



Amended Planning Proposal

871-877 Pacific Highway, Chatswood

Submitted to Willoughby City Council
On Behalf of Megland Group Pty Ltd

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Report Revision History

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01 Draft	2/07/18	Elyse Kenny <i>Assistant Planner</i>	Michael Watson <i>Associate</i>	 Susan E Francis <i>Executive Director</i>
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03 Amended	19/12/18	Elyse Kenny <i>Project Planner</i>	Michael Watson <i>Associate</i>	
04 Amended	18/09/20	Elyse Kenny <i>Project Planner</i>	Tina Christy <i>Associate Director</i>	

This document is preliminary unless approved by a Director of City Plan Strategy & Development

CERTIFICATION

This report has been authorised by City Plan Strategy & Development P/L, with input from a number of other expert consultants, on behalf of Megland Group Pty Ltd. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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Appendix	Document	Prepared by
1	Survey Plan	Hammond Smeallie & Co
2	Urban Design Report	PBD Architects
3	Geotechnical Report	Douglas Partners
4	Detailed Site Investigation	Douglas Partners
5	HAZMAT Report	Douglas Partners
6	Remediation Action Plan	Douglas Partners
7	Traffic Report	Varga Traffic Planning
8	Acoustic Report	Renzo Tonin & Associates
9	Pedestrian Wind Environment Statement	Windtech
10	Voluntary Offer	Megland Pty Ltd
11	Strategy Endorsement Letter	DPIE
12	Letter to Willoughby City Council (30/07/20)	Ethos Urban

Section A - Overview

1. Executive Summary

This amended Planning Proposal (PP) has been prepared on behalf of Megland Group Pty Ltd and relates to the land known as **871-877 Pacific Highway, Chatswood** (the site). The site is legally described as Strata Plan (SP) 17870 and currently accommodates three buildings ranging from one to two storeys in height.

This PP seeks to amend the *Willoughby Local Environmental Plan 2012* (WLEP) in relation to the site to be consistent with the objectives in the *Chatswood CBD Planning and Urban Design Strategy*. The PP seeks to amend the WLEP as follows:

- Rezone the site from B5 Business Development to B4 Mixed Use;
- Amend the maximum building height from 21m to 90m;
- Amend the maximum floor space ratio (FSR) from 2.5:1 to 6:1; and
- Add a minimum commercial floor space of 1:1 within the Mixed Use zone.
- Require the development to provide 4% affordable housing on the site.

This PP is accompanied by an indicative concept proposal for the site which has been prepared by PBD Architects. This concept proposal is an indicative development outcome for the site demonstrating one option which responds to the proposed WLEP amendments and that facilitates the positive outcomes discussed in this PP. The PBD documentation also includes site-specific urban design guidelines which provide the proposed controls that may form the basis for a development control plan for the site, consistent with the identified development outcomes arising from this PP.

Whilst not forming part of this PP, the indicative concept proposal has given consideration to future redevelopment of the adjoining site at 879 Pacific Highway, which currently contains a 24 hour service station. Although the longevity of the service station on the site is uncertain, this analysis has considered the future development opportunities of both sites.

This PP explains the intended effect of, and justification for, the proposed amendments to the WLEP as they relate to the site. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines.

The proposed amendments to the WLEP respond to both the broad metropolitan strategic and detailed local planning framework. This PP seeks to contribute towards the current and projected demand for jobs and homes within Chatswood CBD via the built form envisaged under the Chatswood CBD Strategy. As demonstrated in this PP, the proposed built form will achieve a better planning outcome for the northern end of the Chatswood CBD.

This PP provides a detailed justification for the proposed amendments and demonstrates compliance with the strategic framework at a metropolitan, district and local level. Together with the detailed Urban Design Study prepared by PBD Architects supporting this PP, there is clear evidence to demonstrate the PP is consistent with the Chatswood CBD Strategy and will offer economic and social benefits to the local community.

In conclusion, it is our view that the subject PP is worthy of Council's support to proceed to a Gateway Determination.

2. Background

2.1 Chatswood CBD Planning and Urban Design Strategy

Between January and March 2017 the draft Chatswood CBD Planning and Urban Design Strategy ("the Strategy") was endorsed by Willoughby City Council for community and stakeholder consultation. Following this consultation period Council gave consideration to the feedback raised and endorsed the final Strategy on 26 June 2017, and subsequently endorsed the sun access issue in October 2017. The CBD Strategy was then provided to the Department of Planning, Industry & Environment (DPIE) who raised matters for consideration in their August 2019 letter to Council. Council then issued a supplement package to the DPIE in early 2020 which addressed the matter raised in August 2019.

The Strategy was endorsed by DPIE on 9 July 2020 (refer to **Appendix 11**), subject to six recommendations. The CBD Strategy was amended in September 2020 to implement the recommendations of the supplement package, and to address all DPIE endorsement conditions. The amended CBD Strategy was reported to the 14 September 2020 Council Meeting and the Strategy was subsequently adopted.

The aims of the Strategy are as follows:

"• A reinvigorated commercial core area and economically buoyant CBD, to provide for future employment.

• A sustainable balance between commercial, retail, residential, education, cultural and other uses to ensure on-going vibrancy.

• A compact, walkable CBD.

• A city form and scale to accommodate future growth and change.

• A CBD of exceptional urban design, easy pedestrian linkages and good public domain, where local character and heritage are embraced, and the greening of the centre is achieved.

• Simplified controls for the LEP and DCP in relation to the CBD."

In order to meet these aims the Strategy recommends modifications to the existing planning controls in Chatswood CBD. Key elements of the future LEP and DCP controls specific to the subject site are identified below:

- The extension of the existing CBD boundary to the north, now encompassing the subject site which was previously outside the CBD boundary;
- Proposed B4 Mixed Use Zoning;
- Base FSR of 2.5:1 and maximum FSR of 6:1 for sites greater than 1,200m²;
- Maximum building height of 90m;
- Specific setbacks to the Pacific Highway frontage and setbacks for the mixed use frontage with commercial ground floor.

This Planning Proposal has provided controls generally in accordance with the Strategy to allow for increased growth on the periphery of the CBD. It is noted that the Drawing prepared by PBD Architects and accompanying this PP were approved at a Council Meeting on 11th February 2019.

In Ethos Urban's Letter to Willoughby City Council dated 30 July 2020 (refer to **Appendix 12**), it was noted that:

"...the CBD Strategy will be proponent-led site specific Planning Proposals, which seek to bring forward the outcomes of the Strategy on a site by site basis, ahead of a broader LEP amendment. It is noted that DPIE in both endorsement letters (2019 and 2020) acknowledged that site specific Planning Proposals which were consistent with the endorsement conditions in those letters could be progressed by Council and processed by DPIE for Gateway Determination consideration"

Ethos Urban in their letter has requested that Council considers the following pathway for the site-specific PPs, noting that the subject PP is identified as 'Category A':

- For those site specific Planning Proposals which do not require any amendments (Category A) to demonstrate consistency with DPIE's endorsement conditions, it is recommended that Council officers proceed to re-submit these Planning Proposals to DPIE, as these Planning Proposals have already been endorsed by full Council and are consistent with the CBD Strategy (as it is proposed to be amended);
- For those site specific Planning Proposals which require only minor technical amendments (Category B) to demonstrate consistency with DPIE's endorsement conditions, it is recommended that minor changes are implemented, and council officers proceed to re-submit these planning proposals to DPIE, as these Planning proposals have already been endorsed by full council and are consistent with CBD strategy (as it is proposed to be amended).

It is understood that this updated PP Report is being resubmitted to DPIE as the plans have been endorsed by Council and the PP is consistent with the CBD Strategy.

2.2 Relevant Site Planning History

DA-2015/133 was approved by Willoughby City Council on 30 March 2016 for the following works on the site at 871-877 Pacific Highway, Chatswood.

"Demolition of existing structures and construction of 6-7 storey mixed use development containing two (2) retail tenancies, forty-two (42) residential units, carparking and associated works".

2.3 Consultation with Willoughby Council

An informal meeting took place with Council on 29 March 2018. At the meeting, a draft indicative architectural concept scheme was presented to Council to discuss the future setbacks of development on the site given its unique and constrained shape. Council officers were not opposed to the variations proposed, and discussed potential for the PP to include a 'link' between the land to the east (owned by the relevant Rail Authority) to the footpath along the Pacific Highway.

The Urban Design Report prepared by PBD Architects have taken Council's comments into consideration and have indicatively shown how a 'link' can be accommodated between the subject site, the northern neighbouring property, and the land to the east.

3. Site Description

3.1 Site Context

The site is located within the suburb of Chatswood and located in the northern periphery of the Chatswood CBD, approximately 8km north of Sydney CBD, and within the Willoughby Local Government Area. Refer to the location map in **Figure 1** below.

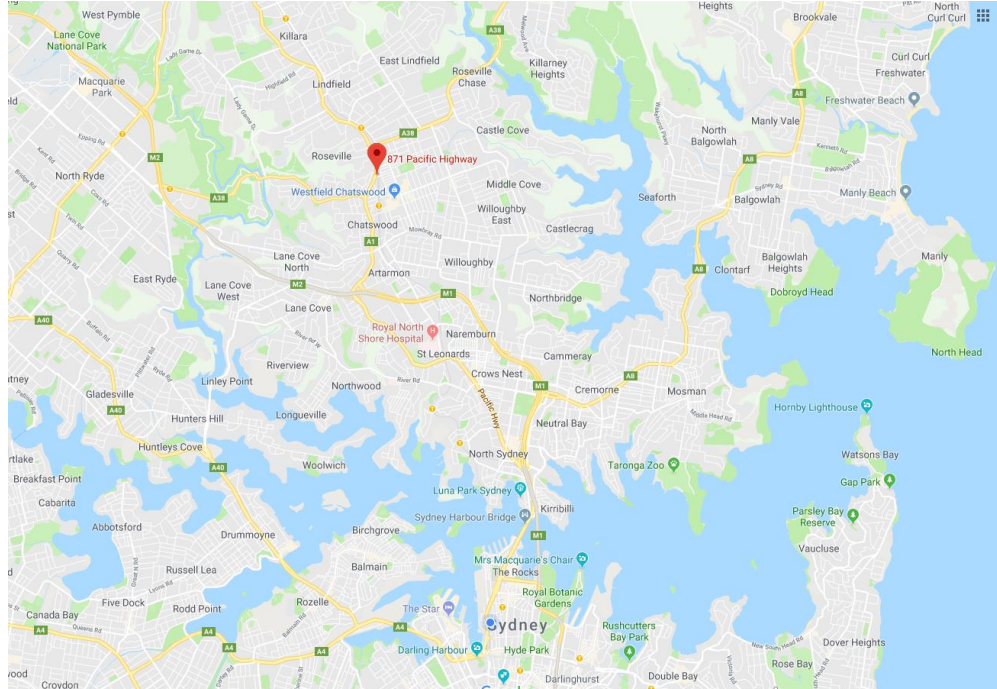


Figure 1: Regional context, subject site identified with the red marker (Source: Google Maps)

A location plan of the site is provided in **Figure 2** below, which shows the location of the site in relation to Chatswood Station, Westfield Shopping Centre as well as nearby schools and parks.



