

Agenda Report

Meeting Date: 10 June 2014

- **Agenda Report** - double-click to view report.
 - **Resolved Items Action Statement** - add a Note informing the Action undertaken as per the Council Decision or Resolution Under Delegated Authority.
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PLANNING PROPOSAL FOR 654 - 656 PACIFIC HIGHWAY, 658 - 666 PACIFIC HIGHWAY, 2A OLIVER ROAD AND 1 FREEMAN ROAD, CHATSWOOD

ATTACHMENTS:

- 1. AERIAL PHOTO OF SITE AND LOCALITY**
- 2. AMENDED CONCEPT PLAN**
- 3. LETTER OF OFFER FOR VOLUNTARY PLANNING AGREEMENT**
- 4. DRAFT WILLOUGHBY DEVELOPMENT CONTROL PLAN AMENDMENT**

RESPONSIBLE OFFICER: LINDA MCCLURE - STRATEGIC PLANNING MANAGER

AUTHOR: CRAIG O'BRIEN - STRATEGIC PLANNER

CITY STRATEGY LINK: 3.1.1 PLAN FOR HOUSING CHOICE

MEETING DATE: 2 JUNE 2014

Purpose of Report

This report reviews a Planning Proposal submitted by Ingham Planning on behalf of Daraki Holdings for the block of land at 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, being Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 DP 839309 and Lot 2 DP 839309.

RESOLUTION

That:

- 1. Council support for public exhibition:**
 - a) the Planning Proposal for 654 – 656 Pacific Highway, 658 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood.**
 - b) the proposed draft amendments to Willoughby Local Environmental Plan 2012 as discussed in the report.**
 - c) the proposed draft amendments to Willoughby Development Control Plan for specific controls for the site as discussed in this report.**
 - d) a draft Voluntary Planning Agreement consistent with the letter of offer.**
- 2) The Planning Proposal be forwarded to Planning and Infrastructure seeking a Gateway Determination for public exhibition under Section 56 of the Environmental Planning and Assessment Act 1979.**

- 3) **The Planning Proposal, draft amendments to Willoughby Development Control Plan and the draft Voluntary Planning Agreement be exhibited at the same time.**
- 4) **Council advise the Department of Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams, is nominated to be the delegate to process and finalise the Planning Proposal.**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Rutherford, Sloane, Stevens and Wright.

Against: Councillors Saville, Rozos and Norton

9.2 PLANNING PROPOSAL FOR 654 - 656 PACIFIC HIGHWAY, 658 - 666 PACIFIC HIGHWAY, 2A OLIVER ROAD AND 1 FREEMAN ROAD, CHATSWOOD

ATTACHMENTS:	1. AERIAL PHOTO OF SITE AND LOCALITY 2. AMENDED CONCEPT PLAN 3. LETTER OF OFFER FOR VOLUNTARY PLANNING AGREEMENT 4. DRAFT WILLOUGHBY DEVELOPMENT CONTROL PLAN AMENDMENT
RESPONSIBLE OFFICER:	LINDA MCCLURE - STRATEGIC PLANNING MANAGER
AUTHOR:	CRAIG O'BRIEN - STRATEGIC PLANNER
CITY STRATEGY LINK:	3.1.1 PLAN FOR HOUSING CHOICE
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Purpose of Report

This report reviews a Planning Proposal submitted by Ingham Planning on behalf of Daraki Holdings for the block of land at 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, being Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 DP 839309 and Lot 2 DP 839309.

In summary, the Planning Proposal proposes demolition of all existing buildings and construction of a mixed use development with basement parking, a Lower Ground Level and Ground Level of retail / office premises and Podium Level, above which two residential towers are constructed. The proposed Amended Concept shows Tower A located towards the Pacific Highway / Oliver Road corner, with a height of 10 storeys and Tower B located towards the Pacific Highway / Freeman Road corner, with a height of 7 storeys.

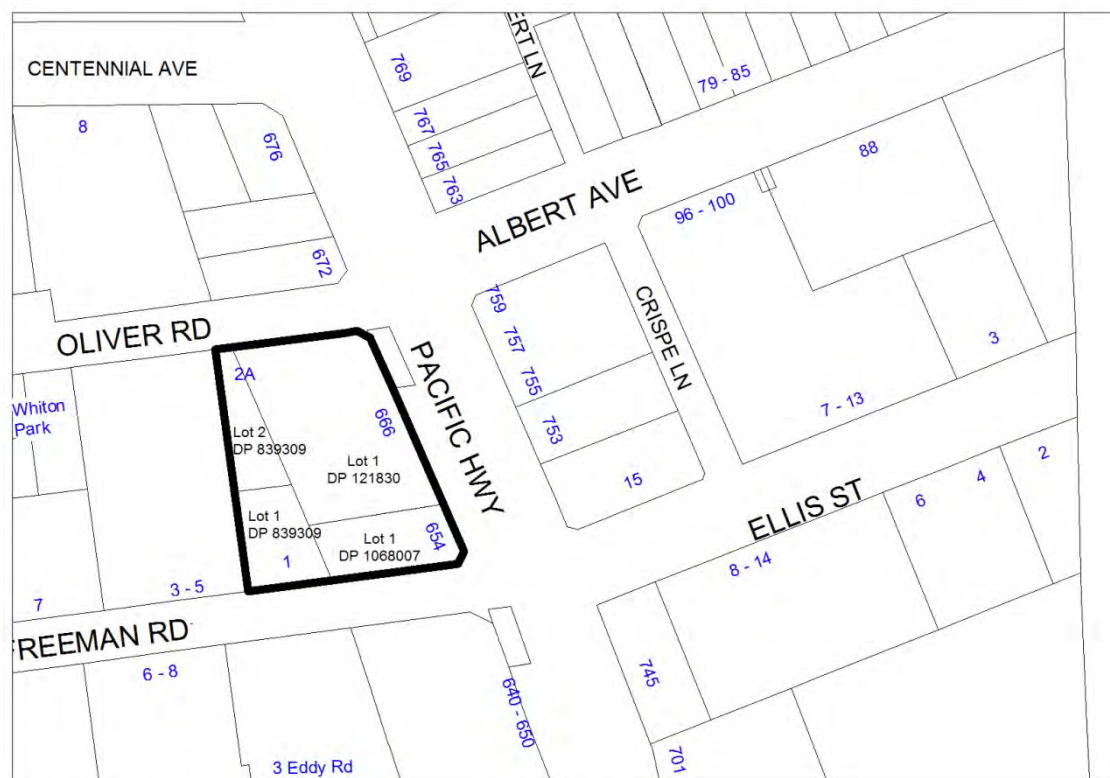
The proposal is to retain the existing B5 Business Development zone, with an increase in height and floor space ratio for the site and the provision of affordable housing.

The Planning Proposal is accompanied by a letter of offer regarding a Voluntary Planning Agreement (VPA) for the applicant to provide local road widening in Freeman and Oliver Roads. The site is also affected by existing Roads and Maritime Services road widening along the Pacific Highway.

This report outlines the proposal and recommends support for public exhibition of the Planning Proposal, appropriate draft amendments to Willoughby Local Environmental Plan 2012 and Willoughby Development Control Plan and a draft VPA to also be publicly exhibited.

Site and Context

The site has a total area of 2,856m² and is located on the western side of the Pacific Highway, on the southern edge of the Chatswood CBD, approximately 350m walking distance to Chatswood Railway Station.



Refer to Attachment 1 for an aerial photo of the site and locality.

The subject land has three road frontages being 57.93 metres to the Pacific Highway, 35.745 metres to Oliver Road, 52.789 metres to Freeman Road (excluding splays), and a 60.964 metre long rear western boundary.

The eastern portion of the site, fronting the Pacific Highway, contains commercial uses. At the corner of Pacific Highway and Freeman Road (known as 654 Pacific Highway) is a single storey commercial building used for the sale of fireplaces. Further to the north, extending towards Oliver Road is a part one, part two storey commercial building used for display and sale of tiles (known as 666 Pacific Highway). A car park for this business is located at the corner of Pacific Highway and Oliver Road.

The western rear portion of the site contains two single detached brick and tile dwellings and associated car ports. The northern dwelling is known as 2A Oliver Road and the southern dwelling is known as 1 Freeman Road.

The front portion of the site has a generally gentle slope from the northeast corner to the south west corner. The rear residential portion of the site has more pronounced slope down from the Oliver Road frontage to the southwest corner.

The height of surrounding properties is as follows:

- To the north at 676 Pacific Highway is a 2/3 storey commercial property on the opposite side of Oliver Road, which measures RL 113.4.
- To the south at 640-650 Pacific Highway is a 5/7 storey residential flat building, on the opposite side of Freeman Road, which measures RL 119.
- To the east at 755-759 Pacific Highway is a 9 storey residential flat building on the opposite side of the Pacific Highway, which measures RL 129.10.

- At 15 Ellis Street and 753 Pacific Highway are 3 storey older style residential flat buildings.
- To the west at 3-5 Freeman Road is a 6/7 storey residential flat building sharing a boundary with the subject land, which measures RL 120.66.
- To the south west at 3 Eddy Road is a 5/6 storey residential flat building.

Under WLEP 2012, the majority of the site is zoned B5 Business Development (2,608.2m²). A narrow corridor of land 4 metres wide along the Pacific Highway frontage of the site (247.8m²) is zoned SP2 Infrastructure and is identified on the Land Reservation Acquisition Map as Classified (SP2) for future road widening by Roads and Maritime Services (RMS).

Office premises, shop top housing and certain retail premises such as bulky goods premises, garden centres, hardware and building supplies and vehicle sales or hire premises are permitted in the B5 zone.

Under the WLEP 2012 Height of Building Map and Floor Space Ratio Map, the subject land is identified as having a maximum building height of 18 metres (5/6 storeys) and maximum floor space ratio of 2:1. The adjacent residential flat building site immediately to the west has a height of 23/26 metres (6/7 storeys).

Planning Proposal

In accordance with the Department of Planning and Infrastructure (DOPI) 'A Guide to preparing Planning Proposals' (October 2012), there have been a number of pre and post lodgement meetings between the proponent and Council Officers.

The amended concept is intended to illustrate how the site could be suitably developed at the proposed additional density and building height within parameters proposed by Council Officers to ensure consideration of neighbouring properties, the immediate locality, the position of the site as a Gateway to the Chatswood CBD and the future occupants of the redeveloped site.

(a) Description

The amended concept proposes the following redevelopment of the site:

- Demolition of all existing buildings
- Construction of a mixed use development with basement car parking and loading dock areas; a Lower Ground Level and Ground Level containing commercial floor space; and Podium Level upon which are constructed two residential towers (A and B).
- Tower A located towards the Pacific Highway / Oliver Road corner, with a height of 10 storeys above Podium Level (being RL 137.8 including the height of the balustrade around the roof garden)
- Tower B located towards the Pacific Highway / Freeman Road corner, with a height of 7 storeys above Podium Level (being RL 128.8 including the height of the balustrade around the roof garden).
- A Floor Space Ratio of 3.05:1 (including the affordable housing component) and 2.96:1 (not including the affordable housing component).
- A 12 metre wide landscape area on the Podium Level between Tower A and Tower B.
- The two residential towers will contain approximately 62 residential units, being 38 in Tower A and 24 in Tower B.

- 4% of residential floor space will be affordable housing units to be dedicated to Council, which are provided in the form of 3 x 2 bedroom units totalling 234m² and located on Level 2 of Tower B.
- 4 metre wide road widening by RMS along Pacific Highway frontage.
- 4 metre wide local road widening along Oliver Road.
- 1 metre wide local road widening along Freeman Road.
- All vehicle access to be via Freeman Road.
- Vehicle in / out access points as follows:
 - a) To the Lower Ground Level for loading and unloading purposes, and garbage truck access.
 - b) To the Basement Levels 1, 2, 3 and 4 for commercial, residential and visitor car parking.
- 140 car spaces, being 65 for residential units, 17 for residential related visitors and 58 based on commercial floor space.
- 6 metre wide deep landscaping setback along western / rear boundary.

The documentation lodged with the Planning Proposal includes a report prepared by Ingham Planning containing an amended concept, SEPP 65 Residential Flat Design Code and WDCP Compliance Tables, a floor space schedule and shadow diagrams prepared by MGA Architects, and a Traffic Impact Statement prepared by Transport and Traffic Planning Associates. Refer to Attachment 2 for the amended concept plan.

A letter of offer for a Voluntary Planning Agreement has also been lodged with regard to the local road widening. Refer to Attachment 3.

The Planning Proposal acknowledges that the site will be included in Council's affordable housing requirements under Clause 6.8 of WLEP 2012.

The Planning Proposal would require amendments to Willoughby Local Environmental Plan 2012 to allow:

- an increase in height of buildings and floor space ratio for the site to enable the site to be redeveloped up to a maximum building height of RL 137.8 at the top of the 1 metre high balustrade around roof garden for Tower A and RL128.8 at the top of the 1 metre high balustrade around the roof garden for Tower B;
- a maximum FSR of 2.96:1 (which excludes affordable housing) and;
- inclusion of the site as an affordable housing site under Clause 6.8 of WLEP 2012.

