiring detailed site investigations at the DA stage.
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
SEPP No. 15 - Rural Land-Sharing Communities	Not applicable
SEPP No. 50 - Canal Estates	Not applicable
SEPP No. 53 - Metropolitan Residential Development	Not applicable
SEPP No. 49 - Tourism Accommodation in Private Homes (DRAFT)	Not applicable
SEPP No. 47 - Moore Park Showground	Not applicable
SEPP No. 44 - Koala Habitat Protection	Not applicable
SEPP No. 41 - Casino/Entertainment Complex	Not applicable
SEPP No. 39 - Spit Island Bird Habitat	Not applicable
SEPP No. 36 - Manufactured Home Estates	Not applicable
SEPP No. 21 - Caravan Parks	Not applicable
SEPP No. 33 - Hazardous and Offensive Development	Not applicable
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	Consistent The Planning Proposal promotes urban consolidation.
SEPP No. 30 - Intensive Agriculture	Not applicable
SEPP No. 29 - Western Sydney Recreation Area	Not applicable
SEPP No. 26 - Littoral Rainforests	Not applicable
SEPP No. 22 - Shops and Commercial Premises	Not applicable
SEPP No. 19 - Bushland in Urban Areas	Consistent The Planning Proposal proposes Zone E2 (5,775m ²) for remnant vegetation in the north-western corner of the site.
SEPP No. 14 - Coastal Wetlands	Not applicable
SEPP No. 10 - Retention of Low-Cost Rental Accommodation	Not applicable
SEPP No. 6 - Number of Storeys in a Building	Not applicable The Planning Proposal does not propose controls for number of storeys.
SEPP No. 4 - Development without Consent and Miscellaneous Complying Development	Not applicable
SEPP No. 1 - Development Standards	Not applicable SEPP 1 does not apply to land covered by Draft WLEP 2009.

Table 2 – Review of consistency with the Ministerial Directions for LEPs under s. 117 of the EP&A Act

Local Planning Directions title	Consistency of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Consistent. The Planning Proposal includes provisions that facilitate the protection and conservation of environmentally sensitive areas, specifically it proposes Zone E2 (5,775m ²) for remnant bushland on the site.
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent The Planning Proposal will (relevantly): <ul style="list-style-type: none"> – Broaden the choice of building types and locations available in the housing market – Make more efficient use of existing infrastructure and services – Reduce the consumption of land for housing and associated urban development on the urban fringe – Provide for housing that is well designed – Provide for housing on land that is serviced
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Consistent Zone R3 would permit the carrying out of low impact small scale businesses within dwellings on the site.
3.4 Integrating Land Use and Transport	Consistent The Planning Proposal gives effect to and is consistent with the aims, objectives and principles of: <ul style="list-style-type: none"> (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001) (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001) Relevantly, a bus stop on a strategic bus corridor linking Chatswood Major Centre and Macquarie Park Specialised Centre and serviced by Sydney Buses is located less than 400m south of the site on Fullers Rd.

Local Planning Directions title	Consistency of Planning Proposal
	<p>It is a direct walk of less than 5 minutes from the site. NSW Planning Guidelines for walking and cycling define a walkable catchment as 5 minutes or 400m. The Transport Reports (Appendix I) show the frequency of bus services. Additional bus services operate along the Pacific Highway and from Chatswood Station.</p> <p>Chatswood Transport Interchange, the ninth busiest on the CityRail network⁹. It is located approximately 1200m to the east of the site. This is well within the 1.5km or 5 minutes travel time considered convenient for cyclists in the NSW Planning guidelines for walking and cycling. It is also a reasonable walking distance (around 15 minutes) for many people and readily accessible from the site by Bus Route 545, 550 and 256.</p> <p>The site does not have the attributes that would make it “the right location” for offices. A draft LEP that enabled continued use of the site for offices (or some other trip generating development) would be inconsistent with the aims, objectives and principles of <i>Improving Transport Choice – guidelines for planning and development</i> and <i>The Right Place for Business and Services – Planning Policy</i>.</p>
3.5 Development Near Licensed Aerodromes	Not applicable
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Not applicable
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	Not applicable
4.4 Planning for Bushfire Protection	<p>Consistent</p> <p>The Planning Proposal is consistent with <i>Planning for Bushfire Protection 2006</i> and provides appropriate Asset Protections Zones (APZs), access, water supply etc as detail in the Bushfire Protection Assessment, by Australian Bushfire Planners (Appendix G). This has been confirmed in written advice from the Commissioner of the NSW RFS (Appendix K).</p>
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable

⁹ www.raillink.nsw.gov.au

Local Planning Directions title	Consistency of Planning Proposal
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	<p>Consistent</p> <p>The Planning Proposal does not include concurrence, consultation or referral provisions. The Planning Proposal does not identify any development as designated development.</p>
6.2 Reserving Land for Public Purposes	<p>Consistent</p> <p>Notably the site will not be required for the public purpose it is zoned by the existing LEP (ie acoustic laboratory).</p>
6.3 Site Specific Provisions	<p>Consistent</p> <p>The Planning Proposal does not contain any unnecessary restrictive planning controls for the site (the site specific special provision providing for pedestrian access over 25 Millwood Avenue and further investigations on site contamination at the DA stage is appropriate in the circumstances).</p> <p>In contrast, existing Zone 5(a) – Acoustic Laboratory (WLEP 1995) is use specific, site specific and inflexible.</p> <p>Draft WLEP 2009 sets out use specific provisions enabling adaptive reuse of the existing building and car park as residential flat buildings, office premises and laboratories. This site specific provision is somewhat redundant given that asset protection zones preclude retention and reuse of a large portion of the existing building. Market Analysis by Urbis JHD also shows that there is little demand for office space in remote locations (Appendix N).</p>
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	<p>Consistent</p> <p>The Planning Proposal is consistent with the <i>Metropolitan Strategy</i> and Draft <i>Subregional Strategy</i> as detailed at the beginning of Section B.</p>

SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

NO

As illustrated by aerial the photographs in at **Figures 6, 7 and 8**, the site was extensively cleared when the existing acoustic laboratory and parking structure was constructed in the mid 1980s. Therefore there is limited remnant vegetation on the site (remnant bushland on the site is limited to the north-western corner which is proposed to be in Zone E2).

As detailed in the Ecological Assessment by Cumberland Ecology (**Appendix D**), there are no endangered ecological communities (**EEC**) within the site. The Sydney Metro CMA Mapping has a small patch of vegetation in the northeast corner of the site mapped as the endangered ecological community Sydney Turpentine Ironbark Forest (**STIF**).

Cumberland Ecology inspection of this area indicates that the vegetation does not conform to the EEC but is better described as the map unit Coastal Shale-Sandstone Forest which is not listed under the *Threatened Species Conservation Act 1995 (TSC Act)* or the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. A small number of species characteristic of the STIF community are present within this area however the dominant old growth canopy species are not indicative of STIF or any vegetation community that grows on shale influenced soils. Closer analysis of the vegetation indicates that this vegetation is not EEC. Regardless of the actual identification of this community, this area of vegetation is to undergo minimal impacts as a result of the *Woodlands* design concept and will be maintained and improved under a site specific Vegetation Management Plan.

A small number of species listed as threatened under the TSC Act and EPBC Act may potentially utilise the vegetation within the site for foraging. These species are not considered likely to be impacted by the proposal. The best quality habitat for all of these species will be protected in the long-term by the proposed Zone E2. The watercourse within the site will be revegetated with locally endemic native species and will conform to an ecologically functioning local vegetation community. This vegetation will supply additional foraging habitat for all of these threatened species.

The species that have potential to forage across the site are also likely to forage across the entire locality including the better quality habitat within Lane Cove National Park. The site will be re-landscaped with local indigenous species

following construction and will therefore form appropriate foraging habitat for these species in the future.

Darwinia biflora, a listed vulnerable plant under the EPBC Act and TSC Act, has been recorded on the site within an existing and proposed APZ along the western side boundary. This species tends to have a preference for disturbed sites, such as that found in APZs, and it is considered that ongoing management of the area as an APZ will not detrimentally impact upon this species. A Vegetation Management Plan will be prepared for the site (at the DA stage) and will incorporate management recommendations to ensure the long-term survival of the species (including as barrier protection and appropriate APZ fuel load management techniques). It is not considered likely that the proposal would result in a significant impact on this species or its habitat.