Figure 2: Location plan, site outlined in red (Source: PBD Architects)

3.2 Site Location and Description

The site has a total area of approximately 1,432m² and comprises three connected buildings ranging from one to two storeys in height. The site is legally described as SP17870 and is shown in **Figure 3** below. Refer to the Survey Plan prepared by Hammond Smeallie & Co at **Appendix 1** for further detail.

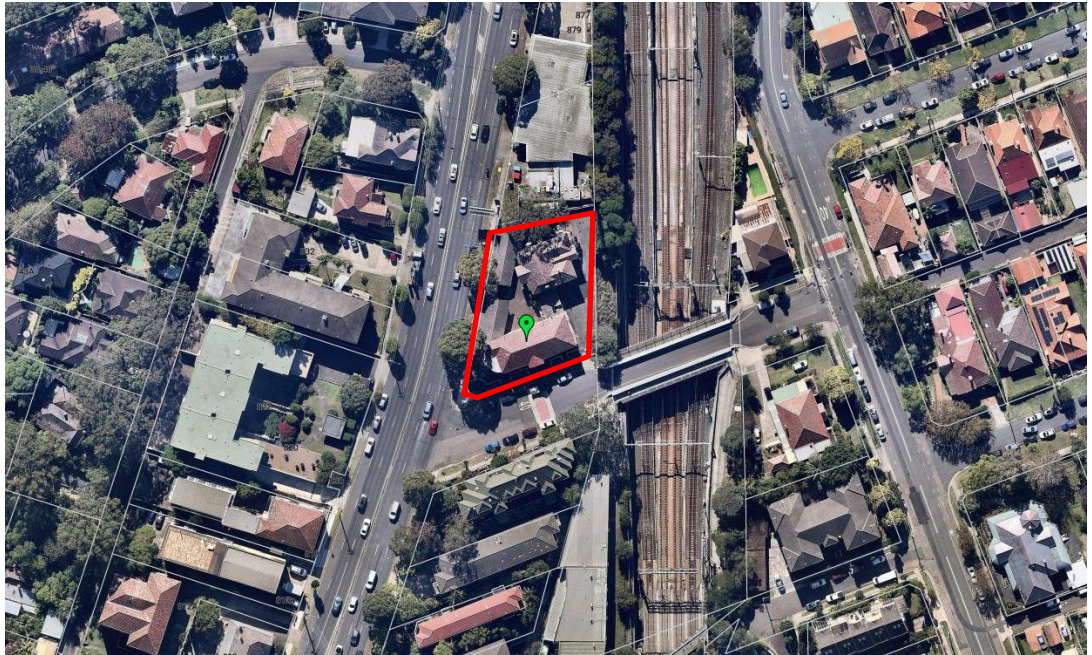


Figure 3: Aerial view, subject site outlined in red (Source: Nearmap)

The site has a 47.405m frontage to Pacific Highway (western boundary) and 38.435m frontage to Wilson Street (southern boundary). Immediately to the west of the site is the North Shore Train Line which is located below street level. The site is largely flat along the boundaries but has a 0.46m fall to the south along the Pacific Highway frontage and 0.24m fall to the west along the Wilson Street frontage. Existing vehicular access to the site is provided via Wilson Street.

There are 3 connected existing buildings on the site including one storey buildings along the Pacific Highway frontage and two storey brick buildings to the rear. There are no trees located within the site however there is some vegetation throughout the site and along the street frontages, as well as four large trees located adjacent to the site boundaries.

Figures 4 to 6 below provide an illustrative overview of the existing buildings on the subject site and its relationship with the surrounding area.



Figure 4: View of the site from Wilson Street (Source: CPSD)



Figure 5: View of the buildings on the site from Pacific Highway (Source: CPSD)



Figure 6: View of the site from Pacific Hwy (Source: Google Maps)

3.3 Surrounding Development

In summary, the surrounding context is described as follows:

- To the north of the site is the Shell Service Station.
- To the east of the site is the North Shore Train Line, which is located below street level and separated from the site by vegetation and a concrete embankment.
- To the immediate south east of the site is a bridge where Wilson Street crosses over the Train Line.
- To the south of the site, across Wilson Street, is a four storey residential flat building.
- Further south is additional residential flat buildings which increase in scale towards Chatswood CBD.
- To the west of the site, along Pacific Highway, is a mix of residential development ranging from single detached dwellings to two to eight storey residential flat buildings.

Figures 7 to 11 below provide an overview of the surrounding development.



Figure 7: View of RFB at 2 Wilson St located opposite the site (Source: CPSD)



Figure 8: View to the south west of the site across Pacific Hwy (Source: CPSD)



Figure 9: View of the Service Station adjoining the site (Source: CPSD)



Figure 10: Wilson Street vehicular bridge to the south west of the site (Source: CPSD)



Figure 11: View of the building located to the north west of the site, across Pacific Highway (Source: Google Maps)

3.4 Transport and Access

The site is highly accessible by public transport being located approximately 800m from Chatswood Railway Station, which is less than a 10 minute walk. The site is also located within 100m of two bus stops which provide services between Chatswood Station and Macquarie University. There are also bus routes which run along Anderson Street to the east of the site to areas such as Warringah Mall, Terrey Hills, Killarney Heights, Belrose etc.

The location of the site encourages active transport options, being directly connected to Willoughby Council's proposed Bicycle Network. As well as being connected to flat footpaths on the surrounding street network and safe road crossings.

3.5 Current Development Controls

Under the *Willoughby Local Environmental Plan 2012* (WLEP) the follows relevant controls are applicable to the site:

3.5.1 Zoning

The site is zoned B5 Business Development as shown in the zoning map extract below.

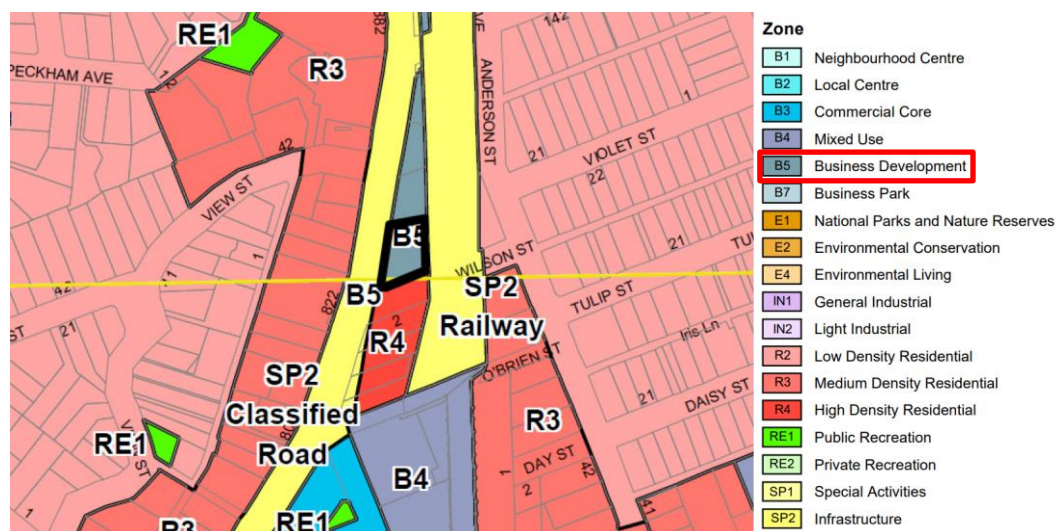


Figure 12: Extract of the Land Zoning Map, site outlined black (Source: NSW Legislation)

The following is an extract of the B5 Business Development Zone land use table, setting out the objectives of the zone and permissible land uses.

"Zone B5 Business Development

1 Objectives of zone

- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To accommodate businesses, provided that their access needs and the traffic generated does not interfere with the safety and efficiency of the road network.*

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Bulky goods premises; Business identification signs; Centre-based child care facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Neighbourhood shops; Passenger transport facilities; Respite day care centres; Restaurants or cafes; Roads; Shop top housing; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies."

3.5.2 Maximum Building Height

Under the WLEP the site is subject to a maximum building height of 21m as shown in **Figure 13** below.



Figure 13: Extract of the Maximum Building Height Map, site outlined black (Source: NSW Legislation)

3.5.3 Floor Space Ratio

The site is subject to a maximum FSR of 2.5:1 as shown in **Figure 14** below.

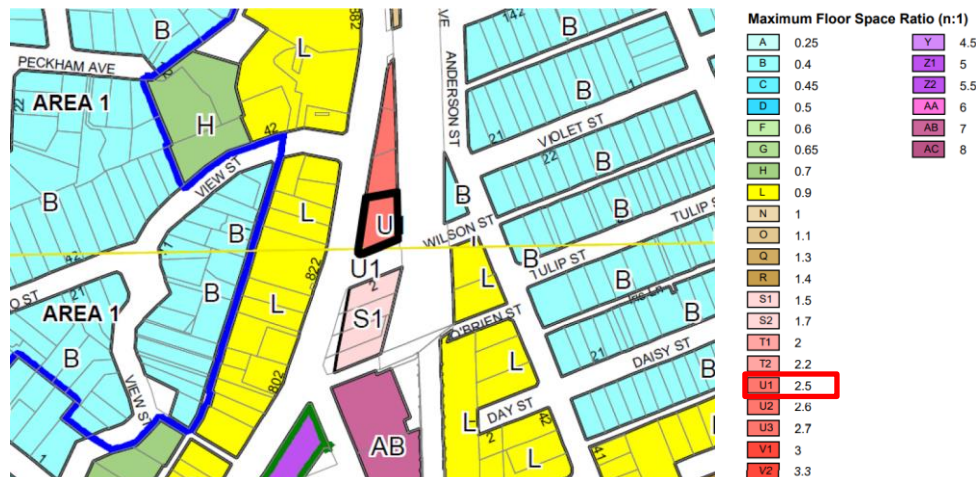


Figure 14: Extract of the Floor Space Ratio Map, site outlined black (Source: NSW Legislation)

3.5.4 Heritage Conservation

The site is not listed as a heritage item nor is the site located within a Heritage Conservation Area. The site is located in close proximity to local heritage item 'Boarding House (including original interiors)' at 850 Pacific Highway, as well as the North Chatswood Heritage Conservation Area to the east of the Train Line. The location of the site in relation to surrounding heritage items and conservation areas is shown in **Figure 15** below.