The Planning Proposal does not seek any change to existing zonings covering the site or the B5 zone permitted land uses.

(b) Floor space

The B5 zoned section of the site (2,608.2m²) has a permitted FSR maximum under WLEP 2012 of 2:1 (5,216.4m²). The existing site is characterised by:

- 654 Pacific Highway – A commercial building with an approximate floor space of 400m² and a FSR of 0.76:1.
- 666 Pacific Highway – A commercial building with an approximate floor space of 1000m² and a FSR of 0.63:1.
- 2A Oliver Road - A dwelling with an approximate FSR of 120m² and a FSR of 0.38:1.
- 1 Freeman Road - A dwelling with an approximate floor space of 160m² and a FSR of 0.36:1.

The Planning Proposal seeks a total floor space ratio of 2.96:1 (excluding affordable housing) on the B5 zoned section of the site, which excludes the SP2 Infrastructure zoned section of the site along the Pacific Highway frontage identified for Roads and Maritime Services road widening (247.8m²). This results in a total gross floor space of 7,944.45m², of which 600m² on the Lower Ground Floor and 1,679m² on the Ground Floor is proposed to be commercial and the remaining 5,571.05m² to be residential. A common room for the residential component of 94m² has also been provided.

The Planning Proposal involves shop top housing, which is defined in WLEP 2012 as “one or more dwellings located above ground floor retail or business premises.” In regard to the proposed division of floor space, the proponent has stated that “due to the relative low returns currently available for commercial floor space fronting the Pacific Highway, the provision of a larger proportion of residential floor space enhances the viability of the project.” Notwithstanding the division of floor space in the Planning Proposal, the commercial floor space on the site is being increased from the existing 1230 m².

Under the current WLEP 2012 floor space ratio of 2:1, the proponent has suggested that a residential gross floor area of 3,500m² is achievable, resulting in approximately 44 units. The Planning Proposal seeks a residential gross floor space of 5,571.05m² and approximately 62 units.

The proponent has argued that the increase in floor space above the WLEP 2012 standard as shown in the Amended Concept both optimizes efficient redevelopment of this site as well as makes the project economically viable. The proponent states that:

“If the site is redeveloped in accordance with the existing development controls ... without incentives to encourage site amalgamation, the outcome is two development sites, each of around 1,300m² Amalgamating all 4 existing allotments enables a larger building to be efficiently constructed on the site, which more appropriately reflects the intrinsic development potential of the site.”

In consideration of the Planning Proposal, Council Officers have examined the potential benefits from a consolidated site in the manner proposed in the Amended Concept in this location. These benefits include:

- The orderly and efficient development of land on the edge of the Chatswood CBD and within close proximity to transport options such as Chatswood Railway Station.
- The creation of a 2,200m² modern commercial floor space including parking on the site which is consistent with Chatswood as a major centre for business premises and employment.
- The creation of additional housing close to the Chatswood CBD (62 units instead of the achievable 44 units under the current controls).
- The elimination of vehicle access to and from the site directly via the Pacific Highway, with all access to be via Freeman Road.
- In addition to road widening on the Pacific Highway, further road widening on Oliver and Freeman Roads which will improve traffic movement for the CBD.
- Affordable housing – 3 x 2 bedroom units have been identified by the proponent.
- Site amalgamation and urban design that addresses the potential impacts on neighbouring properties and the significance of the site at the southern Gateway to the Chatswood CBD.

The potential impacts from the increased floor space from 2:1 to 3:1 are discussed below in this report.

If the Planning Proposal is supported, the increase in development potential is to be addressed in WLEP 2012 through clauses requiring site consolidation and a minimum commercial floor space.

(c) Height and setbacks

The B5 zoned section of the site is characterized by existing buildings of 1 and 2 storeys and has a permitted height maximum under WLEP 2012 of 18m.

The Planning Proposal was originally submitted with a concept involving one long bulky building of 7 storeys (maximum height of RL 124.12, and RL 127.12 including the lift overrun), presenting approximately 45m wide to the Pacific Highway, with setbacks provided to the Freeman Road boundary. This concept was considered to be unsatisfactory by Council Officers in regards the building form, setbacks to the residential properties to the west (3-5 Freeman Road) and south (640-650 Pacific Highway and 3 Eddy Road), as well as the visual presentation to the east (Pacific Highway).

As noted previously in this report, a number of meetings have been held between Council Officers and the proponent in working towards amendments to the concept and a satisfactory development outcome. The Amended Concept at Attachment 2 involves two separated towers above the Podium Level, and seeks a height of RL 137.8 (including the 1 metre balustrade around the roof garden) for Tower A (10 storeys above Podium Level) and RL 128.8 (including the 1 metre balustrade around the roof garden) for Tower B (7 storeys above Podium Level). The two towers are separated by a 12m wide landscaped setback.

Tower A is located towards the north eastern corner of the site, close to the Oliver Road / Pacific Highway intersection. The building setbacks to the proposed new site boundary (with 4m dedicated to Council for road widening) along Oliver Road are minimal, reflecting the commercial neighbour opposite (672 Pacific Highway, presently occupied by a two storey motor showroom, with a height maximum under WLEP 2012 of 18m). The Tower A setbacks to the west reflect the residential nature and height of the neighbouring property at 3-5 Freeman Road and have regard to the Willoughby Development Control Plan Part E1.4 'Setbacks.' In summary, the building steps down towards the rear of the site.

Tower B is located along the southern side of the site, with setbacks to both the south and west reflecting the residential character and height of the neighbouring development at 640-650 Pacific Highway, 3 Eddy Road and 3-5 Freeman Road respectively. In summary, the Tower B building steps down towards the rear and Freeman Road boundaries of the site.

The distance between the two towers at the Podium level and upper levels has been based on compliance with State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65), with the intended outcome being privacy and solar access between on-site dwelling units and to neighbouring properties. The proposed amendments to WDCP discussed below in this report provide the setbacks and stepping required to ensure these outcomes in a future development application.

(d) Shadow Impacts

Shadow diagrams have been prepared by MGA Architects for the site between 9am and 3pm on 22 June (mid-winter), illustrating the shadow impact of a 'complying' development envelope under current WLEP 2012 controls (FSR 2:1 and building height of 18m) compared with a development envelope at higher height as envisaged in the Planning Proposal. Shadows are also shown for the existing houses / development on the site. The diagrams are part of the amended concept at Attachment 2.

The shadow impacts of the FSR and height increase requested under the Planning Proposal are as follows:

- 9am Shadows beyond complying development fall on a small section of the front of the residential flat buildings at 3-5 Freeman Road and a portion of the front yard of 3 Eddy Road. Additional shadows also fall on the front section of the residential flat buildings at 6-8 and 10 Freeman Road.
- 10am Shadows beyond complying development fall on a small portion of the front yards at 3-5 Freeman Road, 6-8 Freeman Road, 3 Eddy Road and 640-650 Pacific Highway. 10 Freeman Road is no longer impacted by the Planning Proposal at this time.
- 11am Shadows beyond complying development fall on a small portion of the front yards at 3-5 Freeman Road and 640-650 Pacific Highway, as well as a larger portion of the front yard at 3 Eddy Road. The western corner of the building at 640-650 Pacific Highway (being the building on the site facing Freeman Road) is affected, involved corner balconies. 6-8 Freeman Road is no longer impacted by the Planning Proposal at this time.
- 12pm Shadows beyond complying development fall on the eastern side of the front yard and the front portion of the residential flat building at 3 Eddy Road (including front courtyards), and a portion of the front section of the residential flat building at 640-650 Pacific Highway which involves a number of balconies (being the building on the site facing Freeman Road). 3 – 5 Freeman Road is no longer impacted by the Planning Proposal at this time.
- 1pm Shadows beyond complying development fall on a small portion of the front yard at 3 Eddy Road and more of the front section of the building at 640-650 Pacific Highway (being the building on the site facing Freeman Road).
- 2pm Shadows beyond complying development fall on a smaller portion of the front yard at 3 Eddy Road (no longer any courtyards), and more of 640-650 Pacific Highway (being all of the building on the site facing Freeman Road, a portion of the yard behind and a portion of the building on the site facing the Pacific Highway including some balconies).
- 3pm Shadows beyond complying development fall on all of the building at 640-650 Pacific Highway facing Freeman Road and part of the building on the site facing the Pacific Highway. 3 Eddy Road is no longer impacted by the Planning Proposal at this time.

Shadow impacts have been assessed with regard to Willoughby Development Control Plan Part E 'Specific Controls for Commercial and Shop Top Housing Development' of Council's Development Control Plan, and in particular E1.10 Solar Access and Overshadowing which provides intent, performance criteria and controls.

Performance Criteria 1 states:

"Minimise the degree of overshadowing of adjacent buildings or open space by using measures such as variation to wall setbacks, roof form and building height and significant public areas."

Control 2 states:

"The north facing windows of living areas and the principal portion of the recreational open space of adjoining residential buildings should have at least 3 hours of sunlight between 9am and 3pm on June 22. Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%."

The following points are made regarding shadow impacts:

- The property most impacted by the Planning Proposal in regards shadows is to the south at 640-650 Pacific Highway.
 - This property was already significantly impacted by the permitted WLEP 2012 height and FSR due to its location to the south.
 - This property is unaffected at 9am. At 10am a small section of the front yard is impacted. At 11am more of the front yard, as well as the corner unit balconies of the building facing Freeman Road, are impacted. Between 12pm and 3pm the impact increases, so that all of the building facing Freeman Road, a portion of the yard behind and a portion of the building facing the Pacific Highway including some balconies are affected.
 - The proposed increase in FSR and height does prevent the corner balconies of the building facing Freeman Road from achieving a full 3 hours of solar access. These balconies achieve approximately 2 hours of solar access between 9am and 11am and none for the remainder of the day. Therefore in this instance, WDCP Part E1.10 Solar Access and Overshadowing Control 2 above is not strictly satisfied.
- A complying development would result in 3 hour solar access for the 640-650 Pacific Highway. However consideration of any redevelopment on this site should involve all issues not just the overshadowing issue. A complying development would result in an 18 metre high by 55 metre wide bulky building as seen from the Pacific Highway and properties to the west. It is considered that this outcome would have adverse impacts on the streetscape of the Pacific Highway and the role of the site as a 'Gateway to Chatswood,' as well as the amenity of properties to the west. Furthermore a site specific solution should be sought that adequately reflects Chatswood's role as a regional centre and city that encourage modern design and optimal outcomes. It is considered reasonable and appropriate in this instance to examine options and solutions for this site that adequately address all relevant issues.
- In discussion of the Planning Proposal between Council Officers and the proponent, consideration has been given to heights, setbacks and building location to minimize the shadow impacts on properties to the south, and in particular 640-650 Pacific Highway. The Amended Concept involves the taller of the proposed two towers being located on the Oliver Road (opposite) side of the site, closer to commercial neighbouring properties, and maximising distance to the residential properties to the south. It should also be noted that Tower B (the lower tower and the closest tower to Freeman Road) contains a setback at Level 5, resulting in Levels 5, 6 and 7 being 8 metres from the existing site boundary.
- The subject site is located on the fringe of the Chatswood CBD, where significant surrounding building heights and density exist (or will exist in the future), within close proximity of major transport nodes and other services. Overshadowing in such urban environments should attempt to maximise solar access to neighbouring properties in accordance with the WDCP however there may be justifiable examples where this is not achieved. It is considered that the overshadowing impact is reasonable in this instance.
- Overshadowing from the Planning Proposal affects the western portion of the front yard of 3 Eddy Road until 11am, the mid portion between 11am and 12pm and the eastern portion in the early afternoon. After 12pm, the western portion, which includes the pool, receives 3 hours of sunlight from 12pm to 3pm. The eastern portion is increasingly impacted up until 11am, when front courtyards are affected, however

by 2pm the impact is minimal and limited to landscaped area. The front courtyards receive approximately 3 hours of solar access over the course of the day, however not in a 3 hour block.

- The point is also made that the Amended Concept allows solar access to more units making up the proposed redevelopment than a complying development.

(e) Views

Whilst the existing development on site is one / two storeys in height, a new development across the site to the existing WLEP 2012 permitted height of 18 metres would block any views from the residential flat building to the west at 3-5 Freeman Road. The proposed increase in density and building height therefore does not change the impact of the planning controls on any existing significant views or outlook from this building.

Notwithstanding the above, Council Officers have considered the issue of view impacts and requested design solutions to the Concept to achieve a visual break in the development which would reduce the solid building mass to allow views through the site. The solution involving a landscape break at the Podium level (resulting in a 12 metres separation between Tower A and Tower B) is considered an appropriate outcome.

(f) Privacy

A 6m wide deep soil zone is provided along the western boundary to accommodate screen planting comprising trees and large shrubs. At upper levels privacy is further enhanced by increased building setbacks on Towers A and B to the three neighbouring boundaries at 3-5 Freeman Road.