The landscape plan in the Woodlands Design Report (and included in **Appendix O**) has been designed to acknowledge and respect the location of the *Darwinia biflora*.

Site survey work by Cumberland Ecology is ongoing (including spring and summer surveys at the end of 2010).

9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

YES, as detailed below.

Contamination

As detailed in AECOM advice at **Appendix F**.

AECOM Australia Pty Ltd (by letter dated 10 May 2010, included at **Appendix F**) conclude that the potential for contamination by past or present site activities is low. From a contamination point of view, the site is suitable for a variety of uses including residential. AECOM advise that any further contamination investigations should occur at the DA stage when the existing tenants have vacated the site. AECOM states (in part) (using our emphasis):

5.0 Conclusions

AECOM is of the opinion that the appropriate mechanism for ensuring SEPP 55 compliance is to undertake detailed environmental site investigations for 126 Greville Street Chatswood in association with the development application rather than rezoning process. Accordingly, the statement from Willoughby City Council that rezoning of the Site cannot be considered under SEPP 55 is incorrect.

This approach is consistent with the approach adopted throughout NSW and my use as an NSW EPA Accredited Site Auditor to complete Statutory Site Audits (an Audit with either a Planning and/or DA requirement). Such an approach would enable these works to be undertaken in conjunction with proposed demolition activities (following completion of current lease in 2013) to enable access to the overall property. This process would require an environmental consultant to undertake the proposed intrusive investigation and an independent NSW EPA Accredited Site Auditor to review and confirm the suitability of the Site for the proposed medium density residential land use to Willoughby City Council.

Should this Environmental Investigation Report identify contamination issues then a Remediation Action Plan (RAP) with a subsequent Validation Report prepared by the Consultant confirming completion of all remediation activities would be required to assist the Site Auditor with review of the suitability of the Site.

6.0 Timing

*In AECOM's experience, **these investigations and requirement for completion of a Statutory Site Audit typically is part of the Development Application** process with specific conditions within the DA to cover both the investigation and use of an accredited Site Auditor. This Development Application process would then make the Site Audit a statutory requirement*

This is the appropriate course of action, rather than prior to the rezoning of the Site, and was the course of action recommended by Willoughby City Council as recorded in the Report tabled by Council on 3 December 2007.

Subsequent occupation of the Site would not be allowed to proceed until the Auditor’s Site Audit Statement and supporting Report were concluded confirming the suitability of the Site for the proposed land use(s).

The applicant has additional information on site contamination which was included in their submission of Draft WLEP 2009 (**Appendix P**). This work was compiled as the exhibited version of Draft WLEP 2009 included the site in Zone SP2 – Infrastructure (Acoustic Laboratory) on the basis of a spurious suggestion that the site was contaminated. In response to the application’s objections, Council amended Draft WLEP as detailed in the Preliminaries to this Planning Proposal.

Traffic and car parking

The Transport Reports by Masson Wilson Twiney and Halcrow (**Appendix I**) conclude that the Planning Proposal would maintain or somewhat reduce traffic generation from the site and demand for on street parking. From a land use/transport planning perspective, the Transport Reports also conclude that a residential use of the site is preferred to an employment use. Important conclusions from the Transport Reports include the following:

- a) The *Woodlands* Design Concept (220 apartments) would generate less traffic than the existing use on the site (280 employees in October 2007), full occupation of the existing building (470 employees) or a mixed use redevelopment on the site (470 employees + 40 dwellings) as illustrated by **Table 3:**

Table 3 – Comparison of weekday AM and PM peak traffic generations

Use	AM Peak (veh/hr)	PM Peak (veh/hr)
Woodlands (220 apartments)	86	86
Existing use (280 employees)	101	84
Full occupation (470 employees)	170	156
Mixed use (470 employees + 40 dwellings)	186	156

- b) There is spare capacity at the intersections of Fullers Road and Greville Street, Davies Street and Mclean Avenue. The *Woodlands* Design Concept would maintain the existing level of service at all four intersections.
- c) A comparison of September 2007 and May 2010 traffic counts shows that:
 - There has been a slight decline in traffic on Fullers Road since September 2007
 - May 2010 traffic flows on Greville Street are similar to those surveyed in September 2007.
- d) Parking surveys established that at present about 60 vehicles generated by the site park on Greville and Wood Street. The Planning Proposal would remove the site's demand for on-street parking.