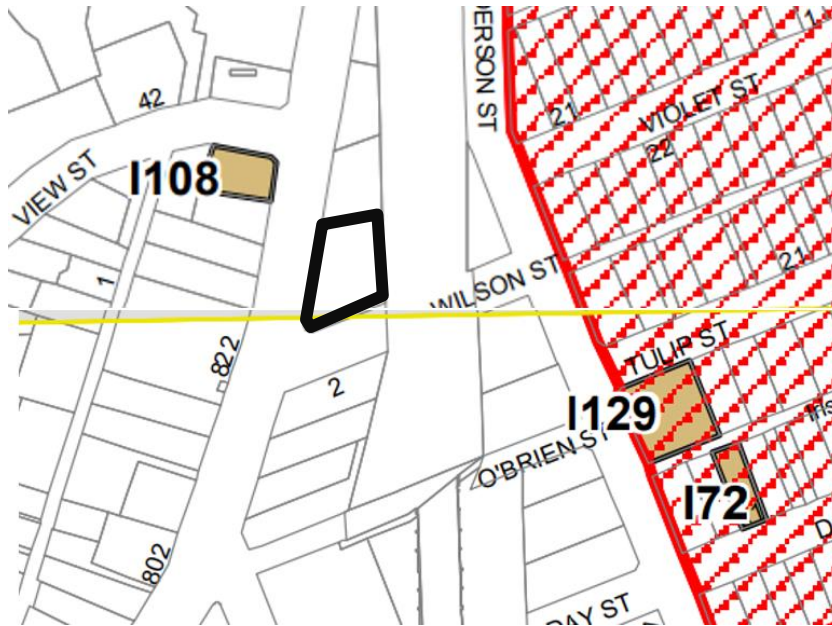


Figure 15: Extract of the Heritage Map, site outlined black (Source: NSW Legislation)

The PP is consistent with the outcomes of the Strategy, which considered the proposed controls appropriate for the site and its context.

3.6 Site Constraints and Opportunities

The identification of constraints and opportunities relating to the site helps to frame the planning principles that will guide future development.

In summary these constraints include:

- Consideration of potential noise and vibration impacts from the adjoining Railway Line and Pacific Highway.
- Long term lease of the adjoining service station and unknown timing on future development of the site.
- Narrowness of site and service station site to north.

The opportunities include:

- Council support for the expansion of Chatswood CBD and increased development on the periphery.
- Create a gateway development for the northern end of Chatswood CBD.
- The site benefits from two street frontages, being Pacific Highway and Wilson Street, maximising residential amenity and access to the site.
- Provide a sound architectural solution which will improve the appearance of the site.
- The site is highly accessible by public transport and located less than a 10 minute walk from Chatswood Train Station.
- The site is largely flat.
- Views from the site to Ku-ring-gai, Manly, the CBD and Blue Mountains.

Section B - Planning Proposals

4. Objectives and the Intended Outcomes

4.1 Vision and Objectives of the Planning Proposal

The intended outcome of this PP is to facilitate the redevelopment of the site to be consistent with the outcomes of the Chatswood CBD Planning and Urban Design Strategy.

The objectives of this PP are therefore to:

- Provide increased housing supply outside of the Chatswood CBD Commercial Core, which responds to the needs of the local community;
- Enhance and activate the site by providing a mix of uses including, retail and commercial space on the ground and first floor;
- Provide affordable housing in accordance with the Willoughby Affordable Housing Policy;
- Capitalise on opportunities within the site to provide an economic and orderly use of the land for a mixed-use development;
- Avoid the potential for isolation of the adjoining site by giving consideration to the future development on both sites;
- Facilitate a high quality urban and architectural design that responds to adjoining land uses;
- Provide an opportunity to improve the presentation of the site to the public domain, and enhance the streetscape in doing so;
- Minimise adverse impacts on existing development;
- Ensure the future development and use of land is appropriate to minimise environmental risks and potential impacts on adjoining land uses; and
- Satisfy State government objectives in 'A Metropolis of Three Cities' as well as relevant Section 117 directions.

4.2 Intended development outcome

The purpose of this PP is to allow for increased development on the site in accordance with Council's Chatswood CBD Planning and Urban Design Strategy. The intended development outcome is to facilitate a mixed use development at the northern Gateway of Chatswood CBD. The additional GFA as a result of the LEP amendment will facilitate increased housing options and supply outside of the Chatswood Commercial Core as well as providing additional commercial floor space. The specific outcome of this PP is to facilitate the following:

- Change the zoning from B5 Business Development to B4 Mixed Use.
- Increase the allowable height from 21m to 90m.
- Increase the achievable FSR from 2.5:1 to 6:1 for sites greater than 1,200m².
- 4% of the residential floor space in the building is to be used for affordable housing.
- Require a maximum commercial FSR of 1:1.

The concept proposal prepared by PBD Architects is an indicative development outcome for the site demonstrating the anticipated built form outcome for the site which responds to the proposed WLEP amendments and that facilitates the positive outcomes discussed in this PP. The potential yield of the indicative development is shown in **Table 2** below.

Element	Provision
Site Area	1,432m ²
GFA	Total - 8,592m ²
	Commercial - 1,432m ²
FSR	6:1 (includes non-residential GFA of 1:1)
Height	90m
Total Residential Units	86 units
Parking	129 parking spaces

PBD Architects have prepared the following indicative plans illustrating the design concept. Refer to the Urban Design report at **Appendix 2** for further detail.

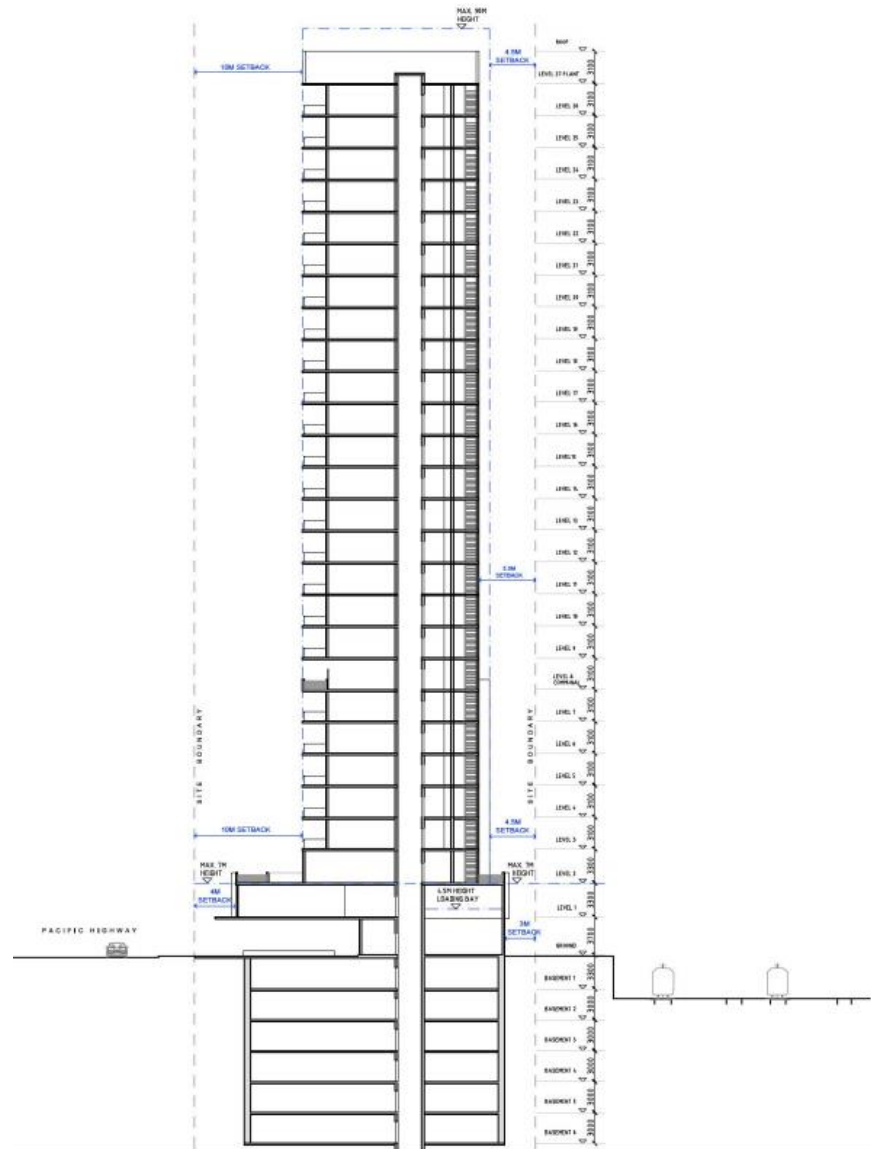


Figure 16: Extract of the indicative section (Source: PBD Architects)

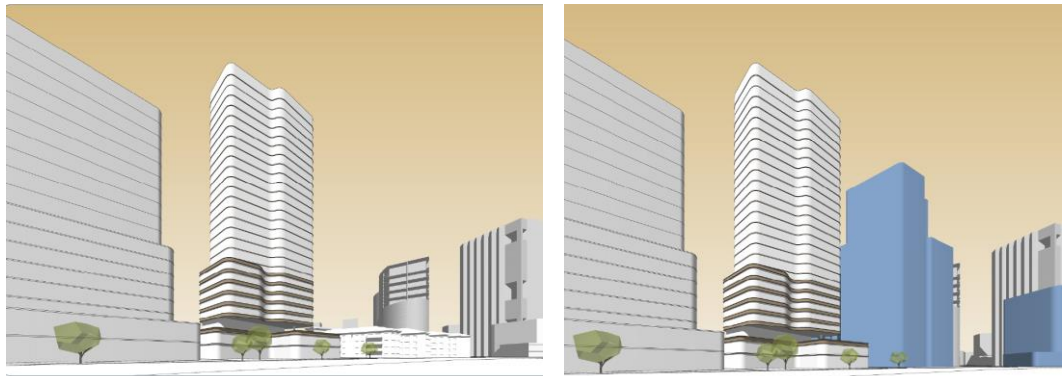


Figure 17: View of the site from, current context (left) future context (right) (Source: PBD Architects)

Whilst this PP does not include the adjoining site to the north (i.e. 879 Pacific Highway), the indicative concept plans have shown a potential development on this site. Given the constrained nature of the site, its narrowness and single vehicular access point, it will be critical that the subject site provides vehicular access through a connecting basement, so that access is not required from the Pacific Highway. Any future DA can detail how this will be provided. The figure below demonstrates a likely outcome to facilitate a shared access should this site redevelop.