A landscape plan will be required at development application stage in the draft WDCP site specific requirements, in particular detailing the species and heights at maturity of the screen planting along the western boundary as well as street tree planting along the Pacific Highway.

Subject to the above, it is considered that any privacy impacts are reasonable in an area of high density residential living and can be mitigated to some extent by detailed building design (siting of living rooms, balconies and windows) and landscaping.

(g) Acoustic

With regard to the impact of the proposed development on neighbouring properties, the proponent concludes that:

"Development of the site at the higher density proposed, will not result in adverse noise impacts on neighbouring residential development. The site is separated from neighbouring residential development on 3 sides by public roads."

When considering the Concept Design, Council Officers have requested amendments to ensure setbacks to the western boundary that minimise acoustic (and privacy) impacts.

The subject site is affected by noise due to the adjoining Pacific Highway, with regard to which the proponent concludes that:

"An acoustic assessment would be provided with any future DA and recommended noise attenuation measures incorporated into construction plans."

It is considered that acoustic impacts on the redevelopment of the site are able to be addressed at development application stage.

(h) Traffic and parking

The Planning Proposal is accompanied by a Traffic and Parking Assessment Report prepared by Transport and Traffic Planning Associates assessing the traffic and parking requirements and impacts arising from development of the site at the proposed increased density.

With regard to traffic and parking, the Amended Concept involves:

- Roads and Maritime Services (RMS) road widening of 4 metres along the Pacific Highway frontage, as shown on the WLEP 2012 Land Reservation Acquisition Map.
- Local road widening of 4 metres along Oliver Road and 1 metre along Freeman Road, being the subject of a draft Voluntary Planning Agreement with Council.
- Removal of existing vehicle access points on the site directly to and from the Pacific Highway.
- Provision of two vehicle in / out access points via Freeman Road:
 - a) Firstly, to the Lower Ground Level, being solely for loading and unloading purposes, and garbage truck access.
 - b) Secondly, to the Basement 1 Level, being for commercial, residential and visitor car parking.
- Four Basement levels containing two levels of commercial car parking and two levels of residential and visitor car parking.
- On entering the car parking access point from Freeman Road:
 - a) Commercial car parking is accessed by turning right after approximately 11 metres into Basement Level 1. Internal access is provided between Basement Levels 1 and 2, keeping commercial car parking separate from residential and visitor car parking.
 - b) Residential and visitor car parking is accessed by continuing down a ramp to Basement Levels 3 and 4. Internal access is provided between Basement Levels 3 and 4, keeping residential and visitor car parking separate from commercial car parking.

The abovementioned Traffic and Parking Assessment Report concludes:

- There will be no adverse traffic implications.
 - The development outcome under the proposed FSR 3.05:1 will result in some 5 vehicle trips per hour (vtp/h) additional to that generated by the existing control of FSR 2:1 and 9 additional to the current development on site in the morning peak and 9 and 18 respectively in the afternoon peak.
- Parking will comply with WDCP.
- There is adequate provision for vehicle access, circulation and servicing arrangements.

The Planning proposal is satisfactory with regards to the WDCP car parking requirements.

The Planning Proposal was referred to Council's Traffic Section at both pre and post Planning Proposal submission stages.

Council Traffic Officers advised that the two local road widenings proposed in the Planning Proposal were required based on the following:

1. *"A 4m setback along the Oliver Road frontage of the site to allow for the possible future provision of two-way access along Oliver Road. This, in turn with changing the intersection at Centennial Avenue and Pacific Highway to left in/left out only would improve the efficiency of the Pacific Highway/Centennial Avenue and Pacific Highway/Albert Avenue intersections.*
2. *A 1m wide land dedication along the Freeman Road frontage for possible future road widening as the extra road width would allow on-street parking for several cars along the southern kerb of Freeman Road opposite the development.*

The extra width would also improve access to and from the driveways for the proposed development, in particular garbage trucks and delivery vehicles."

Council's Traffic Officers advise in relation to the Amended Planning Proposal that many of the issues previously raised with the original Planning Proposal have been addressed, including the provision of setbacks for future road widening on Pacific Highway, Oliver Road and Freeman Road, as well as separate (second) driveway access for service and delivery vehicles resolving the potential conflict between heavy vehicles, and vehicles accessing the residential / commercial car park.

Council Traffic Officers do raise some concerns relating to the amended proposal's internal layout within the redevelopment. In particular potential vehicle conflict points, internal aisle widths, lack of detail on ramp curves, width of certain car spaces and some car spaces having to be identified as 'small car spaces.' These concerns may result in the deletion of some car spaces, however it is noted that the Planning Proposal involves 9 car spaces more than the WDCP requirement of 131 car spaces.

It is considered that these design details and where relevant compliance with Australian Standards can be addressed at development application stage.

A draft Voluntary Planning Agreement will be exhibited with the Planning Proposal to facilitate the dedication to Council of the land for local road widening.

The RMS have advised that the road widening for the site along the Pacific Highway, as shown on the WLEP 2012 Land Reservation Acquisition Map, is required. Council's Traffic Section have also advised that it supports the RMS road widening on the Pacific Highway. The RMS will be notified in any future exhibition of the Planning Proposal.

(i) Heritage Impacts

There are no heritage items on or adjoining the site.

The nearest heritage items are the Old Fire Station at 767 Pacific Highway, a distance of approximately 50 metres, and Chatswood Primary School located at the corner of the Pacific Highway and Centennial Avenue, a distance of approximately 80 metres.

It is considered that given the separation distances, as well as the existing high rise context on the eastern side and permitted development height for the western side of the Pacific Highway, the Planning Proposal will have no impact on these heritage items.

(j) Social Issues

The provision of additional apartments in a similar form to that envisaged in the existing WLEP 2012 planning controls is consistent with the neighbourhood generally as envisaged in the planning controls for the locality.

The proposal will provide potentially three affordable housing dwellings (4% of residential floor space) to Council to be managed by the community housing provider for key workers and low-medium income households. The provision of these affordable housing apartments within easy walking distance of Chatswood Railway Station, bus interchange and Chatswood City Centre shops and services is a positive social outcome.

Additional housing in this area will however impact on the local schools, a matter which has been highlighted by Council and which the Department of Education is taking some steps to address by increasing local school facilities.

(k) Other Issues

The subject land is free of flooding and bush fire hazards. A small number of trees within the site will be removed, with suitable replacement tree planting proposed along the western boundary on the Podium Level and in the street verge.

Draft Willoughby Development Control Plan Amendment

A draft amendment to the Willoughby Development Control Plan addressing the particular issues of this site has been prepared and can be found at Attachment 4. The draft amendment contains objectives and controls for redevelopment, and covers issues such as height and setbacks over the site.

Assessment under Planning and Infrastructure Guidelines

The following assessment of the Planning Proposal has been undertaken with reference to *'A Guide to preparing Planning Proposals.'*

This document establishes six parts for consideration of a Planning Proposal:

- Part 1 – Objectives or Intended Outcomes
- Part 2 – Explanation of Provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project Timeline

The assessment also had regard to Clause 55 of the Environmental Planning & Assessment Act 1979, as well as Department of Planning and Infrastructure documents *'A Guide to Preparing Local Environmental Plans'* and Circular PS 09-015 *'Commencement of Certain Provisions of the EP&A Amendment Act 2008 and EP&A Amendment (Plan making) regulation 2009.'*

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives to support the Planning Proposal are as follows:

- (a) Set a floor space ratio and building height that provides an appropriate transition between commercial development to the north east and high density residential development to the west.
- (b) Provide an increased floor space and building height that improves economic viability of redevelopment on an amalgamated site.
- (c) Encourage consolidation of existing allotments to facilitate enhanced urban design and development outcomes on a larger development parcel in an area zoned for high density mixed use development.
- (d) Ensure that amenity impacts on adjoining properties and within the development itself, associated with increased development yield, are not unreasonable.
- (e) Enable more economic and efficient use of land and additional affordable housing adjoining the Chatswood CBD and major bus/rail interchange, generally compatible with the high density urban environment of the locality.

PART 2 – EXPLANATION OF PROVISIONS

The outcome proposed in the Planning Proposal will be achieved by preparing an amendment to WLEP 2012, which will include:

- (a) Height increase for the site to RL 137.8 for Tower A and RL 128.8 for Tower B and identify the site as 'Area 4' on the Height of Buildings Map.
- (b) The following additional sub clause 4.3A(9)

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.
- (c) 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 15' on the Floor Space Ratio Map.
- (d) The following additional sub clause 4.4A (20):

- (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
- (b) The floor space ratio will not exceed 3:1
- (c) The floor space ratio of any shop top housing will not exceed 2.14:1

- (e) 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.

To address the concerns of Council Officers and to clearly establish the expected form of redevelopment on the site, a draft Willoughby Development Control Plan Site Specific Requirements Part E3.4 as at Attachment 4 has been prepared and can be exhibited with the Planning Proposal.

PART 3 - JUSTIFICATION

Questions to consider when demonstrating the justification

Section A – Need for the Planning proposal

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

The Planning Proposal did not specifically result from a strategic study or report.

The proponent states that the basis of the Planning Proposal is as follows:

"The Planning Proposal arises from an analysis of the site context, redevelopment advantages associated with larger sites consideration of existing planning controls and the objectives of those controls. The planning strategy underlying WLEP 2012 is to concentrate higher density development in and adjoining the Chatswood City Centre so that existing low density housing areas can be retained substantially as they currently exist. This approach is also consistent with the Sydney Metropolitan Strategy and the Draft Inner North Subregion Strategy.

The Draft Inner North Subregion Strategy aims to increase densities in Centres, particularly in those centres near public transport and facilitate redevelopment of existing apartment sites that are capable of accommodating increased density. The Draft Strategy requires that the Willoughby LGA accommodate at least 6,800 additional dwellings by 2031."

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

The subject Planning Proposal is a means of amending Willoughby Local Environmental Plan 2012 to introduce 'incentives' clauses to encourage site consolidation through an increase in height of buildings to a maximum building height of RL 137.8 for Tower A and RL 128.8 for Tower B, with a maximum floor space ratio of 3:1.

The Planning Proposal also amends the WLEP 2012 to provide for affordable housing on the site in accordance with Clause 6.8.

The requested variation to maximum building height and FSR is greater than could reasonably be considered under the development standards variation clause in WLEP 2012 (Clause 4.6).

The WDCP site specific controls will achieve the objectives of the Planning Proposal concept plan.

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.

Section B – Relationship to strategic planning framework

3) ***Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?***

The strategic planning context of the site is established by various State planning documents. The draft Metropolitan Strategy for Sydney to 2031 was released in March 2013 for public comment and the final Strategy is yet to be released by the government. The Metropolitan Strategy – ‘City of Cities – A Plan for Sydney’s Future’ was released in December 2005, followed by the draft Inner North Subregional Strategy released in July 2007 which provides jobs and dwelling targets for Willoughby City that were addressed in WLEP 2012.

Metropolitan Plan for Sydney 2036 and draft Metropolitan Strategy for Sydney to 2031

The Draft Strategy to 2031 focuses on the provision of *“housing choice, affordable housing close to jobs and services, good transport connections and a healthy and sustainable environment.”*

Objectives under the draft Plan include:

- Objective 5 - Deliver new housing to meet Sydney’s growth.
- Objective 6 - Deliver a mix of well designed housing that meets the needs of Sydney’s population.
- Objective 24 - Plan and deliver transport and land use that are integrated and
 - o promote sustainable transport choices.
- Objective 25 - Improve access to major employment hubs and global gateways.

The draft strategy identifies Chatswood as a major centre and lists in its specific metropolitan priorities:

- To grow as a dominant service retail and recreational centre.
- To plan for medium and high density housing outside the commercial core.
- To provide capacity for at least 8,000 additional jobs to 2031.

Draft Inner North Subregional Strategy

The draft Inner North Sub Regional Strategy contains the following objectives:

- Increase densities in centres whilst improving liveability.
- Focus development in renewal corridors to maximise infrastructure use where demand and opportunities exist.
- Plan for a housing mix near jobs, transport and services.
- Improve the quality of new development and urban renewal.

Under the Strategy, Willoughby is required to provide (from 2006) an additional 6,800 dwellings and 16,000 jobs (7,300 in Chatswood) by 2031.

Comment:

The Planning Proposal is consistent with the objectives of the draft Metropolitan Strategy for Sydney to 2031 and the draft Inner North Sub Regional Strategy by providing commercial development and new housing on a large consolidated site within an established urban area in a location on the fringe of a large town centre and directly accessible to public transport and services.

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

4) *Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

At the local level the Willoughby City Strategy 2013 - 2029 is the major strategic planning document. The site is within the boundaries of the Chatswood CBD and therefore subject to Chatswood City Centre Plan – 2008.

Willoughby City Strategy 2013 – 2029 (WCS)

The Strategy provides a number of goals and strategies regarding the key directions of 'Homes', 'Economic Activity' and 'Infrastructure.'

