



Planning Proposal to allow for a mixed use development at 654-659 Pacific Highway, 658-666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood.

Proposal Title :	Planning Proposal to allow for a mixed use development at 654-659 Pacific Highway, 658-666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood.		
Proposal Summary :	The planning proposal seeks to allow for the redevelopment of a consolidated site for the purpose of a mixed use development by increasing height and floor space ratio.		
PP Number :	PP_2014_WILLO_003_00	Dop File No :	14/000000

Proposal Details

Date Planning Proposal Received :	04-Jul-2014	LGA covered :	Willoughby
Region :	Metro(CBD)	RPA :	Willoughby City Council
State Electorate :	WILLOUGHBY	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	654-659 Pacific Highway		
Suburb :	Chatswood	City :	Sydney
Land Parcel :	Lot 1 DP 1068007	Postcode :	2067
Street :	658-666 Pacific Highway		
Suburb :	Chatswood	City :	Sydney
Land Parcel :	Lot 1 DP 121830	Postcode :	2067
Street :	1 Freeman Road		
Suburb :	Chatswood	City :	Sydney
Land Parcel :	Lot 1 DP 839309	Postcode :	2067
Street :	2A Oliver Road		
Suburb :	Chatswood	City :	Sydney
Land Parcel :	Lot 2 DP 839309	Postcode :	2067

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DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Craig O'Brien**
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DoP Project Manager Contact Details

Contact Name :
Contact Number : **0000000000**
Contact Email :

Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings (where relevant) : 18
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government Lobbyists Code of
Conduct has been
complied with : **Yes**

If No, comment :

Have there been meetings or
communications with
registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The site is a corner site of 2,856m2 on Oliver Road, Pacific Highway and Freeman Road. The site is comprised of existing commercial/retail uses. The site is surrounded by medium to high density residential development. With additional low rise commercial development located to the north and north-east of the site. The site is proposed to be consolidated into a single development site.**

At a meeting of 10 June 2014, Council considered the planning proposal and amended concept prepared by Ingham Planning on behalf of the landowner and resolved to support the planning proposal proceeding to Gateway.

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The proposal seeks to amend the WLEP 2012 to include redevelopment incentives for the site, encouraging site consolidation. This will result in a larger developable area capable of accommodating a higher density mixed use development within the existing B5 Business Development zone.

The proposed incentives will allow for an increase in FSR from 2:1 to 3.2:1 and an increase in the maximum building height from 18 metres to 24 metres (8 storeys) with a development area of 2,000sqm created through the consolidation of existing allotments, as envisaged in the Willoughby Development Control Plan.

A consolidation incentives clause permitting additional height and floor space will ultimately provide a large site in the Chatswood CBD that can be redeveloped to its full potential based on a satisfactory amended urban design concept.

To clearly establish the expected form of redevelopment on the site, a draft Willoughby Development Control Plan Site Specific Requirements Part E3.4 has been prepared to be exhibited with the planning proposal.

Council has requested delegation to carry out the Minister's function under section 59 of the EP&A Act 1979 to progress this planning proposal.

The Department supports the planning proposal proceeding to Gateway determination as it will positively contribute to increasing commercial floor space, employment and housing choice within a well located and serviced centre.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives adequately describes the intention of the planning proposal to amend the Willoughby Local Environmental Plan 2012.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions adequately addresses the intended changes to Willoughby Local Environmental Plan 2012.**

The proposal seeks to amend the Plan, as follows:

- 1. Amend the Height of Buildings Map to identify the site as 'Area 4' and to increase the existing height increase for the site to RL 137.8 for Tower A and RL 128.8 for Tower B.**
- 2. Insert sub clause 4.3A(9) Height of Buildings:**
The height of a building on land at 654 — 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, that is identified as 'Area 4' on the Height of Buildings Map must not exceed 18 metres except:
 - a) Where the site area exceeds 2,400 square metres, the height must not exceed the height shown on the Height of Buildings Map.**
- 3. Amend the Floor Space Ratio Map to identify the consolidated site as 'Area 15'.**
- 4. Insert sub clause 4.4A(20) Exceptions to Floor Space Ratio:**
(20) The maximum floor space ratio for a building on land identified as 'Area 15' on the Floor Space Ratio Map may exceed 2:1, if:
 - a) the site area exceeds 2,400 square metres;**

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- b) the floor space ratio will not exceed 3:1; and
c) the floor space ratio of any shop top housing will not exceed 2.14:1.

5. Identify the land Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 DP 839309 and Lot 2 DP 839309, known as 654-666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, as 'Area 3' on the Special Provisions Area Map for the purposes of affordable housing in accordance with clause 6.8.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

**1.1 Business and Industrial Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 55—Remediation of Land
SEPP No 65—Design Quality of Residential Flat Development
SEPP (Building Sustainability Index: BASIX) 2004**

e) List any other matters that need to be considered :

There were no unresolved inconsistencies with section 117 Directions.

**State Environmental Planning Policy 55 - Remediation of Contaminated Lands
The proponent has noted that the potential for existence of contaminated soils is unlikely. However, there may be some potential asbestos hazard arising from demolition of existing buildings. To satisfactorily address this concern a contamination assessment will be required at development assessment stage.**

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment :

The planning proposal does not include sufficient mapping.