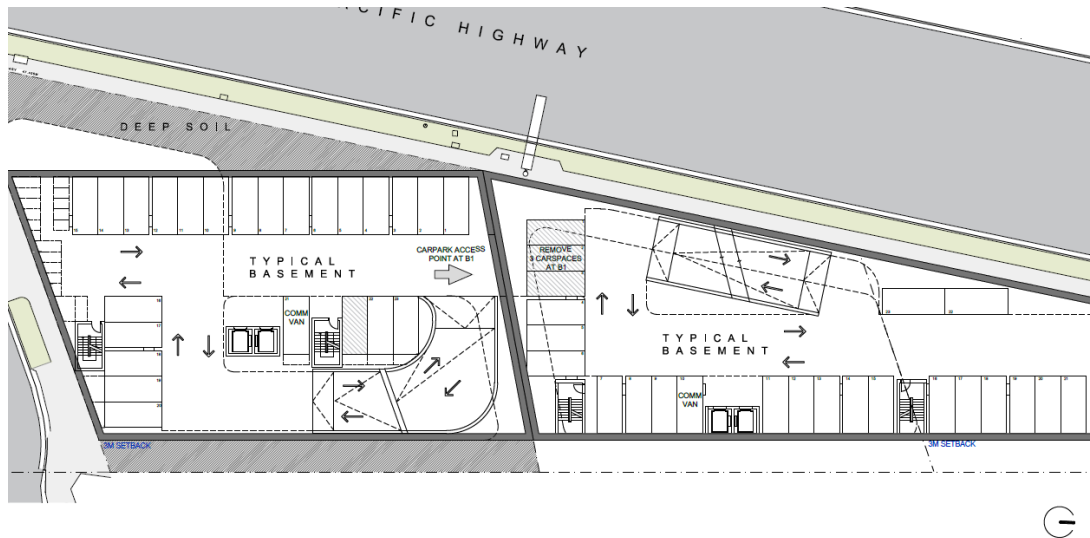


Figure 18: Extract of the Indicative basement Plan 1 (Source: PBD Architects)

The proposed indicative concept scheme also indicates how a future 'link' can be incorporated between our site and the neighbouring site to the land to the east. The future link could be provided on the adjacent site to the north, which could integrate with the Public Open Space area indicated on the subject site.



Figure 19: Concept Landscape Strategy (Source: Site Image)

A draft VPA letter of offer was submitted with the planning proposal by the original applicant (Megland). Given the passage of time and Council's recently revised approach to the calculation of value uplift in its draft Planning Agreement policy (Sept 2020), the new applicant (Goldfields) is willing to negotiate the terms of a new planning agreement to fund local infrastructure. The original VPA offer is included for reference.

Refer to **Appendix 10** for detail.

5. Part 2 - Explanation of the provisions

LEP Amendments

This PP seeks to amend the *Willoughby Local Environmental Plan 2012* as follows:

- Rezone the site from B5 Business Development to B4 Mixed Use;
- Amend the Floor Space Ratio from 2.5:1 to 6:1.
- Increase the maximum building height from 21m to 90m.
- Add a minimum commercial floor space of 1:1 within the Mixed Use zone on the site.
- Require the development of the site to provide 4% Affordable Housing as per Clause 6.8 of the LEP.

It is proposed to implement these amendments by updating the relevant WLEP 2012 Maps as follows:

- Amend the Land Zoning Map (Sheet LZN_004) for 871-877 Pacific Highway, Chatswood, and re-zone the site to B4 Mixed Use.
- Amend the Height of Buildings Map (Sheet HOB_004) for 871-877 Pacific Highway, Chatswood, and increase the maximum height limit to 90m.
- Amend the Floor Space Ratio Map (Sheet FSR_004) for 871-877 Pacific Highway, Chatswood, and increase the maximum FSR to 6:1.
- Amend the Special Provisions Area Map (Sheet SPA_004) to identify 871-877 Pacific Highway, Chatswood as "Area 3".

The minimum commercial floor space will be implemented by adding a new Clause in Part 6 'Local Provisions' to the LEP as follows:

Minimum commercial floor space within the Mixed Use zone on this site

Any redevelopment on 871-877 Pacific Highway shall contain a minimum non-residential floor space component of 1:1.

The above Clause and proposed LEP Map changes are similar with what Council has recommended in the Planning Proposal at 629-639 Pacific Highway, Chatswood.

The Strategy also identifies that Design Excellence will be required for all future development benefiting from the recommended uplift and that a competitive process will be required for buildings above 35m. Council have not yet resolved how they would like to undertake this process. An additional clause could be inserted into the LEP and/or DCP. This can be informed from the principles established in 'Better Placed' prepared by the Government Architects Office. Once Council have resolved how they would like to undertake this process, we would be pleased to assist with the required changes, however, we have included a draft provision in the DCP for consideration.

The proposed controls would enhance the viability of the redevelopment of the site into a mixed use building, consistent with the recommendations in the Chatswood CBD Planning and Urban Design Strategy.

The Strategy also requires that development benefiting from uplift in the Chatswood CBD is to provide 4% of residential floor space as affordable housing. To achieve this, the Special Provisions Area Map will be amended to apply to the subject site. Affordable housing on the site will be provided within the maximum floor space ratio.

DCP Amendments

The Urban Design Report prepared by PBD Architects includes DCP envelope diagrams that could be incorporated within the Willoughby DCP. These envelope controls could be used to further assist in ensuring that the built form of the development on the site subject to the proposed LEP provisions are consistent with that indicated under this PP. A draft DCP accompanies this planning proposal which incorporates site specific controls to be implemented on the site through the WDCP.

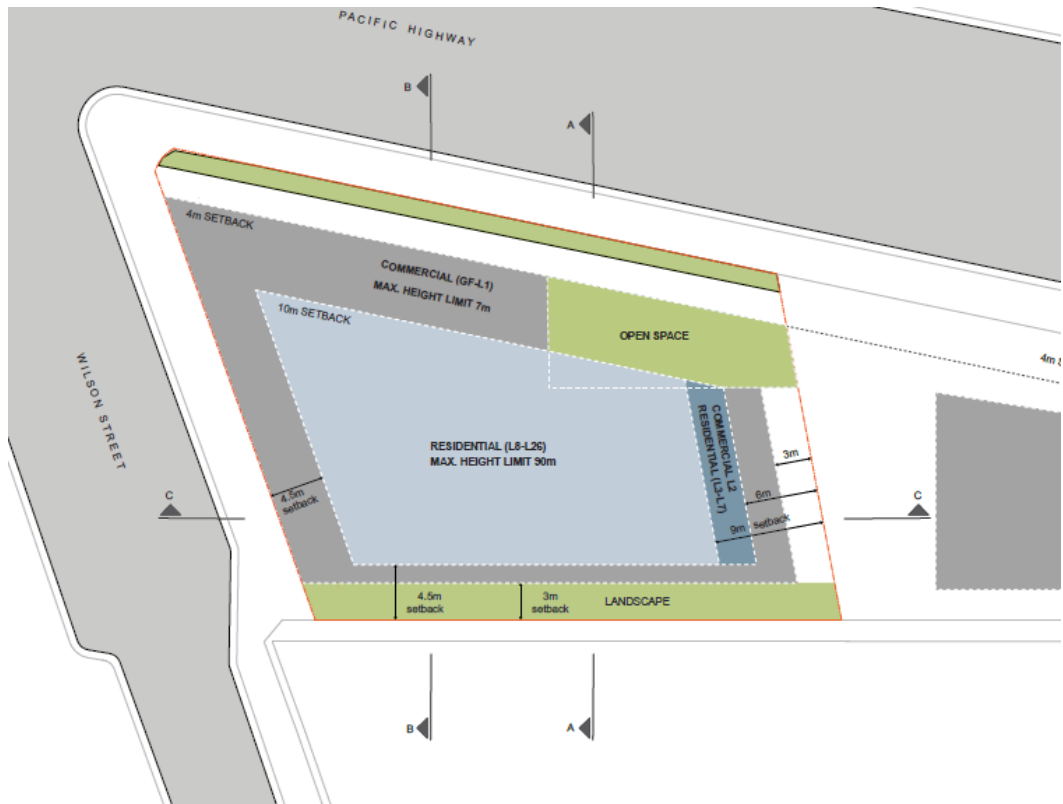


Figure 20: Extract of the proposed DCP controls (Source: PBD Architects)

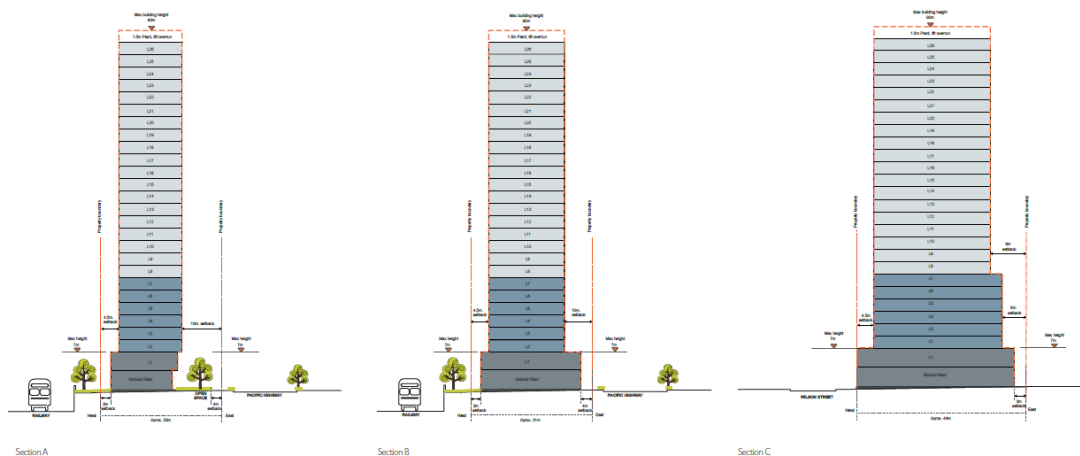


Figure 21: Extract of the proposed DCP Sections (Source: PBD Architects)

6. Part 3 - Justification

6.1 Need for a Planning Proposal

6.1.1 Is the PP a result of any strategic study or report?

This PP is the direct result of the Chatswood CBD Planning and Urban Design Strategy to 2036 - September 2020 (i.e. the Strategy). The Chatswood CBD Strategy aims to establish a strong framework to guide future private and public development as the CBD grows over the next 20 years. It aims to provide capacity for future growth, achieve exceptional design and a distinctive, resilient and vibrant CBD. As noted in **Section 2.1**, the Strategy recognises a strong demand for office space in Chatswood CBD and therefore the office core around the transport hub is recommended to be maintained. To ensure the office core is protected, the Strategy has identified growth of mixed use developments on the CBD periphery, which encompasses the subject site, as shown in **Figure 22** below.

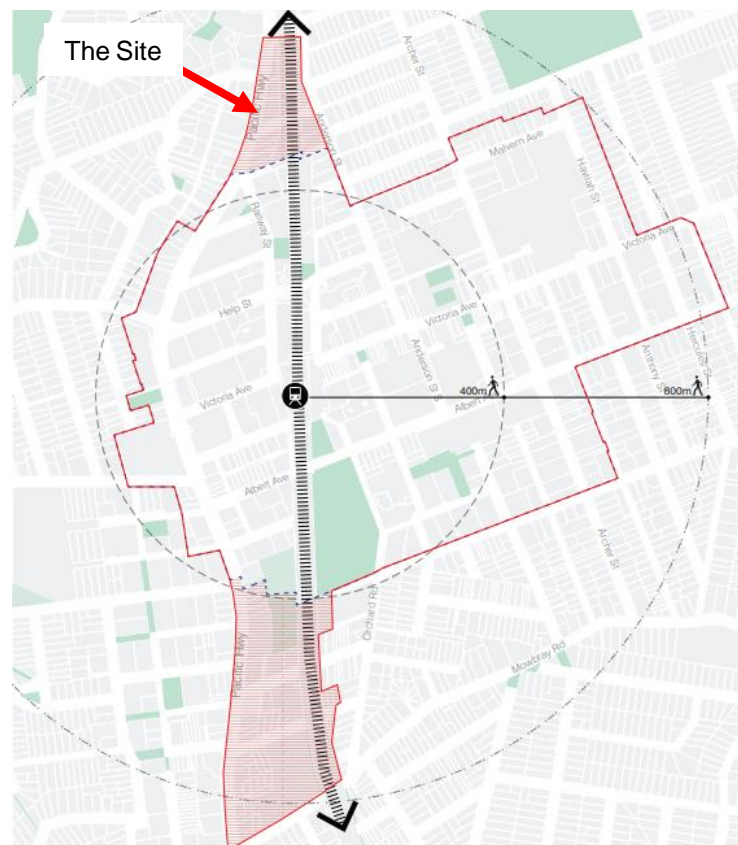


Figure 22: Proposed Chatswood CBD boundary expansion (Source: Chatswood CBD Planning and Urban Design Strategy)

This PP seeks to facilitate the future re-development of the subject site, by amending the planning framework to allow development on the land which is consistent with the recommendations of the Strategy.