The RTA advised that it had no objection to Toga/Barana's May 2007 rezoning application (**Appendix K**). Council's Traffic Section advised in relation to that application that "the proposal appears satisfactory from a traffic and transport perspective".

Vehicular access

Whilst access arrangements are typically a DA consideration, Council officers previously recommended that the site be in Zone R3 and part Zone E2, predicated on the provision of a second vehicular access via Millwood Avenue (refer to Council Officer reports to meetings of 1 December and 17 November 2008, **Appendix B**).

The *Woodlands* design concept shows vehicular access from Greville Street only (generally in the location of the existing driveway), with pedestrian access to Millwood Avenue over 25 Millwood Avenue and emergency pedestrian/vehicular access to Range Street. The provision of one vehicular access driveway to Greville Street is reasonable for the following reasons:

- a) The RTA does not support access to Millwood Avenue (as documented in the Workshop Report, attached to the Officer's report to the meeting of 17 November 2008, **Appendix B**).
- b) Some residents do not support access to Millwood Avenue due to traffic safety concerns (as also documented in the Workshop Report).
- c) The significant change in grade from the site to Millwood Avenue complicates design solutions for any vehicular access to Millwood Avenue.



*Figure 13 - Massing study
(existing) (by Bates Smart)*



*Figure 14 - Massing study
(proposed) (by Bates Smart)*

Bulk and scale

The FSR and height development standards set out in this Planning Proposal were derived from a detailed site analysis completed by Bates Smart (contained in the *Woodlands* design report). The site analysis was based upon the following design principles:

- Respond to the site analysis including:
 - Maximise retention and protection of existing significant trees
 - Conservation and regeneration of existing riparian corridor
 - Protection of future residents from bushfire hazards
- Adopt UrbisJHD land use recommendations, implement *City of Cities* housing objectives and provide housing choice
- Set a new benchmark for quality medium density development in the area
- Develop an integrated landscape system (potentially accessible to the wider community) that responds directly to the natural beauty of the site
- Preserve, upgrade and extend the existing riparian forest corridor
- Maintain or reduce existing traffic and offsite parking generated by the site
- Incorporate vehicular and pedestrian movement systems within the site that extend and link into the wider existing pedestrian network
- Design and site new buildings to provide a neighbourly interface with surrounding properties – minimise overshadowing, overlooking, loss of views and provide a form that is consistent with the Greville Street streetscape.
- Potential public access to the regenerated creek corridor
- Provide a high level of residential amenity for future residents
- Promote ecologically sustainable development

Bates Smart has completed digital three-dimensional modeling of the site and its immediate surrounds to compare the massing of existing structures and *Woodlands* design concept (**Figures 13 and 14**). Aerial survey data was used to generate the terrain and envelopes of surrounding dwellings and structures. Roofs of surrounding buildings have been modeled as flat based on the eaves height on the survey for simplicity. The existing car park and acoustic laboratory were modeled off detailed survey information prepared for the site. An aerial photograph was 'mapped' onto the terrain model to define the location of existing vegetation and roads. Proposed building envelopes and levels are based on the *Woodlands* design concept.