Homes

The goal of the sub theme 'Housing Choice, Quality and Character' is:

"To be a place with housing that is liveable, sustainable and enhances urban character."

The following relevant strategies are identified:

3.1.1 'Plan for Housing Choice'

- a) *Undertake and implement housing strategies in the context of state government requirements.*
- b) *Investigate changing demographics of the Willoughby area and review planning controls to encourage new housing types to meet community and intergenerational needs.*
- c) *Facilitate, provide and advocate for affordable housing.*

3.1.2 'Quality living amenity for residents'

- a) *Ensure future development can be provided with adequate infrastructure and services.*
- b) *Assess development for its quality, sustainability and amenity for living.*
- c) *Universally accessible measures into all new housing design.*

Economic Activity

The goal of the sub theme 'Sustainable Business Activity' is:

"To maintain and promote the City's employment opportunities and the range and quality of businesses, industry and services."

The following relevant strategies are identified:

5.1.1 'Local Business'

- a) *Facilitate business and employment opportunities servicing local and regional needs.*
- b) *Encourage a range of business, retail, office and industrial spaces.*
- c) *Implement strategy for the long term development of Chatswood CBD as a major regional employment, retail and entertainment destination.*

Infrastructure

The goal of the sub theme 'Transport and Mobility' is:

"To manage the transport needs of the community in a sustainable manner by reducing car dependence and promoting public transport use, walking and cycling."

The following relevant strategies are identified:

4.2.2 'Balance Traffic Management'

- a) *Identify and implement traffic management and safety strategies, incorporating engineering and educational activities.*
- d) *Manage car parking in developments in order to promote public transport use.*

Chatswood City Centre Plan– 2008

The Chatswood City Centre Plan 2008 identifies eight principle strategies for guiding planning and land use decisions in Chatswood. Relevant strategies include:

- Encourage a high quality of architectural design and finish that reflects Chatswood's role as the largest Major Centre under the Metro Strategy while respecting a site's context and its relationship to the surrounds. Encourage innovative design that achieves sustainable outcomes.
- Maintain Chatswood's commercial, retail and operational position in the Region and its ongoing viability in the future.
- Provide for activities that are consistent with Chatswood's role as a sub-regional centre and that reinforce the established precinct roles while recognising the focal points of public transport and the pedestrian linkages.
- Recognise and provide for the demands and needs of the broader Willoughby community
- Establish a safe and accessible City Centre for social interaction, learning, information exchange, entertainment, recreation, city living and fun.

Comment:

The Planning Proposal is consistent with the goals and actions of the Willoughby City Strategy 2013 – 2029 and Chatswood City Centre Plan – 2008. The mixed use development envisaged in the Planning Proposal continues to provide commercial ground level floor space as at present on the site consistent with the objectives of services and employment in the CBD in addition to new apartment living choices close to public transport.

5) *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The State Environmental Planning policies (SEPPs) relevant to this site and the proposed Planning Proposal are:

SEPP 55 – Remediation of Contaminated LandsComment:

Previous uses on the site include bulky goods retail and residential.

The proponent has noted *“Potential for existence of contaminated soils is unlikely. There may be some potential asbestos hazard arising from demolition of existing buildings.”*

To satisfactorily address this concern, a detailed contamination assessment will be required at development application stage which has been included in the draft WDCP site specific requirements at Attachment 4 to be exhibited with the Planning Proposal.

SEPP (BASIX) 2004Comment:

Appropriate BASIX documentation will be required at development application stage as with all residential development.

SEPP 65 – Design Quality of Residential Flat DevelopmentComment:

A SEPP 65 Compliance Table based on the Amended Concept, having regard to the SEPP 65 Residential Flat Design Code (RFDC), was submitted with the Amended Planning Proposal. Any variations in current planning controls require satisfactory addressing of SEPP 65, and this led to a number of amendments to the initial Planning Proposal.

A SEPP 65 assessment will be required at development application stage as with all residential developments of this scale.

6) *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The Section 117 Directions issued to Councils under S. 117 (2) of the EP and A Act 1979 require that a planning proposal does not conflict with the Directions. The following is a summary of the Planning Proposal against the relevant Section 117 Directions in this instance.

1. EMPLOYMENT AND RESOURCES

Direction	Relevant?	Consistent?	Comment
1.1 Business and Industrial Zones	Yes	Yes	Maintains employment land under the permitted uses of the B5 Business Development Zone.

2. HOUSING INFRASTRUCTURE AND URBAN DEVELOPMENT

Direction	Relevant?	Consistent?	Comment
3.4 Integrating Land Use and transport	Yes	Yes	The proposed increase in density will improve access to housing in a location close to the Chatswood City Centre offering employment and services. Furthermore public transport is available to employment and services in other major centres such as Sydney CBD, North Sydney and elsewhere.

6. LOCAL PLAN MAKING

Direction	Relevant?	Consistent?	Comment
6.1 Approval and Referral requirements	Yes	Yes	The Planning Proposal does not include requirements for the concurrence, consultation or referral of DA's to a Minister or Public Authority and does not identify any development as designated.
6.2 Reserving Land for Public Purposes	Yes	Yes	The Planning Proposal does include the existing road widening on the Pacific Highway previously required by the RMS and road widening along Oliver Road and Freeman Road required by Willoughby Council.
6.3 Site Specific Provisions	Yes	Yes	The Planning Proposal is site specific, with increased height and floor space subject to the consolidation of a number of sites into one redevelopment site.

7. METROPOLITAN PLANNING

Direction	Relevant?	Consistent?	Comment
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Yes	As discussed above, the Planning Proposal is consistent with the Sydney Metropolitan Plan 2036 and draft Metropolitan Strategy for Sydney to 2031. Both strategies identify Chatswood as a major centre.

Section C – Environmental, social and economic impact

- 7) *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?***

The site and adjoining lands do not contain any areas of critical habitat or threatened species, populations or ecological communities or habitats.

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

The following environmental impacts of the proposal and their proposed management are discussed earlier in this report:

- Floor space (including economic issues)
- Height and Setbacks
- Shadow Impacts
- Views
- Privacy Impacts
- Acoustic Impacts
- Traffic and Parking
- Heritage Impacts
- Social Issues

9) *Has the planning proposal adequately addressed any social and economic effects?*

It is considered that the Planning proposal has adequately addressed social and economic effects. This has been discussed earlier in the report.

Section D – State and Commonwealth interests

10) *Is there adequate public infrastructure for the planning proposal?*

The subject site is located within an established residential and commercial area serviced by existing utilities infrastructure, within close proximity to existing bus stops along the Pacific Highway and approximately 350m walking distance from Chatswood Railway Station.

The proposal is also accompanied by improvements to the surrounding road network. The subject site is identified on WLEP 2012 Land Reservation Acquisition Map as requiring road widening by the Roads and Maritime Services along the Pacific Highway frontage. This has been provided in the amended concept plan, along with the local road widening required by Council's Traffic Officers.

With regard to services such as water, sewer and drainage, the proponent states *"that there is capacity within existing service systems for the proposal, subject to appropriate augmentation as necessary."*

The site is located within reasonable walking distance to existing open space facilities. The site is approximately 250 metres from Chatswood Park and Oval and 35 metres from Whitton Park in Oliver Road.

The site is located within reasonable walking distance to a number of existing schools. The site is located approximately 85 metres from Chatswood Public School and 200 metres from Chatswood High School. Other schools within approximately 1 kilometre of the site include Our Lady of Dolours Primary School, Mercy Catholic College and St Pius X College.

11) *What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Due to the subject site being located on the Pacific Highway and affected by RMS road widening, Council has consulted the RMS in consideration of the Planning Proposal. It is Council's understanding that the RMS road widening shown on the WLEP 2012 Land Reservation Acquisition Map is required, with the exact dimensions still to be determined.

No other public authorities have been consulted in the pre-Gateway assessment.

PART 4 – MAPPING

As previously noted, this Planning Proposal involves amending the Height of Buildings map, the Floor Space ratio map and the Special Areas Provisions Map and inserting site consolidation incentives clauses into the WLEP 2012 written instrument.

PART 5 – COMMUNITY CONSULTATION

Should Council support the Planning Proposal for public exhibition, it will proceed to the Planning and Infrastructure 'Gateway' process to seek endorsement for the proposal to be placed on public exhibition. Public exhibition will be in accordance with the Department of Planning and Infrastructure's Gateway Determination requirements and should include the draft WLEP 2012 Amendment (written instrument and maps), the draft WDCP Site Specific Requirements Part E3.4 and the draft Voluntary Planning Agreement. This would involve appropriate notification and receipt of submissions on the documents from relevant state agencies and the general community.

PART 6 – PROJECT TIMELINE

Planning Proposal presented to Council Meeting	June 2014
Planning Proposal submitted to Gateway	August 2014
Gateway Determination received by Council	October 2014
Community Consultation (28 days)	November 2014
Outcomes of Community Consultation presented to Council	March 2015
Planning Proposal submitted to Planning and Infrastructure requesting notification on Government website	April 2015

Conclusion

The Planning Proposal for the mixed use redevelopment of the consolidated site known as 654 – 656 Pacific Highway, 658 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood and accompanying Concept Plan is supported for public exhibition.

Council Officers have been involved with the proponent in arriving at an amended concept that is considered appropriate for further consideration by the Gateway and public exhibition.

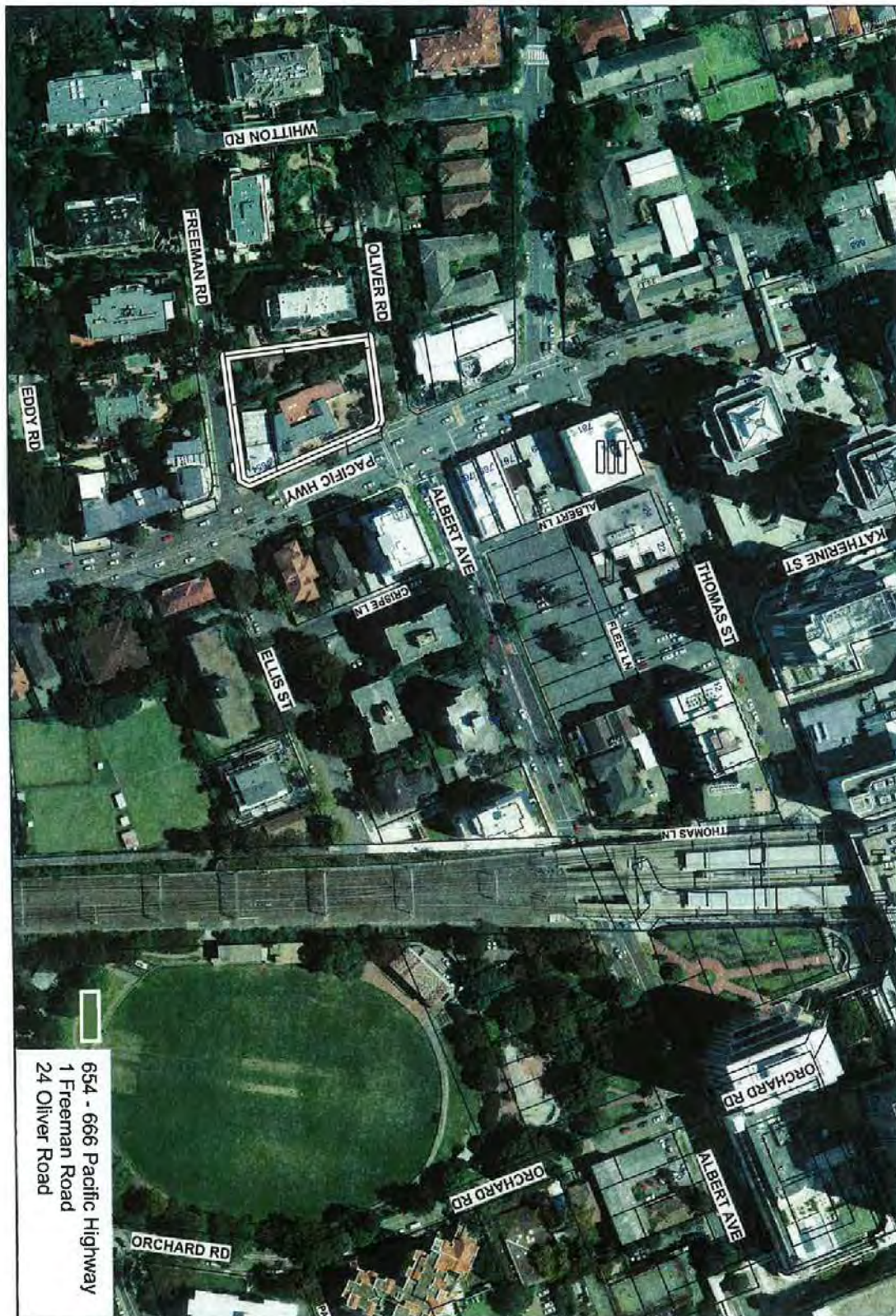
It is therefore recommended that Council support in principle the Planning Proposal, the proposed amendment to WLEP 2012, the draft WDCP amendment and the draft VPA for land to be provided to Council for road widening. It is recommended that the Planning Proposal be forwarded to Planning and Infrastructure, seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979. It is further recommended that Council advise Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams be nominated to be the delegate to process and finalise the Planning Proposal, should it be supported by Council following the public exhibition.