This PP is consistent with the key elements identified in Section 3.1 of The Strategy as demonstrated in the table below:

TABLE 1: CONSISTENCY WITH KEY ELEMENTS IN SECTION 3.1 OF THE CHATSWOOD CBD PLANNING AND URBAN DESIGN STRATEGY

Element	Proposal
CBD Boundary	
1.	The site is located within the north section of the new expanded CBD boundary.
Land Use	
2.	Under the Strategy the site is recommended to be rezoned to B4 Mixed Use to enable commercial and residential development outside of the CBD Core. This PP seeks to rezone the site from B5 Business Development to B4 Mixed Use, consistent with the Strategy.
3.	N/A
4.	N/A
Planning Agreements to Fund Public Domain	
5.	<p>The Strategy recommends increased FSRs between the base FSR and the maximum FSR is to be linked to a contributions scheme that will provide the public and social infrastructure in the Chatswood CBD necessary to support an increased working and residential population.</p> <p>The proposed FSR is 6:1, including a non-residential GFA of 1:1.</p> <p>A draft VPA letter of offer was submitted with the planning proposal by the original applicant (Megland). Given the passage of time and Council's recently revised approach to the calculation of value uplift in its draft Planning Agreement policy (Sept 2020), the new applicant (Goldfields) is willing to negotiate the terms of a new planning agreement to fund local infrastructure</p>
6.	Noted.
7.	The draft DCP accompanying this planning proposal includes a requirement that Public Art is to be included as part of the development, and integrated within the site
Design Excellence and Building Sustainability	
8.	<p>The Strategy identifies that any future DA for the site will be subject to a competitive design process as the development will be greater than 35m high, as a result of this PP. Any future development application will give consideration to higher building sustainability standards.</p> <p>Council have not identified how they would like to implement this process. This can be required by amending the LEP or Council's DCP. If Council have not identified a suitable process post any gateway determination, this could be implemented into the site specific DCP that will be required.</p> <p>It is noted that Council have recommended a new Clause for another PP submitted for 629-639 Pacific Highway, Chatswood. The WLEP could be amended to ensure that this Clause applies to this site, by identifying it on the 'Special Provisions Area Map'.</p>
9.	It is noted that achievement of design excellence will include achievement of higher building sustainability standards.

10.	It is noted that the Architects for design excellence schemes should be maintained through the development application process and can only be substituted with written agreement of Council
Floor Space Ratio (FSR)	
11.	The base FSR for the site is 2.5:1.
12.	b) As the site area exceeds 1,200sqm the site is recommended a maximum FSR of 6:1, which is proposed under this application. The site does not require amalgamation.
13.	Application of a maximum FSR of 6:1 is considered suitable following a detailed review of site constraints, surrounding context, other aspects of the Strategy and SEPP 65 and the Apartment Design Guidelines.
14.	Any affordable housing included in a future DA for the site will be provided within the maximum FSR. 4% of the residential GFA equates to 286m ² being dedicated for affordable housing on the site. This results in an estimated 4 units (2 x 2 bed and 2 x 1 bed units at Level 3) as affordable housing.
15.	The proposed LEP amendments and concept design facilitates a minimum commercial FSR of 1:1, consistent with the Strategy. The concept plans provided in the Urban Design Report indicate the following floor plates to achieve the required non-residential FSR: <ul style="list-style-type: none"> ▪ G.F: 322m² ▪ Level 1: 660m² ▪ Level 2: 450m² ▪ TOTAL: 1,432m²
Built Form	
16	(b) In order to achieve the slender tower forms sought by Council the maximum floor plate of the residential tower above the podium will not be greater than 700sqm. This is demonstrated in the accompanying concept plans prepared by PBD and provided at Appendix 2 . The floor plates from Level 3-26, above the podium, range from 460sqm - 530sqm, less than 700sqm.
17.	The proposed concept plans have minimised the width of each side of the tower to ensure the bulk of the building is reduced. The slender tower form will minimise potential impacts on surrounding sites. This requirement is provided within the proposed Draft DCP.
18.	The Urban Design Report provides an indicative SEPP 65 and ADG analysis, which demonstrates the proposal is capable of satisfying the recommended Design Criteria. The proposed indicative concept scheme has shown potential development on the adjoining site to demonstrate that sufficient separation can be provided between future buildings.
Sun Access to Key Public Spaces and Adjacent Conservation Areas	
19.	The proposal will not result in any overshadowing of the key public spaces identified in the Strategy.
Building Heights	

20.	The Strategy recommends a maximum building height of 90m, which is what is proposed in this PP. The proposal is not affected by the sun access protection plane.
21.	As shown in the proposed section at Appendix 2 , the plant and lift overruns located on the roof level are able to be accommodated within the 90m maximum building height.
Links and Open Space	
22.	No links and open space are identified in close proximity to the subject site. However, as part of the indicative concept plans an un-obstructed 3m setback to the southern boundary has been provided which may allow for future link.
23.	As shown on the concept plans communal open space is provided on Level 8 for use by residents. The space will be appropriately designed to address issues of quality, safety and useability.
Public Realm or Areas Accessible by Public on Private Land	
24.	The Landscape Concept Plans show the potential for landscaped public open space along the Pacific Highway frontage.
Landscaping	
25.	A green roof is provided on Level 2 surrounding the communal area and commercial space. This space will provide passive green spaces and maximise solar access.
26.	A control has been included in the draft DCP which identifies that a minimum of 20% of the site is to be provided as soft landscaping, which may be located on Ground, Podium and roof top levels or green walls of buildings.
Setbacks and Street Frontage Heights	
27	<p>(d) The proposed setback at the rear of the site fronting the train line is 3m from the ground level to Level 2. A landscape link is then able to be proposed between the site boundary and the train which will ensure there is an adequate buffer between the different land uses. Above the podium, from Level 3 to Level 26 the building is setback 4.5m from the train line.</p> <p>The proposed setbacks comply with the 6-14m street wall height and the setback above the street wall exceeds 3m, as required under the Strategy.</p> <p>(e) The proposed setback to the Pacific Highway frontage complies with the minimum 4m setback required at Ground Level. Above the street wall the building is setback 10m from Pacific Highway, complying with the minimum 6m setback required under the Strategy.</p>
28.	The indicative concept plans provide a minimum setback of 4.5m from all boundaries above the podium level.
29.	<p>(a) The building separation to the neighbouring sites will be in accordance with the Apartment Design Guide as demonstrated in the indicative concept scheme.</p> <p>(b) A control has been included in the draft DCP which requires building separation to neighbouring buildings is to be a minimum of 6 metres from all boundaries for commercial uses above street wall height.</p>

Active Street Frontages	
30.	The concept plans include retail and commercial uses at the ground floor to maximise pedestrian activity surrounding the site.
Further Built Form Controls	
31.	The concept plans have been designed with consideration of the future development of the adjoining service station site to ensure the site does not become isolated. The proposed indicative concept scheme provides a joined basement level to the adjoining site to ensure that future vehicular access can be provided, and has included a servicing corridor within the building for future waste and delivery movements (if needed).
32.	N/A
33.	Floor space at ground level has been maximised by providing supporting functions in the basement levels. The proposed indicative concept scheme provides the heavy vehicle and garbage loading rooms on the ground floor as a result of site constraints. These rooms has been integrated within the building so that activation is maximised. The light vehicle loading will take place at Basement 1.
34.	All substations will be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages.
Traffic and Transport	
35(a)	The vehicle entry point to the site is provided on Wilson Street to minimise impacts on Pacific Highway. The proposed heavy vehicle and garbage loading dock is located on ground floor due to site constraints, however it will not adversely impact on the adjoining street. The light vehicle loading will take place in Basement 1. The proposed location of the loading dock at the ground level is appropriate for the site given its narrow width, and impractical impacts that would arise if loading was required within the basement level. Refer to the amended Traffic Report and Cover Letter prepare by Varga Traffic Planning at Appendix 7.
(b)	The concept plans include a connection between the basement levels of the subject site and the basement level of the future development on the adjoining site.
(c)	All vehicles are able to enter and exit the site in a forward direction.
(d)	All commercial and residential loading and unloading will occur on-site in the ground floor loading dock.
(e)	Car parking should be reduced consistent with the objectives of Council's Integrated Transport Strategy and in accordance with any future revised car parking rates in Councils DCP. This will be addressed as part of a future Development Application.
(f)	The future development on the site can include other strategies for car parking reduction including reciprocal arrangements for sharing parking and car share. This will be addressed as part of a future Development Application.

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

Yes, this Planning Proposal is the only way of achieving the objectives to trigger the redevelopment of the site in accordance with the objectives in the Chatswood CBD Planning and Urban Design Strategy. The scale of change sought is outside the scope of Clause 4.6. A PP provides a transparent method of facilitating change and allows the community and opportunity to engage in the process.

There are a range of alternate means of amending the WLEP that could be considered to facilitate the concept development, including:

- **Option 1** - Introduction of a site-specific provision under Part 6 of the WLEP.
- **Option 2** - Introduce a new provision under Schedule 1 Additional Permitted Uses under the WLEP to include the development controls as required. This could be amended in a way that would be specific to the site, or, make an amendment to the 'Key Sites Map' which has been relied upon for other sites.
- **Option 3** - Amend the FSR and Height of Building Map so that they identify the site as a particular area on the maps (e.g. 'Area 1'), and subsequently introduce an additional subclause under Clause 4.3 and 4.4 of the WLEP that allows the desired development outcome.
- **Option 4** - The preferred option is to amend the FSR, Height of Buildings and Zoning maps under the WLEP.

As the proposal comprises only 1 lot the proposed amendments to the LEP Maps is the preferred option for achieving the objectives and intended outcome of this PP.

6.2 Relationship to Strategic Planning Framework

6.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable region or sub regional strategy (including the Sydney Region Plan and District Plan)?

▪ Greater Sydney Region Plan

The *Greater Sydney Region Plan - A Metropolis of Three Cities* was released in March 2018 and is the first Region Plan prepared by the Greater Sydney Commission.