LEGEND

- Existing fully structured vegetation
- Proposed fully structured vegetation
- Existing vegetation to be managed
- Proposed landscape treatment
- Existing building footprints
- Asset Protection Zone

'A' Class Trees

- Existing tree to be retained with class AA. Total number to be retained = 5
- Existing tree to be retained with class A1, A2, A3 and A4. Approximate number to be retained = 200
- Existing tree to be removed with any A classification that falls within 2 metres of building and construction works. Approximate number to be removed = 100

'Z' Class Trees

- Existing tree to be possibly retained with Z1, Z6, Z8, Z10 and Z11 category. Approximate number potentially to be retained = 80
- Existing tree to be removed with class Z2, Z3, Z4, Z5, Z7, Z9, Z12 and those with any Z class that falls within 2 metres of building and construction works. Approximate number to be removed = 220

NOTES:

1. Refer to Arborist Report, May 2007 for further detail. Report prepared by Australian Tree Consultants.
2. This drawing provides an indication of trees likely to be retained and removed based upon their proximity to construction works. Final numbers will be determined as part of the detail design process.
3. Some tree symbols represent more than a single tree.

Project: 126 Greville Street, West Chatswood
 Client: Barana Group
 Drawing: Trees to be retained/removed

EDAW | AECOM

126 Greville Street, West Chatswood NSW 1595
 1 800 624 624
 Project No: 080525
 Drawing: SK09 D
 Date: 10/12/10

Vegetated Areas - Indication of existing trees likely to be retained/removed

'Woodlands' Medium Density Residential Development

Barana Group

Figure 15 – Tree retention/removal plan (prepared by EDAW AECOM)

The images show that the existing laboratory building and car park structure have a bulk, scale and footprint that is totally out of context with the adjoining detached housing.

In comparison, *Woodlands* is broken into a series of four to six storey pavilions.

Four storey buildings at the eastern end of the site, within the footprint of the existing car park structure, address Greville Street. They have a minimum setback of 9m from the front and side boundaries and a scale and siting that integrates into the existing streetscape. A new pedestrian entry to the site aligns with Woods Street.

Buildings within the footprint of the existing laboratory structure are broken into separate pavilions to reduce scale and maximise outlook for adjoining (and future) residents. North of the new internal access road, two levels of apartments are provided within a podium that has a landscaped roof providing green foreground to views from buildings to the south. The pavilion buildings above have three storeys (five storeys in total). South of the new internal access road, the pavilion buildings are five and six storeys. The taller buildings are located in the low south-western corner of the site, where there are no adjoining residential properties.

APZs define part of the northern, the western and part of the southern side boundary setbacks. A setback of 9m is proposed for the Greville Street front boundary and other side boundaries (adjoining residential properties).

Site sections in the *Woodlands* design report show the relationship of the design concept with nearby residential development.

Existing trees

Australian Tree Consultants Pty Ltd has prepared an Arborist Report on the site (**Appendix E**). The investigation identified and surveyed 601 trees. The north-western remnant bushland area was not surveyed (as it is considered in detail by Cumberland Ecology). The Arborist Report identified five Category 'AA' trees north-eastern corner of the site that will be retained. As illustrated by the plan of vegetated areas, by EDAW AECOM (**Figure 15**), many other trees over the site will be retained as part of the *Woodlands* design concept and those trees which may require removal are mostly Category "Z" trees.

A detailed assessment identifying which of these trees are to be retained will be undertaken as part of the DA process.