OFFICER'S RECOMMENDATION

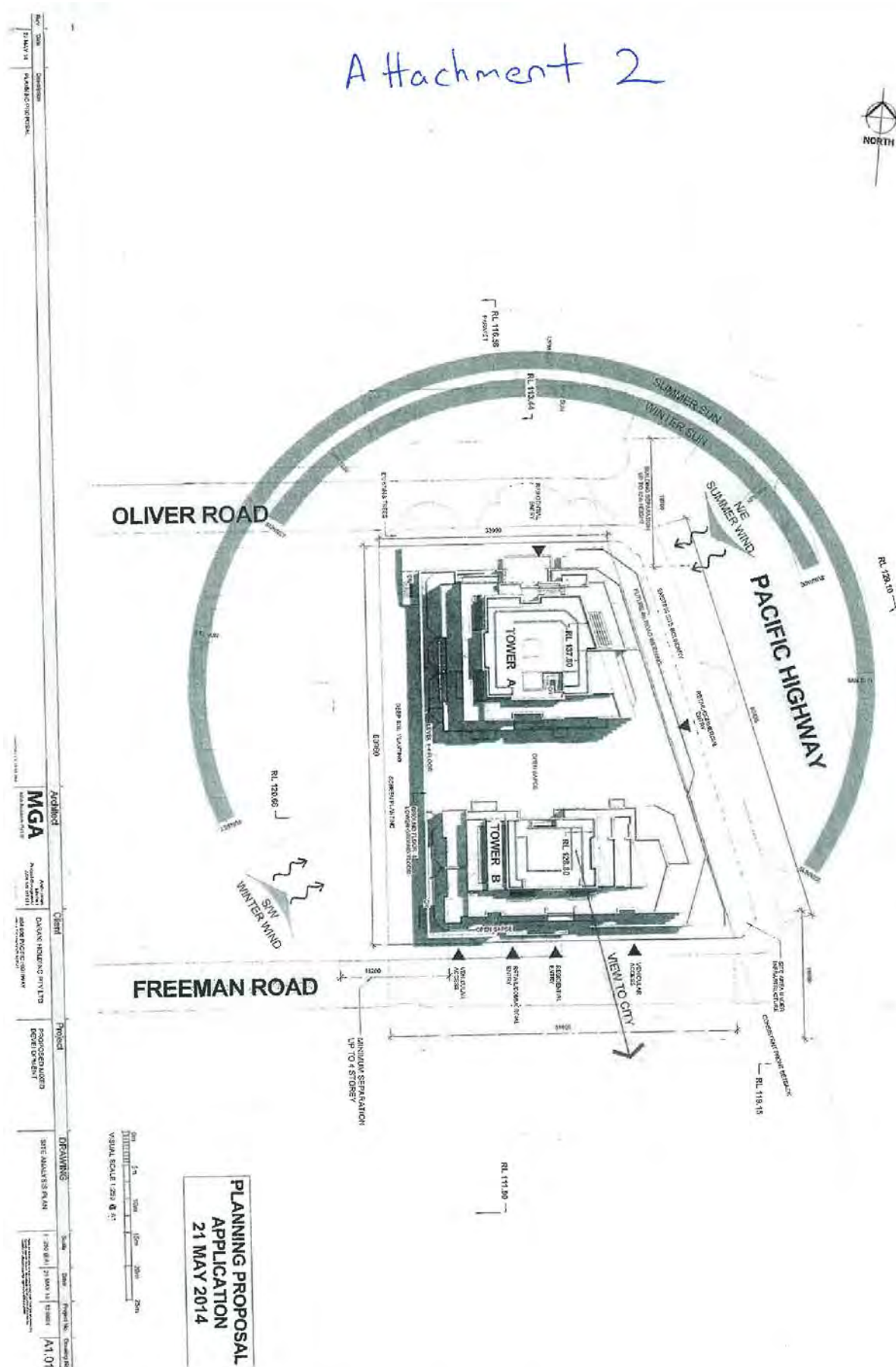
That:

1. Council support for public exhibition:
 - a) the Planning Proposal for 654 – 656 Pacific Highway, 658 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood.
 - b) the proposed draft amendments to Willoughby Local Environmental Plan 2012 as discussed in the report.
 - c) the proposed draft amendments to Willoughby Development Control Plan for specific controls for the site as discussed in this report.
 - d) a draft Voluntary Planning Agreement consistent with the letter of offer.
- 2) The Planning Proposal be forwarded to Planning and Infrastructure seeking a Gateway Determination for public exhibition under Section 56 of the Environmental Planning and Assessment Act 1979.
- 3) The Planning Proposal, draft amendments to Willoughby Development Control Plan and the draft Voluntary Planning Agreement be exhibited at the same time.
- 4) Council advise the Department of Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams, is nominated to be the delegate to process and finalise the Planning Proposal.