The Plan encompasses a global metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City. It is envisioned that people of Greater Sydney will live within 30 minutes of their jobs, education and health facilities, services and great places. Refer to the figure below for the general location of the site within the Eastern Harbour City. The site is located along the Eastern Economic Corridor, where Chatswood is noted as a major asset and identified as a Strategic Centre.

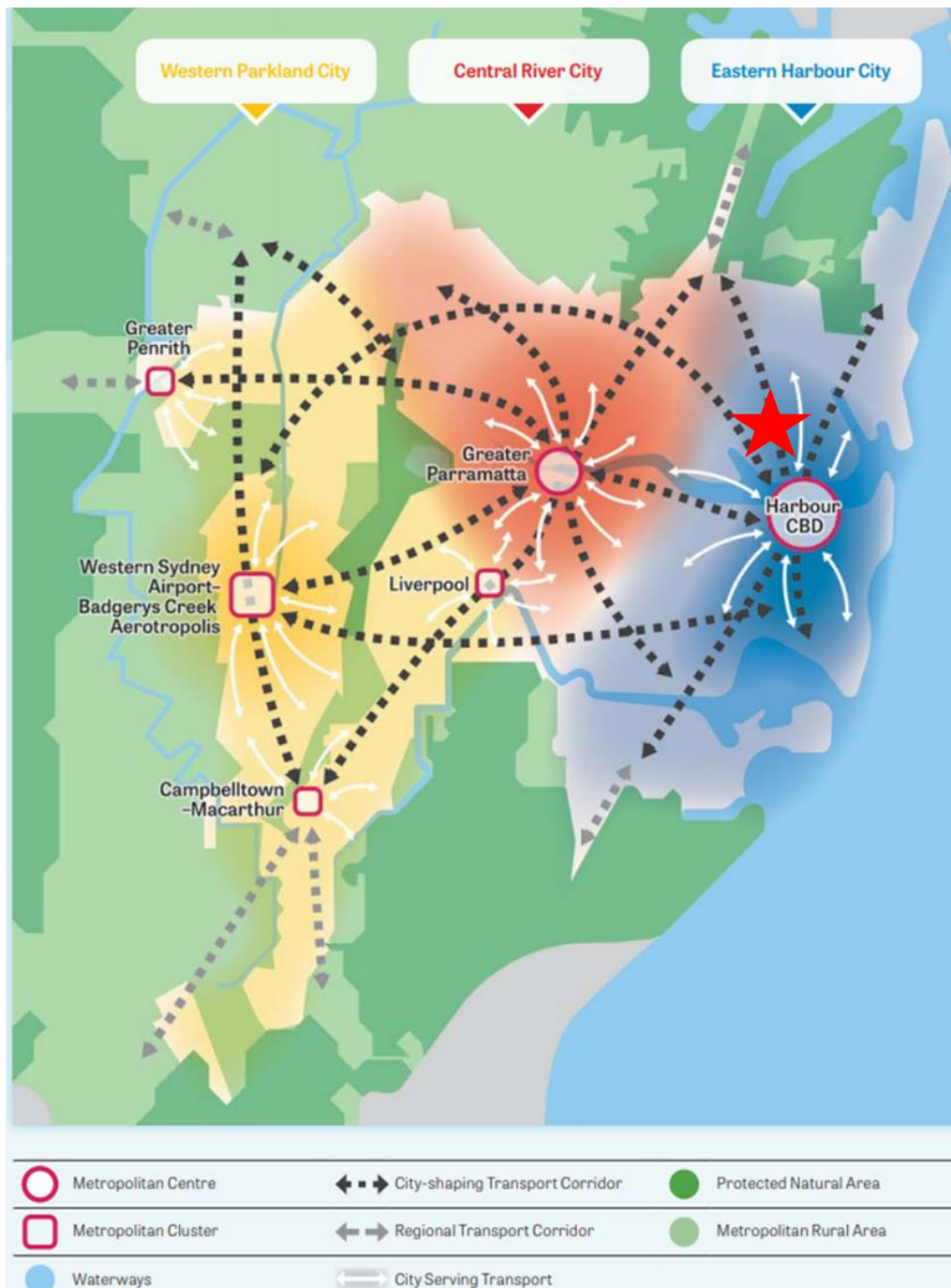


Figure 23: Metropolis of Three Cities, subject site identified with a star (Source: Greater Sydney Region Plan)

Consistency with the relevant parts of the Greater Sydney Region Plan is outlined in **Table 2**:

TABLE 2: CONSISTENCY WITH THE RELEVANT GREATER SYDNEY REGION PLAN DIRECTIONS

Direction	Response
Housing the City	This PP will facilitate increased residential accommodation in a highly accessible location, which supports the objective to provide a greater housing supply.
A City of Great Places	This PP will facilitate the redevelopment of the site and create the opportunity to improve the built environment and create an attractive, safe and enjoyable space.
A Well-Connected City	The site is well connected to public transport being in close proximity to Chatswood Train Station and nearby bus stops. Chatswood Station has been identified to be upgraded as part of the Stage 1 Sydney Metro works. By increasing employment and housing on the site this will assist in the creation of the 30-minute City.
Jobs and Skills for the City	The increased development on the site in accordance with this PP will provide additional employment opportunities through commercial and retail spaces. Furthermore, the concept will provide housing on the site which is located within close proximity to a number of nearby employment hubs, thereby improving opportunities to reduce travel time to work.
A City in its Landscape	This PP provides the opportunity to enhance the quality of landscaping on the site, particularly adjoining the railway line.

■ North District Plan

The North District Plan identifies planning priorities and actions for improving the quality of life for residents of the North District as the area grows and changes. The District Plan has identified Chatswood as a strategic centre, which is located within the Eastern Economic Corridor and comprises a mix of retail, office and residential uses as well as community and health.

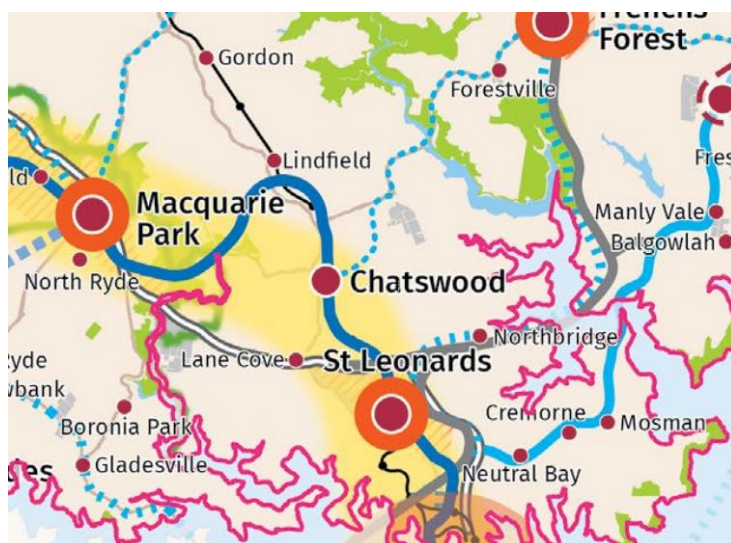


Figure 24: Extract of the North District Plan (Source: GSC)

Consistency with the plan's planning priorities is demonstrated in the table below.

TABLE 3: CONSISTENCY WITH NORTH DISTRICT PLAN

Planning Priority	Response
Fostering healthy, creative, culturally rich and socially connected communities	The PP will facilitate ground floor retail uses which will promote opportunities for streetscape activation and social interactions for community members. As the site is located in close proximity to Chatswood CBD, the proposal will encourage active forms of transport.
Providing housing supply, choice and affordability, with access to jobs, services and public transport	This PP will facilitate the proposed concept which will improve supply and choice of housing within the local area and provide homes close to jobs. This PP will also assist in reaching the 5-year housing target for Willoughby LGA, to include an additional 1,250 dwellings by 2021.
Growing investment, business opportunities and jobs in strategic centres	This PP will provide retail and commercial floor space on the site in addition to residential units. The future delivery of housing on the site will assist in providing increased housing outside of the Chatswood CBD and protect the commercial core.
Delivering integrated land use and transport planning and a 30-minute city	This PP will assist in the creation of a 30-minute city by providing additional jobs and homes in a highly accessible location.

The proposed PP is therefore considered to be consistent with the Greater Sydney Region Plan and North District Plan.

■ Merit Assessment

The Department of Planning and Environment has identified assessment criteria to justify and determine if a PP has strategic planning merit.

In this respect, as outlined in the summary tables below, this PP and the site have strategic and site-specific merit.

TABLE 4: STRATEGIC MERIT TEST

Strategic Merit Test	Comment
1) Consistent with the relevant draft district plan or corridor/precinct plans applying to the site, including any draft plans released for public comment; or	As discussed above, this PP is consistent with the <i>Greater Sydney Region Plan</i> and the <i>North District Plan</i> . The proposal will increase accommodation in Chatswood CBD with the future development accommodating up to 94 dwellings, in close proximity to public transport.
2) Consistent with a relevant local strategy that has been endorsed by the Department; or	The PP is consistent with the: <ul style="list-style-type: none"> ■ Chatswood CBD Planning and Urban Design Strategy which has been endorsed by the Department.
3) Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.	The change in circumstance in this particular instance relates to the desire by Willoughby City Council to provide increased development on the CBD periphery in order to protect the existing Commercial Core. This PP facilitates a mixed use development consistent with the built form envisaged in the Strategy.

TABLE 5: SITE-SPECIFIC MERIT TEST

Site-specific Merit Test	Comment
1) The natural environment (including known significant environmental values, resources or hazards);	The site is not known to contain any significant environmental values, resources or hazards. Any DA for future works will address the potential impact of any development on adjacent land and its natural environment.
2) The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and	As the site and immediately surrounding vicinity is subject to the Chatswood CBD Strategy, the Strategy has given consideration to the existing and future land uses within the locality. Pursuant to the Strategy the future land use of all land immediately adjoining the site is B4 Mixed Use. The PP has taken into consideration its surrounding context and will not adversely impact any surrounding development (existing or proposed). Specifically, the proposal has given consideration to the adjoining service station site to ensure this site does not become isolated.
3) The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	The site is highly accessible by public transport being located within a 10 minute walk of Chatswood Train Station, a number of bus stops located on the Pacific Highway and Anderson Street. We do not envisage there will be any unreasonable demand placed on services and infrastructure, beyond those already envisaged by the Chatswood CBD Planning and Urban Design Strategy.

The conclusion of this assessment is that the proposal has both strategic and site-specific merit and should be progressed for consideration of a Gateway Determination.

6.2.2 Is the planning proposal consistent with the council's local strategy or other local strategy plan?

The relevant local strategies that need to be considered are below:

- Chatswood CBD Planning and Urban Design Strategy;
- Willoughby City Strategy 2013 -2029
- Willoughby Housing - Position Statement

Willoughby Local Strategic Planning Statement

Chatswood CBD Planning and Urban Design Strategy

Consistency of this PP with the Chatswood CBD Planning and Urban Design Strategy is discussed in detail in **Section 6.1.1**.