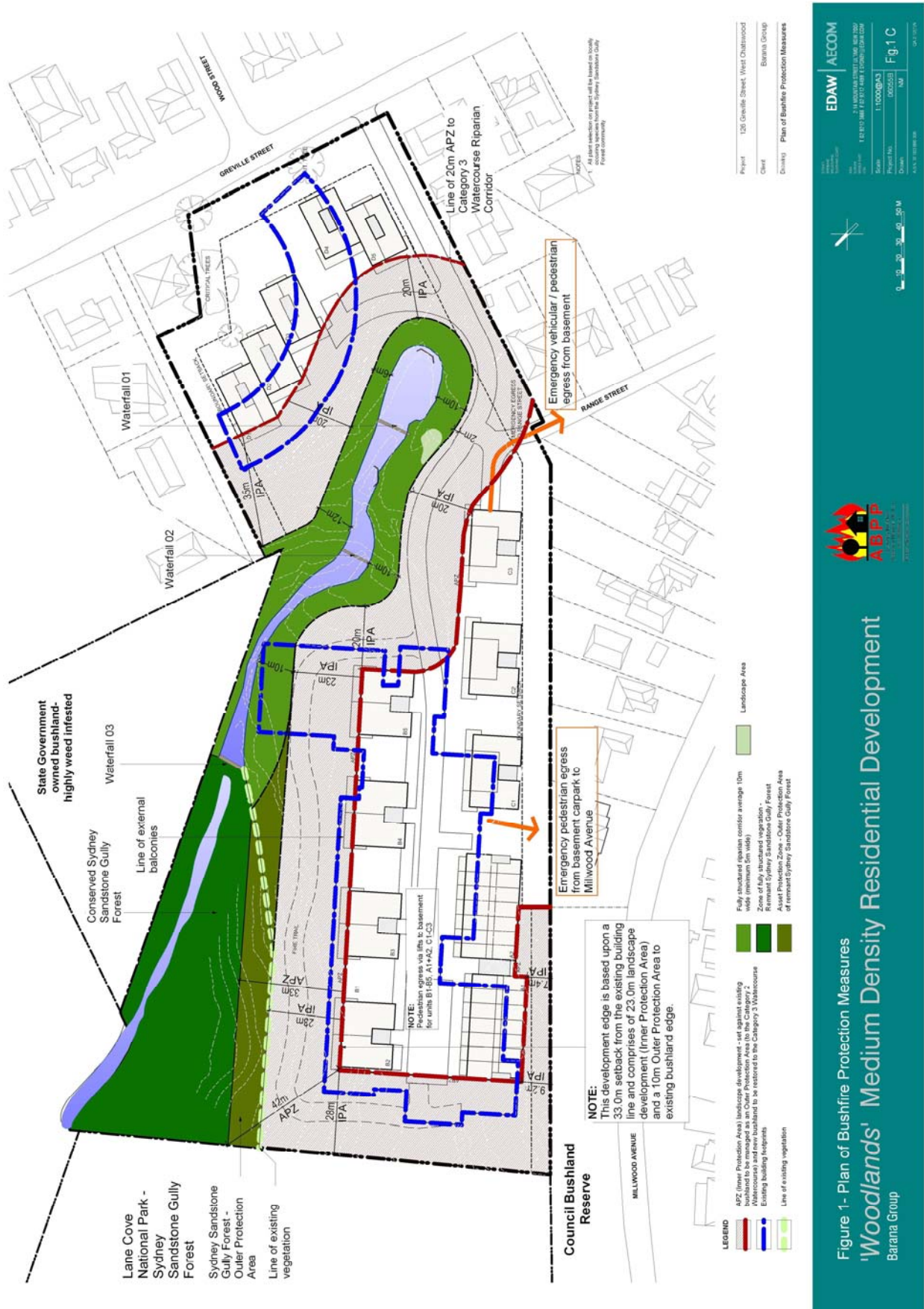


Figure 16 – Plan of bushfire protection measures (prepared by ABP and EDWA AECOM)

Bushfire

The Bushfire Prone Land Map to WLEP 1995 shows that the Greville Street frontage of the site is not bushfire affected, that the western and north-eastern boundaries of the site are identified as Bushfire Prone Vegetation Category 1 (High risk) and that the remainder of the site is a Buffer (100m) around the Category 1 vegetation.

Open space to the north, the National Park to the west and the strip of Council owned open space to the south are also identified as Bushfire Prone Vegetation Category 1. The adjoining residential properties to the south and some to the east are within a Buffer (100m) around the Category 1 vegetation.

Figure 16 illustrates the bushfire constraints affecting the site. As set out in the Bushfire Protection Assessment, by Australian Bushfire Planners (**Appendix G**):

- a) The applicant (and Council) consulted with the RFS and the RFS advised Council that it had no objection to May 2007 rezoning application
- b) The *Woodlands* design concept is consistent with Planning for *Bushfire Protection – 2006*, which replaces *Planning for Bushfire Protection 2001*
- c) The *Woodlands* design concept incorporates appropriate APZs
- d) The *Woodlands* design concept provides appropriate access roads, pedestrian exists (via Millwood Ave, Range Street and Greville Street), a fire trail, has access to adequate water supply for firefighting purposes, minimises the perimeter of the area of land interfacing the bushfire hazard and the Bushfire Protection Assessment suggests controls on the placement of combustible materials in the Inner Protection Area.