Prior to public exhibition, the planning proposal should be amended to:

- identify the map sheets from Willoughby LEP 2012 which are to be amended;**
- include maps showing the existing special areas provisions, height and FSR for the consolidated site; and**
- include maps showing the proposed special areas provisions, height and FSR for the consolidated site.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council proposes a 28 day exhibition period.

Council proposes to exhibit the planning proposal along with the following documentation:

- 1) the proposed draft amendments to the Willoughby Local Environmental Plan 2012;**
- 3) the proposed draft amendments to the Willoughby Development Control Plan for site specific controls; and**
- 4) a draft Voluntary Planning Agreement.**

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Project Timeline:

The planning proposal contains an estimated project timeline for completion by April 2015.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

The planning proposal provides adequate information for the following:

1. objectives and intended outcomes
2. explanation of the provisions
3. justification for the proposal
4. community consultation
5. project time line

Delegation of plan making functions is considered to be appropriate in this instance.

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The Willoughby Local Environmental Plan 2012 was made on 31 January 2013.

Assessment Criteria

Need for planning
proposal :

The planning proposal is an outcome of a detailed site analysis which considered redevelopment advantages of a larger site and the implications of existing controls.

The proposal underpins Council's overall vision of concentrating higher density development within the Chatswood City Centre in order to retain the character of the surrounding low density housing areas.

Consistency with
strategic planning
framework :

The planning proposal is consistent with the goals and actions of the Willoughby City Strategy 2012-2025. By providing additional commercial floor space, employment and housing choice.

The planning proposal is consistent with the objectives of the draft Metropolitan Strategy for Sydney 2031 and the draft Inner North Sub Regional Strategy by providing commercial development and housing on a large consolidated site within an established urban area with direct access to public transport and services.

A consolidation incentives clause permitting additional height and floor space will allow large sites within Chatswood CBD to be redeveloped to their full potential.

Environmental social
economic impacts :

Council identifies the site as being free of development hazards such as flooding, bush fire, land contamination, acid sulphate soils, land slip and mine subsidence.

Acoustic impacts

The site is not exposed to rail noise due to the separation distance from the railway corridor and the noise dampening effect of intervening buildings.

The site is however located within close proximity to a major road (Pacific Highway) and therefore in a noisy environment. An independent analysis has identified that increased density on site will not have an adverse noise impact on neighbouring development.

Increased residential yield will be located within the proposed additional two storeys which will be less exposed to traffic noise compared to the lower floor levels. To satisfactorily address this concern acoustic assessment will be required at development assessment stage.

Transport impacts

The transport study provided by the proponent has considered the development scheme, comprising of commercial, retail and residential elements, and has concluded that:

- 1) there will be no adverse traffic implications from proposal;
- 2) parking can be provided to comply with Council's DCP requirements; and
- 3) the proposed vehicle access, circulation and servicing arrangements will be suitable and appropriate.

Shadow impacts

Shadow diagrams (based on an indicative concept plan) illustrate the extent of increased mid-winter shadow cast beyond the site boundaries is relatively minor and predominantly confined to the period before 10 am and after 2pm.

In addition, the proposed 2 to 5 additional storeys do not cast any additional shadows to any of the apartments or their adjoining private open space.

Privacy impacts

The proponent concludes that development of the site at the higher density will not result in adverse privacy impacts on neighbouring residential development. The site is separated from neighbouring development on three sides and will have no privacy impacts on apartment buildings located to the north or south of the site.

View and Visual Impacts

The proponent states that the increase in density and building height does not adversely impact on any existing significant views or outlooks.

Heritage impacts

There are no heritage items on or adjoining the site.

The planning proposal is considered to be an effective way of achieving the objectives of transitional use, economic viability, consolidation, enhanced urban design, retention of reasonable amenity, and providing affordable housing.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Transport for NSW Transport for NSW - Roads and Maritime Services		

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
1 - Letter from Council.pdf	Proposal Covering Letter	Yes
2 - Planning Proposal Application Form.pdf	Proposal Covering Letter	Yes
3 - Planning Proposal (Original Dec 2013).pdf	Proposal	Yes
3 - Planning Proposal Appendix (Original Dec 2013).pdf	Proposal	Yes
4 - Planning Proposal (Amended May 2014).pdf	Proposal	Yes
5 - Council Resolution and Report.pdf	Determination Document	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :

It is recommended that the planning proposal proceed subject to the following conditions:

- 1. The planning proposal be exhibited for a minimum of 28 days;**
- 2. The planning proposal be completed within 9 months of the Gateway Determination;**
- 3. Prior to undertaking exhibition, maps are to be prepared that illustrate the existing and proposed special areas provisions, height of building and floor space ratio for the consolidated site;**
- 4. External consultation is undertaken with Transport for NSW and Roads and Maritime Services;**
- 5. A public hearing is not required to be held.**

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Supporting Reasons :

The Department supports the planning proposal as it will positively contribute to job numbers and housing choice within a well located and serviced Centre, and seeks to better utilise the site by encouraging consolidation of lots.

It is considered appropriate that the proposal proceed, and that it be exhibited for public comment.

Signature:



Printed Name:

TIM ARCHER

Date:

15 / 7 / 14