Willoughby City Strategy 2013-2029

This PP is consistent with the following key strategic directions of Council's Community Strategic Plan 'Willoughby City Strategy':

- **Homes** - This PP can facilitate increased housing choice, quality and character on the site to respond to the changing demographics of the Willoughby Area. The site is highly accessible and there is adequate infrastructure to support future development. The

proposal will also provide affordable housing in accordance with the Willoughby Affordable Housing Policy.

- **Infrastructure** - As the site is highly accessible the proposal has the opportunity to reduce car dependence and encourage the use of active and public transport as an alternative.
- **Economic Activity** - This PP will facilitate the proposed concept which can provide retail and commercial floor space on the site, providing business and employment opportunities.

Willoughby Housing - Position Statement

The Willoughby Housing - Position Statement was released in 2017 and includes discussion on the future housing needs of the Willoughby LGA over the next 20 years. The principles underpinning the Position Statement are as follows:

- Provide sufficient and well-designed housing for the next 20 years.*
- Provide for a mix of housing types to suit various community needs including affordable housing.*
- Focus new housing growth in larger centres and areas of medium and high density with access to public transport to protect lower density neighbourhoods.*
- Promote community health and wellbeing by locating new housing within walkable access (400m) to transport and other local services and amenities.*
- Respect and promote the heritage and environmental qualities of WCC in planning for new housing."*

This PP will facilitate the proposed concept which will provide high density residential development on the site increasing housing supply and choice within Chatswood. The existing site is located within a medium density area and therefore this PP will protect the existing low density neighbourhoods within the locality. The site is highly accessible being located 500m from Chatswood Station and a number of local services and amenities provided in Chatswood CBD. As such, future development as a result of this PP is consistent with the key principles outlined in the Willoughby Housing Position Statement. This is due to the sites convenient location and ability to accommodate high density development.

Willoughby Local Strategic Planning Statement

The Willoughby Local Strategic Planning Statement (LSPS) sets out the 20 year vision for land use in the local area and responds to A Metropolis of Three Cities and the North District Plan. The LSPS also informs amendments to Willoughby Local Environmental Plan 2012 and Willoughby Development Control Plan. In the context of the Willoughby LGA, the LSPS also provides information on the following:

- The existing and future character of Willoughby.
- Future housing, jobs and services.
- Future infrastructure requirements such as community facilities and transport initiatives.
- Protection of the environment and heritage values, areas and items.

A draft LSPS was exhibited from 15 August 2019 to 27 September 2019. Following exhibition, a draft final LSPS was reported to and adopted by Council on 10 February 2020.

Some of the key priorities in the LSPS that this PP is consistent with include:

- Priority 1: Increasing housing diversity to cater to families, the aging population, diverse household types and key workers
- Priority 2: Increasing the supply of affordable housing
- Priority 3: Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features
- Priority 6: Planning for local centres which are vibrant places that meet the everyday needs of the population
- Priority 9: Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor

Overall the future development of the site as a result of this PP will increase housing supply and diversity within the LGA, provide 4% of residential GFA as 'affordable housing', improve the public domain surrounding the site and in turn walking and cycling connections. Further, the proposal will provide a high quality mixed use building within Chatswood CBD. The proposal is therefore consistent with the Willoughby LSPS.

6.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

TABLE 6: CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS).

SEPP Title	Consistency	Comment
19.Bushland in Urban Areas	N/A	Not applicable
21.Caravan Parks	N/A	Not applicable
33.Hazardous and Offensive Development Complex	N/A	Not applicable
36.Manufactured Home Estates	N/A	Not applicable
47.Moore Park Showground	N/A	Not applicable
50.Canal Estate Development	N/A	Not applicable
55.Remediation of Land	Yes	<p>The PP will not contain provisions that will contradict or would hinder the application of this SEPP.</p> <p>The sites historical use was for commercial/retail purposes and the proposed use will continue for commercial/retail purposes with residential uses above.</p> <p>A Detailed Site Investigation has been undertaken by Douglas Partners in 2015 for a DA that was submitted on the site (DA 2015/133) and is provided at Appendix 4. The investigation addresses the requirements of SEPP No. 55. A cover letter has been prepared by Douglas and Partners confirming that the conclusions and recommendations in the report are relevant to this PP. Refer to Appendix 4 for further detail</p>

SEPP Title	Consistency	Comment
64.Advertising and Signage	N/A	Not applicable to the subject PP but may be relevant to future DA(s).
65.Design Quality of Residential Flat Development	Yes	The accompanying Urban Design Report by PBD incorporates Urban Design Guidelines that demonstrate how the design quality principles of SEPP 65 and key guidelines of the Apartment Design Guide may be readily achieved by future development under the proposed controls in this PP.
70.Affordable Housing (Revised Schemes)	Yes	If a requirement for affordable housing is introduced in the PP, the relevant provisions will be consistent with this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Major Projects) 2005	N/A	Not applicable
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable
SEPP (Infrastructure) 2007	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable

SEPP Title	Consistency	Comment
SEPP (Affordable Rental Housing) 2009	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Vegetation in Non-Rural Areas)	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Coastal Management)	N/A	Not applicable

There are no deemed State Environmental Planning Policies (former Regional Environmental Plans (REPs)) applicable to the PP.

6.2.4 Is the planning proposal consistent with the applicable Ministerial directions (s.117 directions)?

It is considered that the PP is consistent with the relevant Directions issued under Section 117(2) of the Act by the Minister to Councils, as demonstrated in the assessment of the following:

TABLE 7: CONSISTENCY WITH S117 MINISTERIAL DIRECTIONS.

Direction Title	Consistency	Comment
Employment and Resources		
1.1 Business and Industrial Zones	Yes	The PP promotes employment growth and supports the viability of the Chatswood CBD, which is a suitable location for the mixed use zoning of this site.
1.2 Rural Zones	N/A	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable
1.4 Oyster Aquaculture	N/A	Not applicable
1.5 Rural Lands	N/A	Not applicable
Environment and Heritage		
2.1 Environment Protection Zones	N/A	Not applicable
2.2 Coastal Protection	N/A	Not applicable
2.3 Heritage Conservation	N/A	Not applicable
2.4 Recreation Vehicle Areas	N/A	Not applicable
2.5 Application of E2 and E3 Zones and	N/A	Not applicable

Direction Title	Consistency	Comment
Environmental Overlays in Far North Coast LEPs		
Housing, Infrastructure and Urban Development		
3.1 Residential zones	Yes	The PP encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The PP demonstrates appropriate built form whilst minimising the impact of residential development on the environment.
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable
3.3 Home Occupations	N/A	Not applicable
3.4 Integrating land use and transport	Yes	The PP will enable retail, commercial and residential development in close proximity to jobs and services encouraging walking, cycling and use of public transport.
3.5 Development Near Licensed Aerodromes	N/A	Not applicable
3.6 Shooting Ranges	N/A	Not applicable
Hazard and Risk		
4.1 Acid sulphate soils	N/A	Not applicable.
4.2 Mine Subsidence and Unstable Land	N/A	Not applicable
4.3 Flood Prone Land	N/A	The site is not located within flood prone land Accordingly, Direction 4.3 is not applicable.
4.4 Planning for Bushfire Protection	N/A	The site is not located within a Bushfire prone area. Accordingly, Direction 4.4 is not applicable.
Regional Planning		
5.1 Implementation of Regional Strategies	Yes	The PP will be consistent with this Ministerial Direction.
5.2 Sydney Drinking Water Catchments	Yes	The PP will be consistent with this Ministerial Direction.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable
5.4 Commercial and Retail Development along the	N/A	Not applicable

Direction Title	Consistency	Comment
Pacific Highway, North Coast		
5.5 Second Sydney Airport: Badgerys Creek	N/A	Not applicable
5.9 North West Rail Link Corridor Strategy	N/A	Not applicable
5.10 Implementation of Regional Plans	Yes	The PP is consistent with the applicable Regional Plan, Greater Sydney Region Plan - A Metropolis of Three Cities. Refer to Section 6.2 .
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The PP will be consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The PP will be consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The PP will be consistent with this Ministerial Direction.
Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Yes	Refer to Section 7.2 (in relation to the Sydney Region Plan - A Metropolis of Three Cities)

6.3 Environmental, Social and Economic Impact

6.3.1 Is there any likelihood that critical habitat or threatened species will be adversely affected as a result of the proposal?

The subject site is located within an existing urban environment and does not apply to land that has been identified as containing critical habitat or threatened species, population or ecological communities, or their habitats.

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

The PP is unlikely to result in any environmental effects. A future development application will investigate the potential for other likely environmental effects arising for future detailed proposals. However, as part of the detailed analysis for the site, relevant environmental considerations were investigated for a future indicative development on the site and are provided in attached appendices. A summary of these impacts is discussed below.

Urban Design

An Urban Design Report has been prepared by PBD Architects and is provided at **Appendix 2**. The Urban Design Report reviews the proposed building envelope controls in the existing and future context of the site and surrounding area. The proposed building envelope controls are generally consistent with the Chatswood CBD Strategy which include a maximum building height up to 90m, maximum FSR of 6:1, of minimum commercial FSR of 1:1.

Overshadowing

A Solar Analysis has been undertaken by PBD Architects and is provided in the Urban Design Report at **Appendix 2**. The Solar Analysis compares the shadow of the proposal in the existing context and future context once surrounding sites have been redeveloped in accordance with the CBD Strategy.

The shadow diagrams show that future development of the site in accordance with the Chatswood CBD Strategy will maintain solar access to the dwellings to the west of Pacific Highway and east of the Railway Line for the majority of the day. Some dwellings located to the west of Pacific Highway, opposite the site, will be overshadowed around 9am. However, from 10am onwards any development on the site will not cast a shadow on these properties. The dwellings to the east of the railway line and located within the North Chatswood Heritage Conservation Area will not be overshadowed by the proposal until 3pm, when dwellings to the south east of the site are within the building shadow. Properties to the south of the site, opposite Wilson Street, are partially overshadowed for short periods throughout the day. However, the sites maintain solar access during the early morning or afternoon depending on their location.

Wind

A Pedestrian Wind Environment Statement has been prepared by Windtech and is provided at **Appendix 9**. The statement provides an opinion on the likely impact of the proposed design on the local wind environment to critical outdoor areas within and around the subject development. The results of the assessment found that the site is generally exposed to the prevailing north-easterly and westerly winds.

The assessment concludes that suitable wind conditions can be achieved for trafficable outdoor areas with the inclusion of these recommended treatments identified in the report. Key recommendations identified in the report include the inclusion of impermeable awnings and balustrades, tree planting and planter boxes in strategic locations as well as full height privacy screens on corner balconies.

The Statement also gives consideration to the future development of the adjoining site and possible wind conditions once both buildings are constructed. It is noted that there is the potential for wind to funnel between the two building forms, which has the potential to impact on the footpath area below, as well as the northern outdoor pool area. However, the inclusion

of dense landscaping combined with wind defllective elements such as screens and an awning will assist in shielding these areas from downwash effects.