Attachment 1

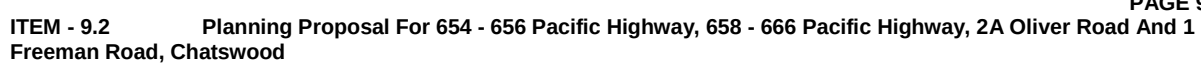


AERIAL PHOTO OF SITE AND LOCALITY

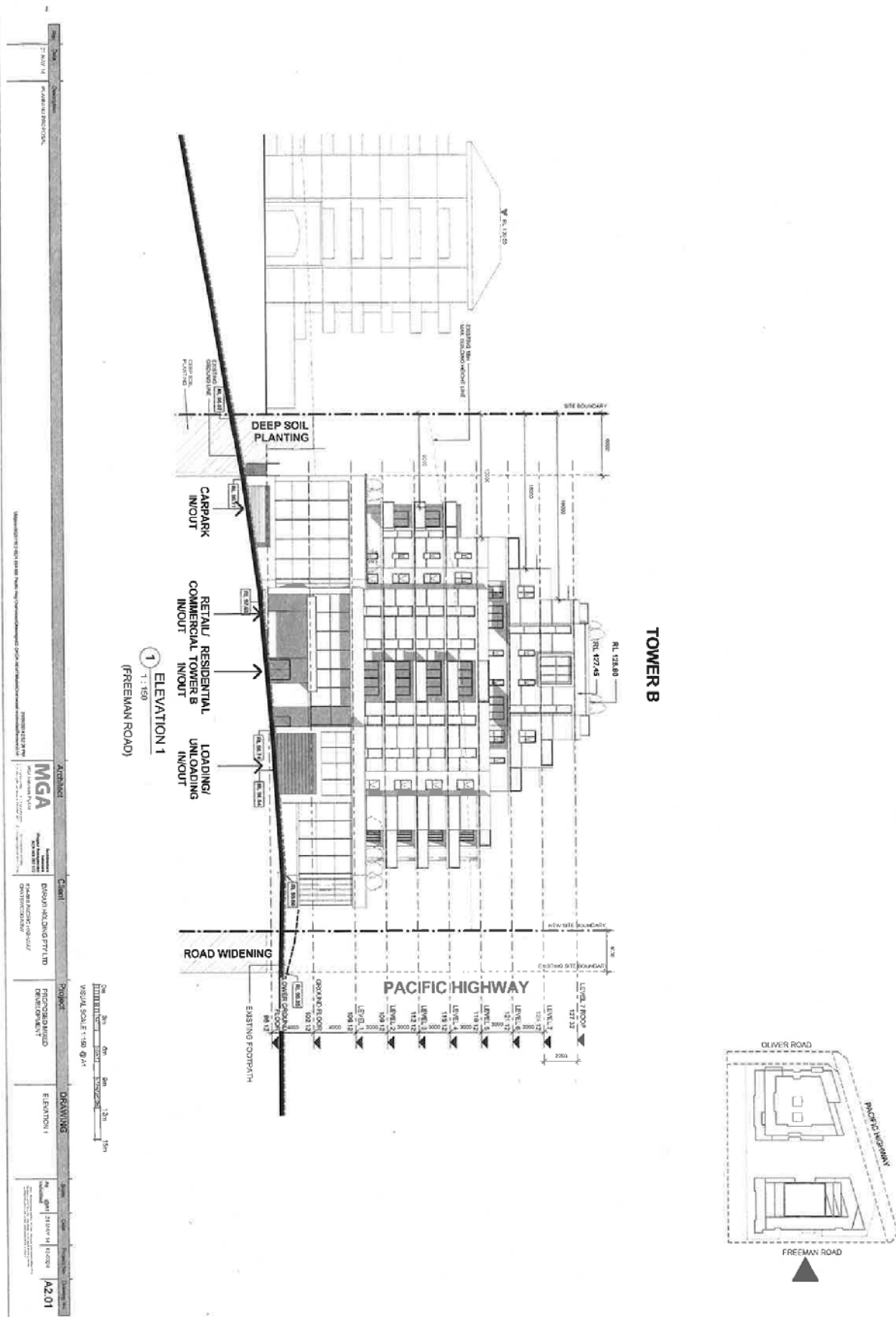


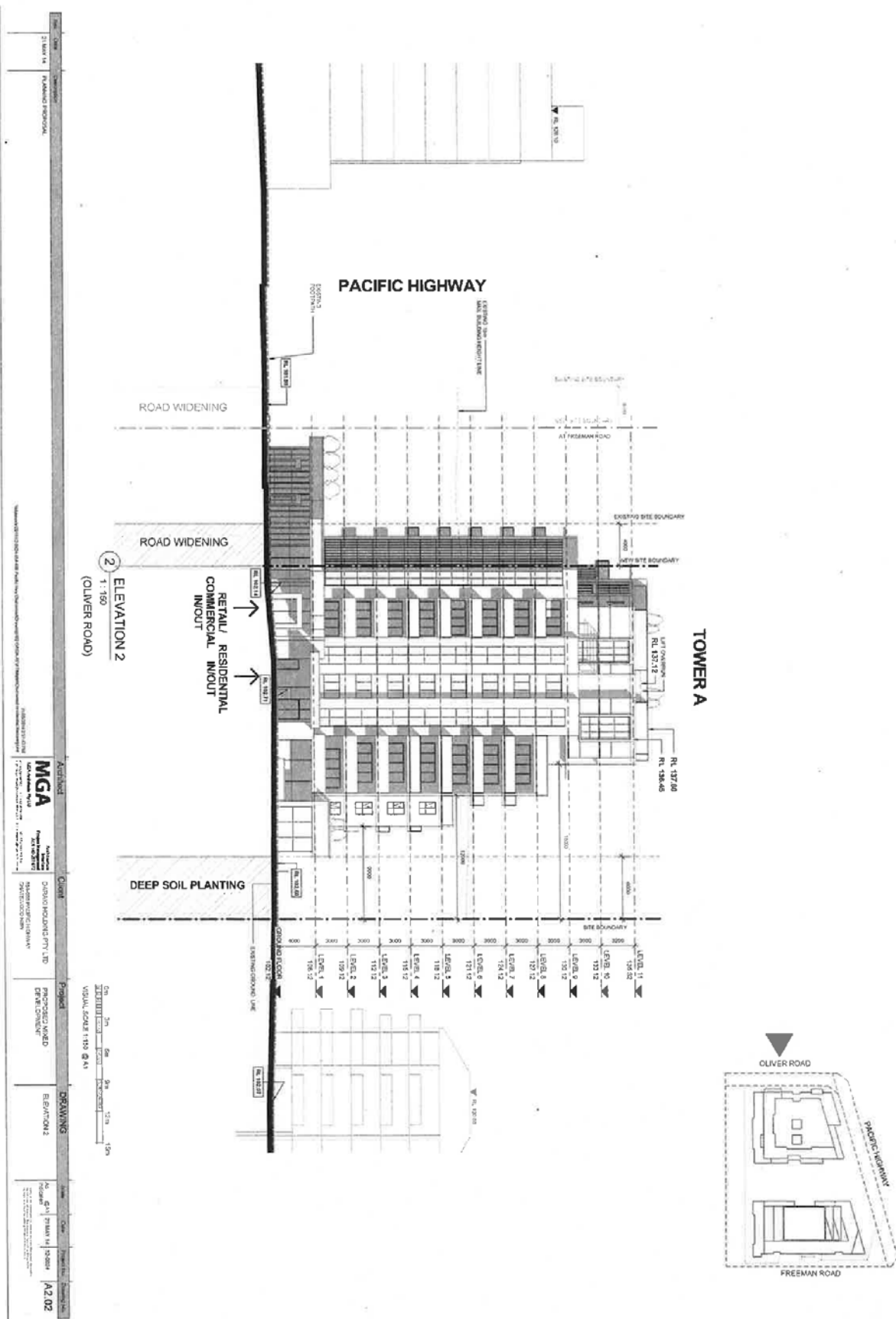


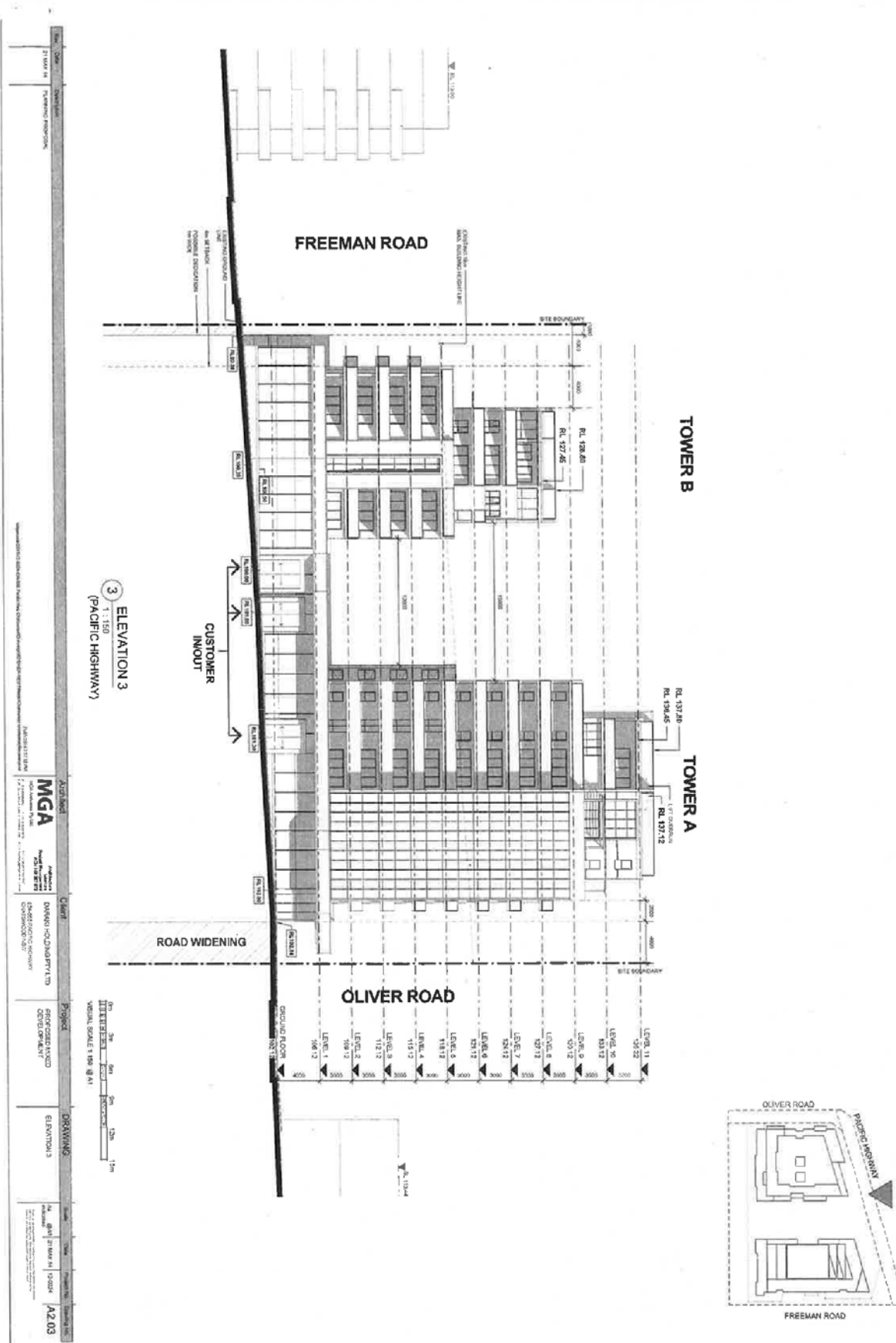


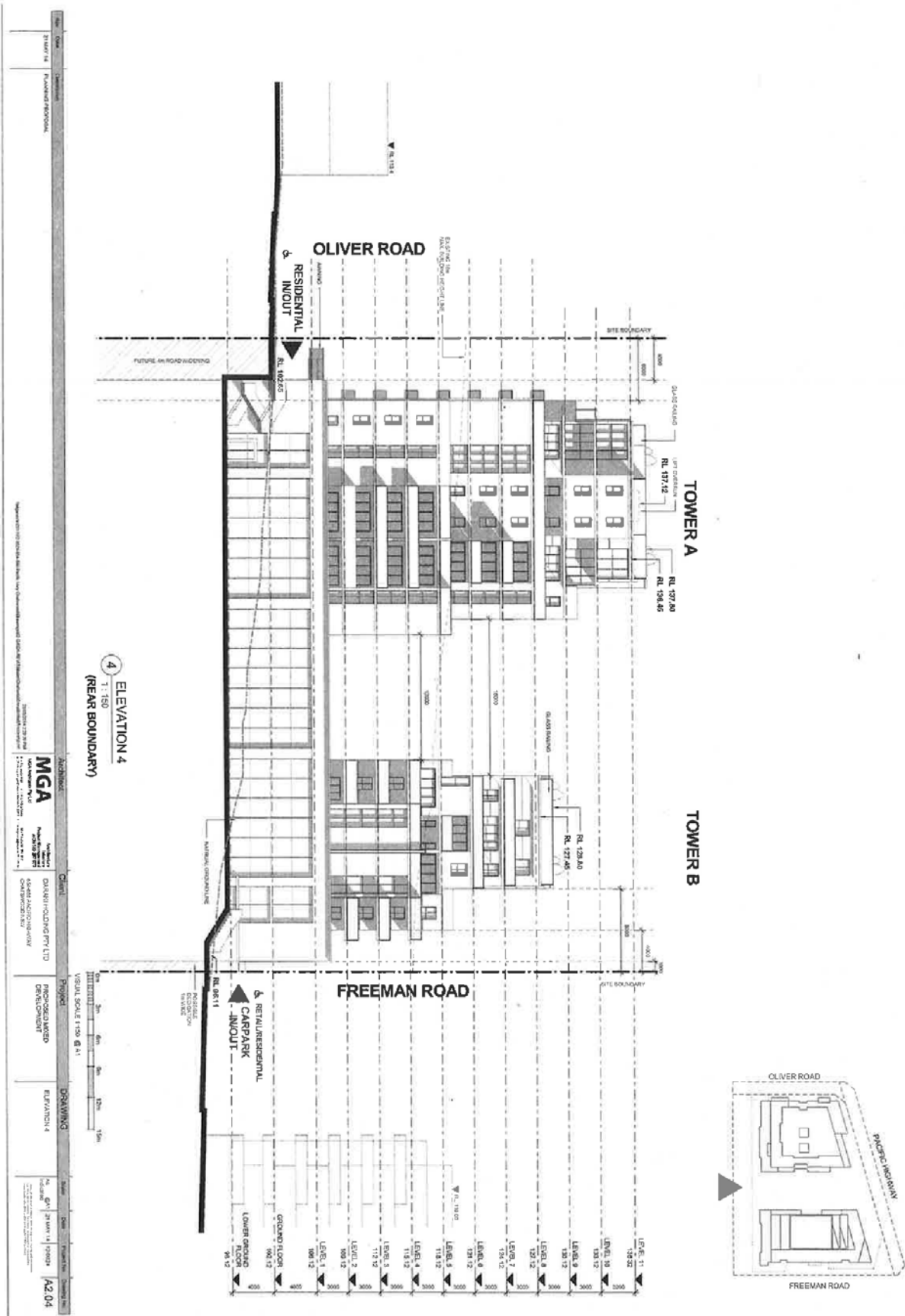




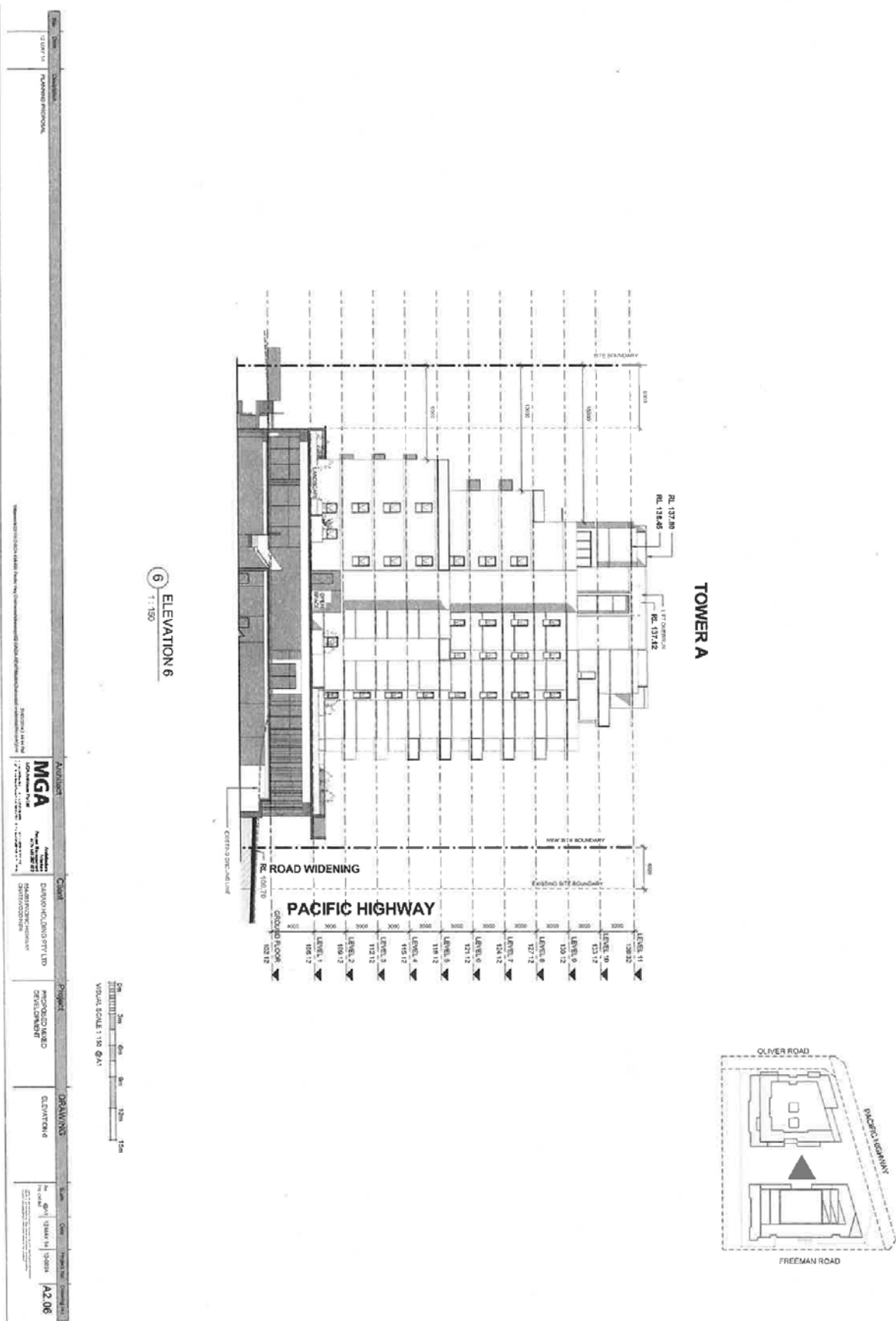


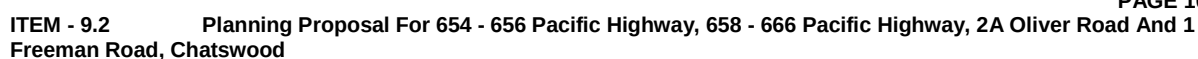




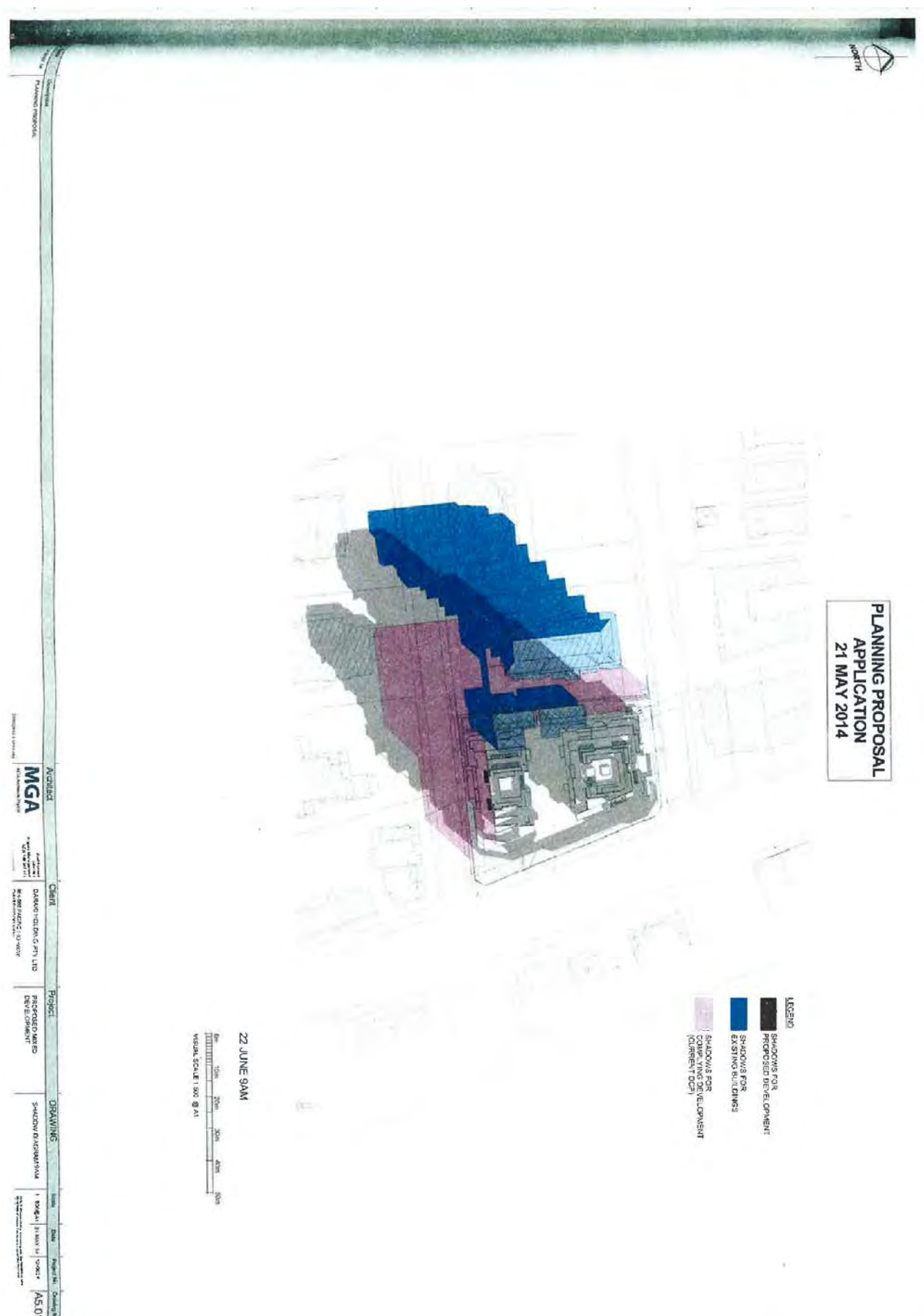