Aboriginal heritage and archaeology

Total Earth Care has prepared an Aboriginal Heritage and Archaeological Assessment of the site (and beyond) (**Appendix H**). The report concludes that there are no Aboriginal cultural heritage items or places that are likely to be affected by the proposal and that the site has no heritage constraints.

Adaptive reuse of the existing buildings

Toga/Barana's first Rezoning Submission to Council (in May 2006) included a design concept that retained and reused part of the existing building on the site. This concept was rejected by the RFS as a large portion of the retained structure would have breached the APZs. Additionally, Urbis JHD concluded that there is very limited demand for office space in remote locations. Given this, the special provision in Draft WLEP 2009 that provided for adaptive re-use

of the existing building and car park as a residential flat building, office premises or laboratory are futile.

Environment

The Environmental Overview, by EDAW AECOM (**Appendix O**), concludes as follows (note that some of the EDAW AECOM initiatives will be appropriately considered at the DA stage):

Woodlands provides environmentally sound outcomes for the site, and a significant improvement over the current conditions, as follows:

- *Conservation of:*
 - *The majority of the SSGF remnant within the north-west corner of the site and bush management of the bushfire buffer (OPA) edge,*
 - *The remnant trees to the north-east corner of the site that were considered by the consultant arborist to be significant*
 - *much of the remnant bushland along the south-west boundary of the site*
- *Creation of new habitat in the form of:*
 - *Fully structured riparian and riparian buffer communities to the upper part of the site*
 - *A pool and riffle sequence to the upper part of the watercourse designed for specific aquatic organisms, e.g. yabbies*
 - *Landscape development to the remainder of the site focussing on specific habitat for ecologically desirable species*
- *High percentage use of locally endemic species within the development, including:*
 - *100% locally endemic species of local provenance within the high value habitat creation areas, and*
 - *High percentage use of locally endemic species of local provenance within the supplementary habitat creation areas*
- *Integrated management of the above with periodic bushfire fuel hazard reduction measures, facilitated by means of a Bushfire / Landscape Management Plan*
- *Maintenance of existing stormwater run-off quality utilising a range of sensitively implemented WSUD techniques, with an objective to improve upon this outcome*
- *Collection of litter conveyed via the stormwater system from the entire catchment of the site, thereby preventing its entry into the Lane Cove National Park, and if technically feasible, the upgrading of this system to full GPT's that will collect fines in addition to litter, and thereby reduce pollutant loads into downstream waters*

- *Preparation of a Domestic Animal Management Plan to ensure that appropriate safeguards are put in place with regard to resident ownership and management of pets*
- *Creation of a development that:*
 - *Effectively integrates medium density residential development within an environmentally sensitive perimeter and downstream catchment, and*
 - *Provides a level of environmental values within the development site not seen since its initial development as a rifle range over half a century ago.*

10. Has the Planning Proposal adequately addressed any social and economic effects?

YES

The Planning Proposal offers the following positive social and economic effects:

- **Construction jobs** - Increased employment in the building industry during the construction stages jobs.
- **Increased expenditure** - A new residential customer base for the nearby Greville Street neighbourhood shops.
- **Income for Council** – Any future development consent would be subject to a condition requiring the payment of a Section 94 contribution and the future owners would provide increased rate revenue for Council.
- **Other community benefits** – The Planning Proposal provides an opportunity to explore other public benefits (in a Voluntary Planning Agreement) at the DA stage including preservation and extension of the riparian corridor, bush regeneration, public access to the site (formalised on the title), litter and stormwater quality treatment and extension of the Greville Street footpath (which presently terminates 20m west of the site).
- **On-site management** – The Planning Proposal provides for a form of residential development that is conducive to community title or strata subdivision ensuring that on-going maintenance obligations are met (in relation to vegetation, water quality and bushfire management).
- **Land use suitability** – The existing Acoustic Laboratory is inconsistent with the neighbouring uses in form and function. The Planning Proposal to permit medium density residential development will remedy this inconsistency. Continued use as employment lands is also contrary to the objective to concentrate employment in strategic centres or on employment lands, as set out in government strategies and Ministerial Direction 3.4 and 6.3.