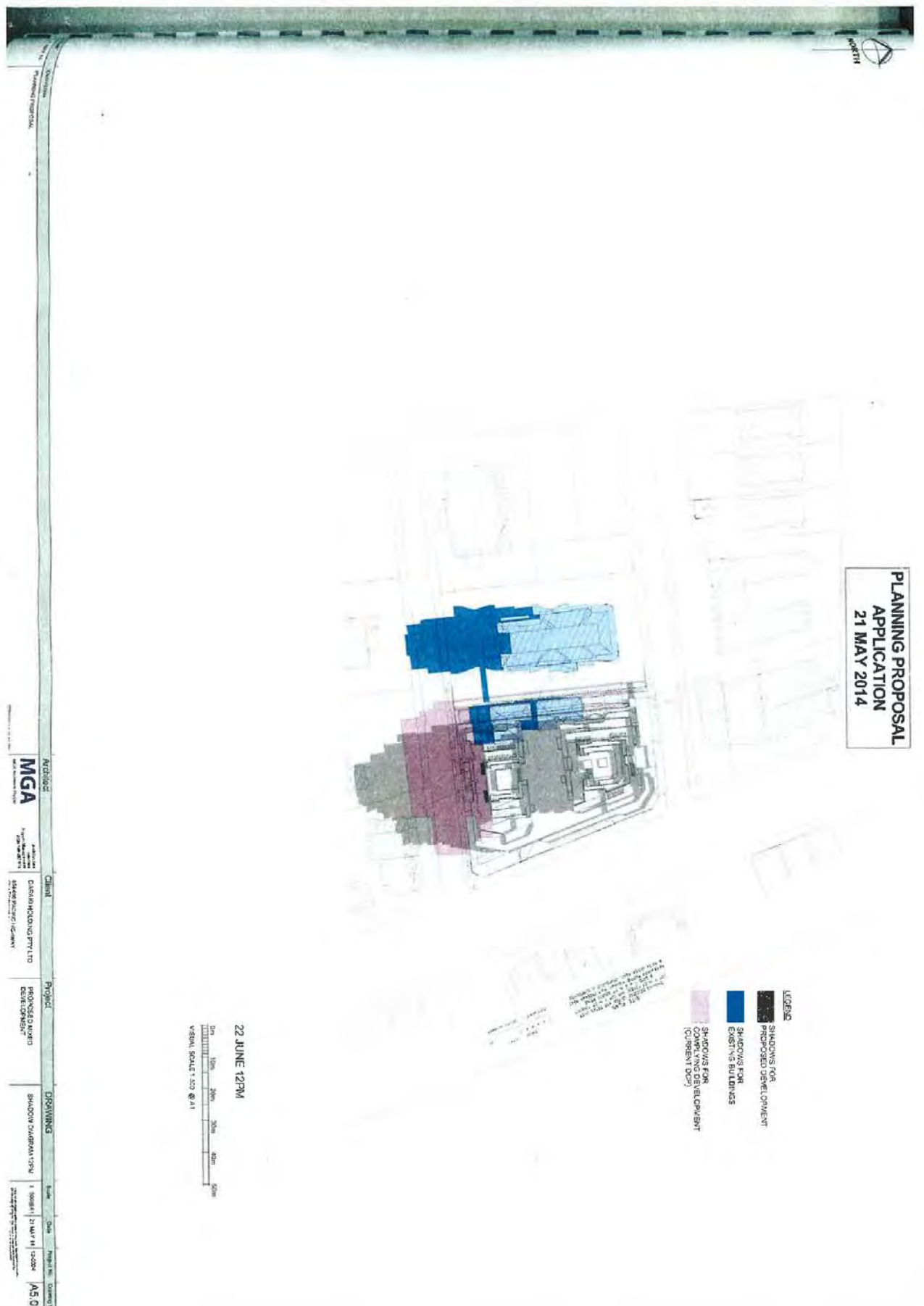


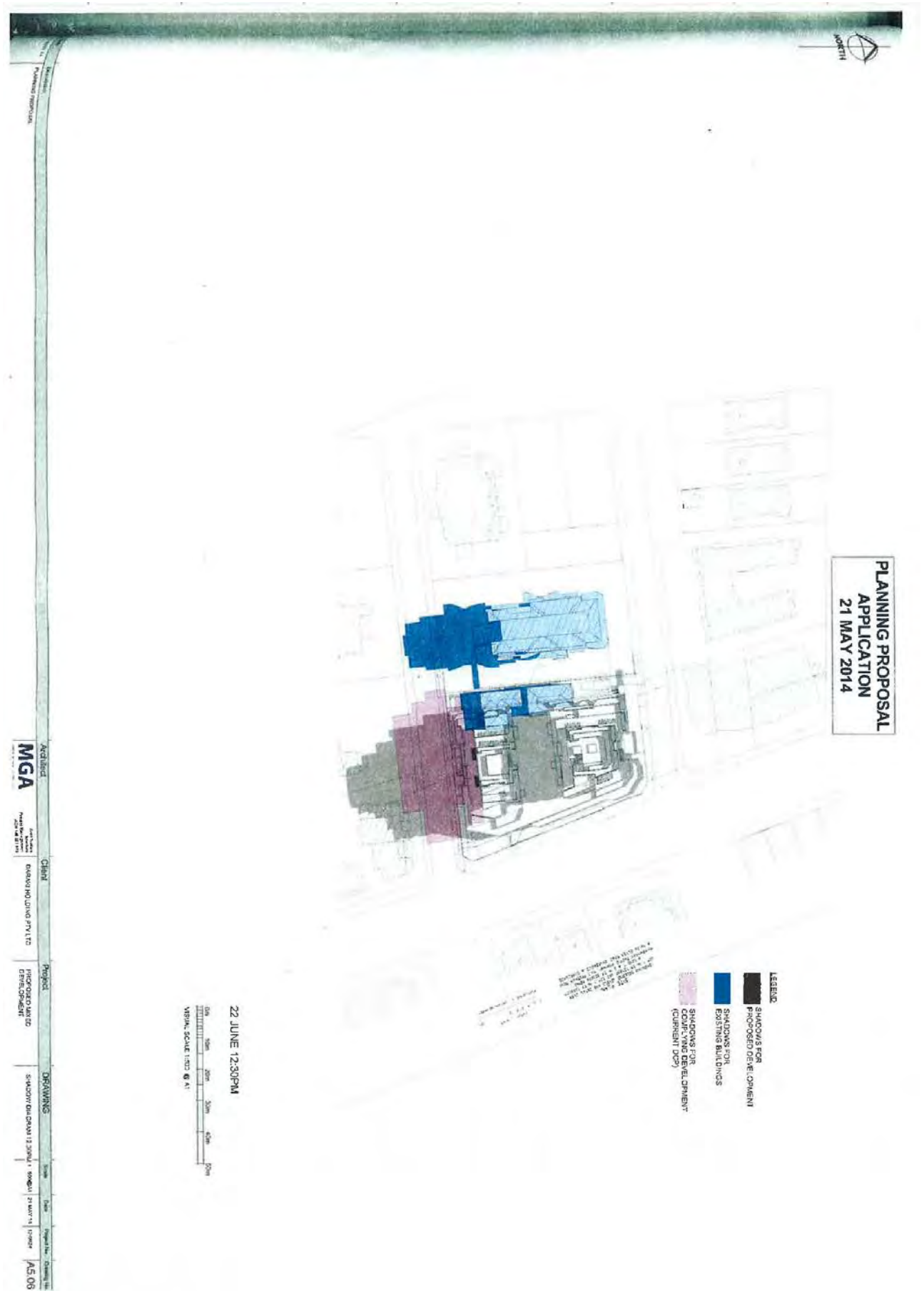


















Attachment 3

**E3.4 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road
Special Area, Chatswood
Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 and Lot 2 DP 839309**



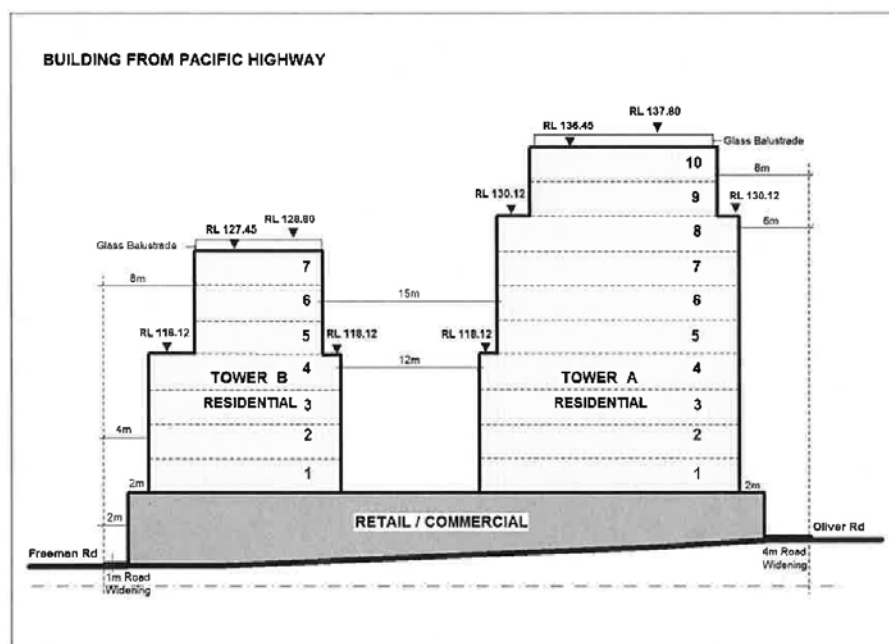
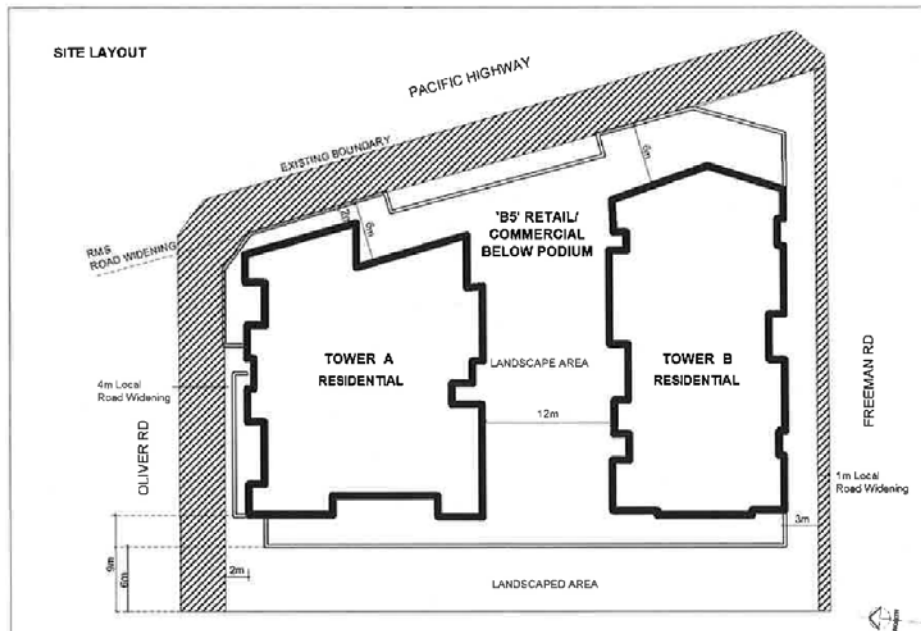
Objectives

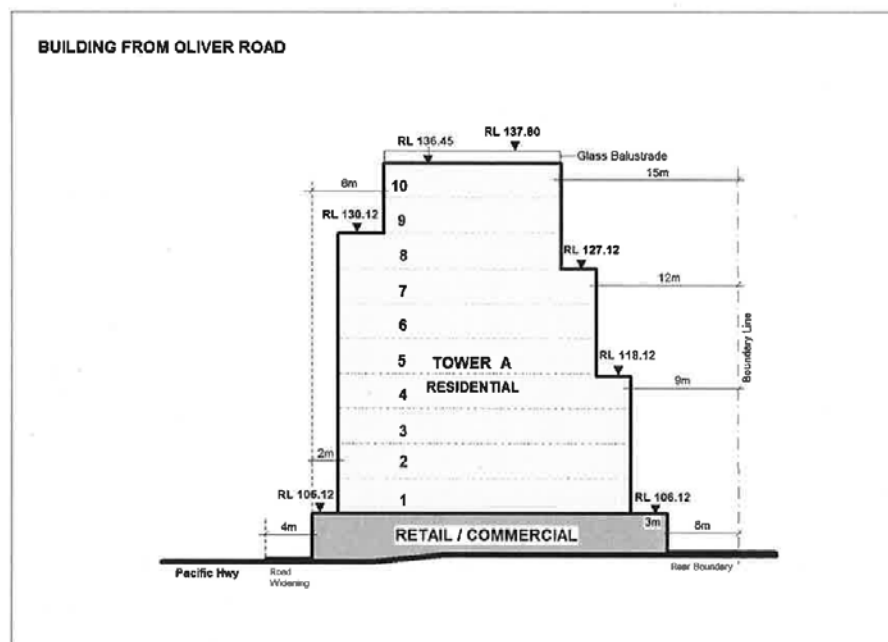
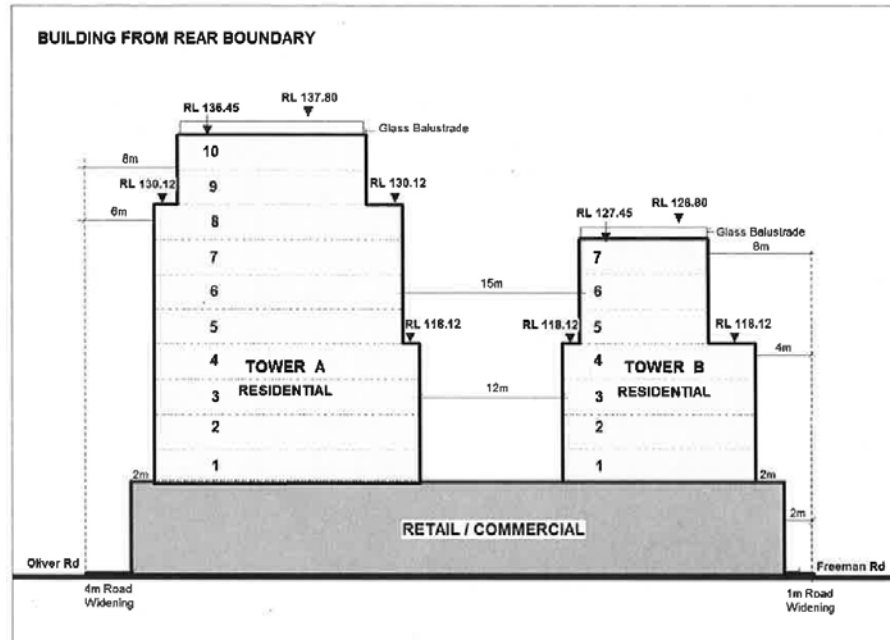
1. To provide mixed commercial and residential development in a transitional location between the Chatswood CBD and the surrounding High Density Residential areas.
2. To encourage consolidation of the B5 land between Oliver Road, Freeman Road and Pacific Highway to a single development site.
3. To ensure the urban form of any redevelopment on the consolidated site creates an attractive 'Gateway' to the Chatswood CBD.
4. To ensure the height and setbacks of any redevelopment on the site satisfactorily acknowledge the surrounding development and minimise impacts on their amenity and that of the occupants of the redeveloped site.
5. To minimise impacts on the amenity of the neighbouring residential property to the west from any redevelopment on the site by adequate vegetation screening.
6. To ensure road widening on the Pacific Highway, Oliver Road and Freeman Road.
7. To minimise traffic impacts from redevelopment of the site.

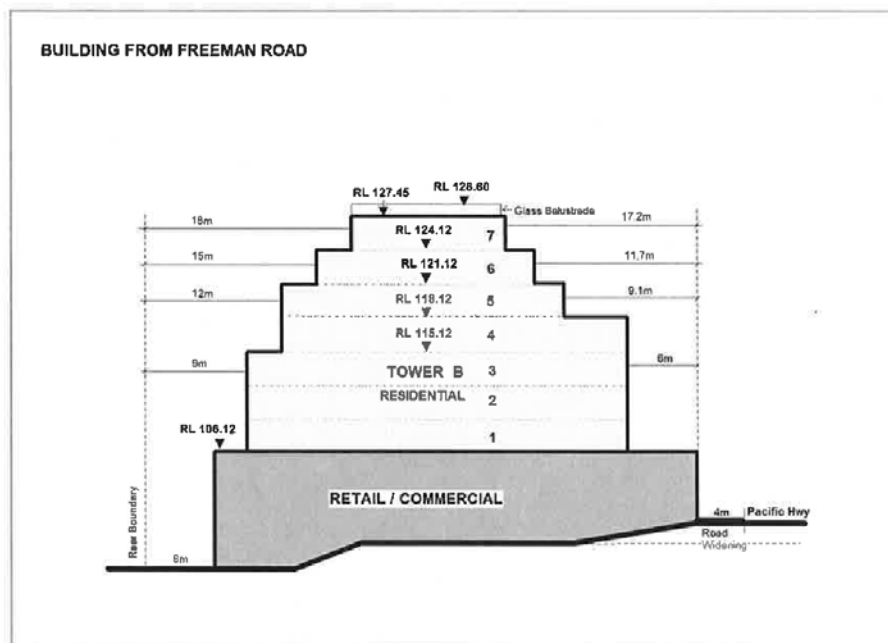
Controls

1. The consolidated site may be developed for commercial and shop top housing in accordance with the controls in WLEP 2012.
2. At a minimum, the Ground floor must provide for B5 permitted uses other than residential development.
3. Vehicular access to the site is to be via Freeman Road only.
4. All car parking for the redevelopment is to be provided on-site.
5. The heights and setbacks permitted for the redevelopment of the site are to be in accordance with the diagrams below.
6. A SEPP 65 – Design Quality of Residential Flat Development report is to be provided for the shop top housing component at development application stage.
7. Appropriate BASIX documentation is to be submitted at development application stage.
8. The Podium Level landscape communal open space area between Tower A and Tower B is to be a minimum 12 metres wide.
9. There is to be no building intrusion or courtyard fencing, at any height, into the 12 metre wide Podium Level landscape communal open space area between Tower A and Tower B.
10. Any redevelopment is to provide a minimum deep soil planting setback of 6 metres along the western boundary of the consolidated site, with screen planting of trees to a mature height of 20 metres and lower level shrubs.
11. In accordance with Willoughby Development Control Plan, Part E1.6 'Landscaping', 20% of the Podium Level is to be vegetated area (being turf, garden and planters). Vegetated areas are to include a significant percentage of the landscape communal open space between Tower A and B and privacy screen planting along the rear and side Podium boundaries.
12. There is to be an awning over the Council footpath from the Pacific Highway / Oliver Road corner along the Pacific Highway to the Ground Floor building entrance.
13. All utility services and cabling will be located underground.
14. Affordable housing will be provided on site and dedicated to Council in accordance with Clause 6.8 Affordable Housing of WLEP 2012 and Part G 'Controls for Specific Development Types' of this Plan.
15. A landscape plan is to be provided at development application stage, detailing all vegetation proposed, in particular full details on the species, canopy span and number of 20 metres high trees proposed in the minimum deep soil planting setback of 6 metres along the western boundary. This plan is to also include street tree planting following advice from Council's Open Space Section.
16. A detailed contamination assessment is to be provided at development application stage in accordance with SEPP 55 – Remediation of Contaminated land.

17. An acoustic assessment is to be provided at development application stage, with any noise attenuation measures incorporated into the construction plans.







Attachment 4

Daraki Holdings Pty. Ltd.

ABN. 88 003 304 032

P.O.Box 261, Chatswood NSW 2067

23 May 2014

Ref: A008- 2014

The General Manager
Willoughby City Council
31 Victor Street, NSW 2067

Dear Sir,

Re: Voluntary Planning Agreement for Planning Proposal at 654 – 666 Pacific Highway, 2a Oliver Road and 1 Freeman Road, Chatswood NSW

Daraki Holding Pty Ltd is the owner of the following property and the applicant for the above Planning Proposal.

- No. 2a Oliver Road, Chatswood – Daraki Holdings Pty Ltd
- No. 654 Pacific Highway, Chatswood – Daraki Holdings Pty Ltd.
- No. 666 Pacific Highway, Chatswood – Daraki Holdings Pty Ltd.
- No. 1 Freeman Road, Chatswood – Daraki Holdings Pty Ltd.

As the owner of the above properties. We will enter into a Voluntary Planning Agreement with the council for the dedication of the local road fronting to 654-666 Pacific Highway, 1 Freeman Road Chatswood and 2a Oliver Road Chatswood (as a gesture of public benefit) in according to drawing A1.15 (07 March 2014) New Boundary Plan prepared by our architect (MGA Architects Pty Ltd).

Shall you require further information, please contact our architect. (MGA Architects Pty Ltd - Albert Auyeung 041 496 4812)

Yours Faithfully



Kin Chung Lui
Director

MGAArchitecture
Interiors
Project Management

MGA Architects Pty Ltd. ACN 149 487 972

6-26 Grove Street
Dulwich Hill NSW 2203
T + 612 9560-9882
F + 612 9560-9884E + a.auyeung@mga-arch.com.au
P.O.Box Q187 Queen Victoria Building NSW 1230

23 May 2014

Ref: 12-0024-001

The General Manager
Willoughby City Council
31 Victor Street, NSW 2067

Dear Sir,

Re: Voluntary Planning Agreement for Planning Proposal at 654 – 666 Pacific Highway, 2a Oliver Road and 1 Freeman Road, Chatswood NSW

Further to the Planning Proposal lodgement above.

MGA Architects Pty Ltd confirmed that the following owner:

- No. 1 Freeman Road, Chatswood – Daraki Holdings Pty Ltd
- No. 2a Oliver Road, Chatswood – Daraki Holdings Pty Ltd
- No. 654 – 666 Pacific Highway – Daraki holding Pty Ltd.

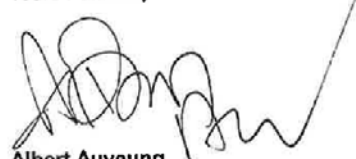
and the applicant of the above Planning Proposal (Daraki Holding Pty Ltd.) authorities MGA Architect Pty Ltd to confirm that both the above owners and applicant will enter into a Voluntary Planning Agreement with the council for the dedication of the local road fronting to 654-666 Pacific Highway, 1 Freeman Road and 2a Oliver Road as per attached plan A1.15 (dated 07 March 2014) prepared by MGA Architects Pty Ltd.

A draft Voluntary Planning Agreement will be submit to Willoughby Council to be included in the Public Exhibition of the above Planning proposal.

Due to the owners currently is in Hong Kong. Owners will issue the letter of confirmation to be submitting to Willoughby City Council by next Monday 26 May 2014.

Shall you require further information, please contact the under sign.

Yours Faithfully



Albert Auyeung
NSW Architects Registration Board No. 3652
Director
041 496 4812

CC : Daraki Holding Pty Ltd

C:\Users\Stanley.Stanley-PC\Desktop\Voluntary Planning Agreement.doc