- **Increased housing in Willoughby** – New housing on a large site with limited interface with established residential areas, will contribute to Council's dwelling targets set out in the *Metropolitan Strategy* and *Draft subregional strategy* (as increased for the subregion by the *Metropolitan Transport Plan*). By providing a high amenity alternative to detached housing, the proposal supports aging in place, enabling older people to maintain existing family and social networks in Willoughby LGA. This in turn frees up existing detached housing stock for families.
- **Increased housing choice** - By providing an opportunity for new well designed medium density housing (a form of accommodation not common in Willoughby LGA), the Planning Proposal promotes diversity in housing choice for an aging and changing population, close to employment, services and transport. To assist determination of the most appropriate land use option (and residential housing style) for the site, a Market Demand Study has been completed by UrbisJHD (**Appendix N**).
- **Public access to the site** - Redevelopment of the site will include pedestrian access to the preserved and regenerated riparian corridor (via formal rights on way).
- **Bush and riparian corridor regeneration** - Regeneration of the remnant vegetation in the north-west corner of the site (being the land in proposed Zone E2) and regeneration of the currently degraded riparian corridor will benefit the community.
- **A responsible approach to the site's opportunities and constraints** – A comprehensive and careful site analysis of site conditions preceded preparation of the *Woodlands* design concept. This analysis considered existing conditions on and around the site and included specialist assessments on traffic and transport, ecology, bushfire protection, existing trees, Aboriginal heritage and archaeological and contamination.
- **Environmental sustainability** – The Planning Proposal will provide an opportunity to development medium density housing that achieves a superior standard of energy efficiency, water sensitive urban design and landscape restoration. The location and massing of new buildings has also been carefully considered to avoid negative impacts on the adjoining National Park and residential neighbours.
- **Demonstration site** – A large redevelopment site within Sydney's existing urban area provides substantial potential for Council (as well as the NSW Government and nearby Councils) to demonstrate application of best practice local, regional and state planning policy (in particular SEPP 65 and BASIX).
- **No loss of employment** - The Planning Proposal will not result in any net loss of employment as the existing uses (notably AHS) are relocating to other more suitable employment locations in the Inner North Subregion.

SECTION D – STATE AND COMMONWEALTH INTERESTS

11. Is there adequate public infrastructure for the Planning Proposal?

YES

Existing utility services to the site will be adequate to accommodate the new residential development provided for in the Planning Proposal (subject to augmentation considered in detail at the DA and construction stages). The applicant would also be required to make a Section 94 contribution prior to the commencement of construction to fund additional open space and community facilities to meet any increased demands of the new resident population.

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

The following State agencies were consulted by Council in 2007 and 2008 and confirmed that they had no objection to Toga/Barana's May 2007 rezoning application (copies of the written referrals are at **Appendix K**):

- NSW Rural Fire Service
- Sydney Regional Development Advisory Committee of the Roads and Traffic Authority
- Department of Environment and Conservation (now Department of Environment, Climate Change and Water)
- Department of Natural Resources (now divided into the Department of Water and Energy and Department of Environment, Climate Change and Water)
- Energy Australia

Notably, the previous rezoning application proposed slightly more dwellings and GFA compared with this Planning Proposal (230 dwellings compared with 220 dwellings now proposed and 24,290m² of GFA compared with 23,140m² now proposed).

AHS is a Statutory Authority under the Commonwealth Department of Human Services. AHS will vacate the site by 31 May 2013.

Further agency consultation would occur as the Planning Proposal proceeds through the gateway process.

PART 4

COMMUNITY CONSULTATION

This Planning Proposal does not fall within the definition of a low impact proposal as set out in the Department of Planning's *Guide to Preparing Local Environmental Plans*. Therefore the Planning Proposal will be exhibited for a period of 28 days and would be notified:

- in a newspaper that circulates in Willoughby LGA
- on the web-site of Willoughby Council
- in writing to adjoining landowners