Refer to the Pedestrian Wind Environment Statement at **Appendix 9** for further detail.

Traffic

A Traffic Report has been prepared by Varga Traffic Planning and accompanies this PP at **Appendix 7**. The report provides a traffic assessment of the following:

- an interim traffic analysis whereby on the subject site is redeveloped; and
- a cumulative analysis whereby the adjacent site is also redeveloped.

Key conclusions from the Traffic Report are identified below.

"the site is located within a short walking distance to the heart of Chatswood City Centre and therefore has excellent connectivity to a multitude of existing public transport services and soon the Sydney Metro due to open in 2019

• the planning proposal plus redevelopment of the adjacent service station site will result in a nett increase in the traffic generation potential of the site of 13 vph in the AM peak hour and a nett reduction in the traffic generation potential of the site of 12 vph during the PM peak hour

• the planning proposal (i.e. without redevelopment of the adjacent service station site) will result in a nett increase in the traffic generation potential of the site of 21 vph and 12 vph during the AM and PM peak hours respectively

• for the purposes of a robust traffic assessment, it has been assumed that all of the projected future traffic flows of 114 vph in the AM peak hour and 86 vph in PM peak hour that could be generated by redevelopment of both sites, will be new or additional to the existing traffic flows currently using the adjacent road network, and SIDRA modelling found that the projected increase in traffic flows will not result in any unacceptable implications in terms of road network capacity

• the future off-street car, bicycle and motorcycle parking facilities as well as loading / servicing facilities will ultimately be designed in accordance with the statutory parking requirements as well as relevant Australian Standards.."

As demonstrated on the endorsed PP plans, application of the Apartment Design Guide and Guide to Traffic Generating Developments rates to the residential component requires 72 parking spaces. Application of the commercial parking rates from the Willoughby DCP requires 57 parking spaces for the commercial component. The total 129 parking spaces can be accommodated in the future development.

It is therefore concluded the future redevelopment of the site in accordance with this PP will not result in any adverse impacts on the surrounding street network. Should the adjacent site to the north re-develop in the future, it is also demonstrated that there will be no adverse traffic impacts. If it is re-developed, the concept plans prepared by PBD indicate that a suitable outcome can be achieved where vehicle access is provided/shared through the basement of site subject to the PP.

Important to the PP is that loading/servicing for the development is undertaken at ground level, as opposed to within the basement. Varga Traffic Planning have included a supplementary letter which reviews the capacity of the site to accommodate loading within the basement. Whilst this is physically possible, it results in a sub-optimal outcome given *"given the relatively small size of the site, the provision of a truck ramp to the basement 1 level is inefficient and impractical, would result in lengthy conflicts along the full length of the curved ramp, and would require significantly greater excavation for minimal benefit"*. The layout of the proposed loading dock has been designed to enable trucks to reverse into the

dock from the driveway in a single movement, and then to exit the site once again in a single movement. (This is indicated in a swept turning path diagram attached to the Varga Traffic documentation). It is pertinent to note in this regard that the driver of the truck will have good visibility of cars proceeding up the ramp from the basement or entering the site from the street (using the truck mirrors). Similarly, trucks exiting the loading bay will also have good visibility of cars using the driveway in either direction.

The proposed arrangement will also accommodate future servicing requirements (waste/deliveries etc) of the adjacent site to the north if required. As demonstrated on the concept plans prepared by PBD Architects, a servicing corridor can be accommodated within the ground floor level that provides direct access to the adjacent site if needed. Further, Varga Traffic Planning anticipate that future business/retail deliveries to the future site will be undertaken by smaller light commercial vehicles/vans, which will be capable of parking in the lower basement levels. Refer to **Appendix 7** for additional detail.

Noise and Vibration

Potential noise impacts were assessed in the accompanying Acoustic Report prepared in 2015 by Renzo Tonin & Associates for DA 2015/133 on the subject site. A copy of the report is provided at **Appendix 8**. A cover letter has been provided by Renzo Tonin which confirms that noise impacts from external sources, the acoustic design of the apartments and noise emission criteria for the previous DA is similar to the indicative concept plans accompanying this PP. The cover letter concludes "*that it is reasonable to rely on the parameters presented in the original acoustic report for the purpose of Planning Proposal*". The following potential noise and vibrations impacts assessed in the original Acoustic report include:

- (a) *Traffic noise associated with Pacific Highway,*
- (b) *Through traffic noise associated with Wilson Street.*
- (c) *Rail Noise and Vibration associated with the CityRail North Shore Line.*
- (d) *Operation of existing commercial premises.*

The previous report concludes that external noise and vibration into the development can achieve a satisfactory accommodation environment provided the appropriate controls and recommendations are incorporated into the building design. Similarly, noise emission from future building services can be controlled by the noise control treatments recommended in the report.

Any future DA will be accompanied with a detailed Acoustic Report.

Contamination

A detailed site investigation (contamination) was undertaken by Douglas Partners in 2015 for a DA that was submitted on the site (DA 2015/133) and is provided at **Appendix 4**. A cover letter has been prepared by Douglas and Partners confirming that the conclusions and recommendations in the previous report are relevant to this PP.

The previous report identifies that the site may have been originally used for residential purposes prior to redevelopment in the 1970 to a commercial premises. Demolition of the early 20th century buildings on the site indicate the possibility of hazardous materials being present.

Seepage into the basement along the northern side of the site was identified as a concern due to the presence of the service station immediately to the north. This issue is common on service station sites and provided the seepage from the service station is controlled prior to entering the site, the quality of groundwater below the basement excavation should not hinder the development potential of the site.

The following recommendations are identified in the Detailed Site Investigation:

- *Validate any existing filling that is to remain on the site (i.e. outside the basement) as being suitable from an ecological perspective and as being free of asbestos materials;*
- *Test any seepage entering the excavation for hydrocarbons. If present, the seepage would need to be intercepted by the adjacent landowner prior to it leaving the service station site;*
- *Only import material to the site that has been validated as being suitable for residential sites.*

This PP is also accompanied by a HAZMAT Report at **Appendix 5** and a Remediation Action Plan at **Appendix 6**, which contain further recommendations to ensure the site is suitable for future development. Any future DA for the site will include the relevant documentation required to ensure the site is suitable for the proposed development.

6.3.3 Has the planning proposal adequately addressed any social and economic effects?

The PP will help to alleviate the pressure in terms of the provision of residential accommodation within the Chatswood CBD. The proposal promotes the efficient utilisation of land, services and support facilities and encourages the orderly growth of the area in support of the extended Chatswood CBD boundary.

The proposed development contributes to the continued social growth of the area by encouraging a pattern of development which will help to diversify and increase housing choice. This will be assisted by the delivery of 4% of the residential GFA as affordable housing.

This PP will enable the development of the site which is responsive to supporting the current and future social character of the locality, as well as supporting and revitalising its economic potential. Given the proximity of the site to public transport, services and infrastructure, this is an ideal site for development which will consolidate the opportunity to create a 'gateway' entrance to Chatswood and reinforce the opportunities for the social growth of the area.

The proposal demonstrates that it positively contributes to the quality of the public domain and provides direct social benefits. This is achieved via the ground floor retail premises which will encourage pedestrian activity surrounding the site.

Accordingly, it is considered that the PP will have a positive effect on the local economy and community.

6.4 State and Commonwealth Interests

6.4.1 Is there adequate public infrastructure for the planning proposal?

The existing public infrastructure is capable of accommodating this PP.

The site is well serviced by public transport. Existing bus routes run along the Pacific Highway in the immediate vicinity of the site and Chatswood train station is within 500 metres of the site.

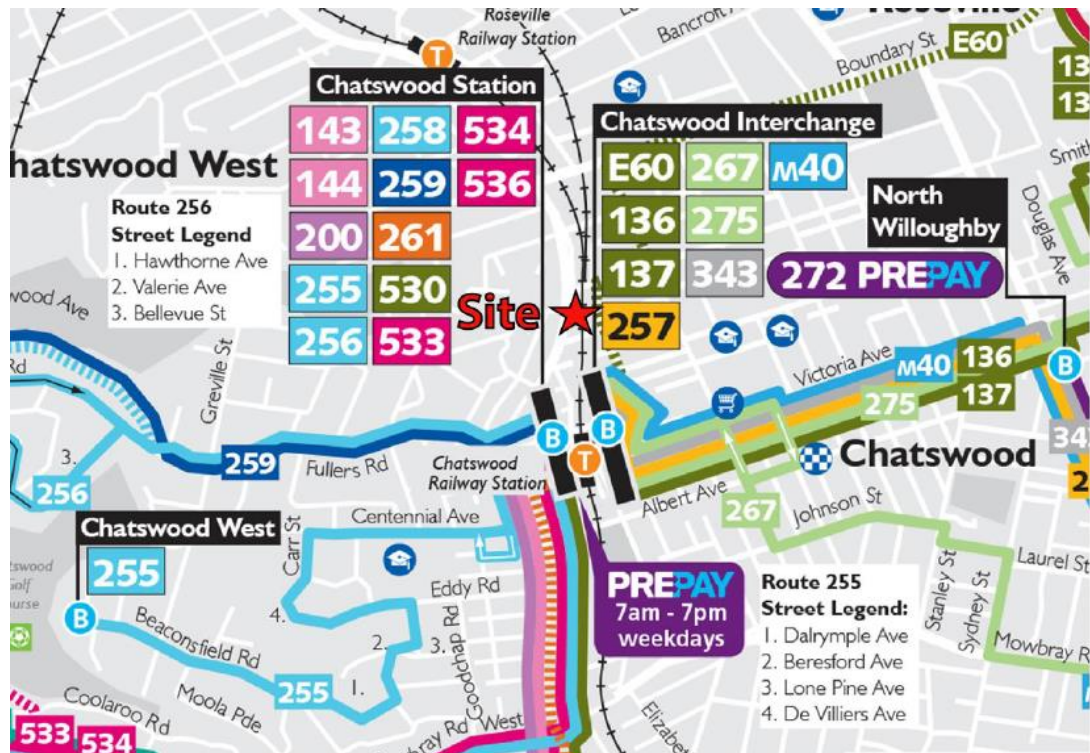


Figure 25: Public Transport, site marked in red (Source: Varga Traffic Planning)

The Traffic Report prepared by Varga Traffic Planning provided at **Appendix 7** confirms that the surrounding street network is capable of accommodating this PP. Specifically, that *"the proposed redevelopment of the site will not have any unacceptable traffic implications, and that no road improvements or intersection upgrades are required as a consequence of the development proposal."*

Existing utility services will adequately service any future development proposal as a result of this PP, and will be upgraded or augmented where required.

Waste management and recycling services are available through Willoughby City Council.

The site is approximately 700m north of Chatswood Public School and 900m north of Chatswood High School. Chatswood CBD also contains Our Lady of Dolours Primary School, Mercy Catholic College and St Pius X College. The site is well serviced by medical centres and services within the nearby Chatswood CBD and the site is located approximately 3km north of Royal North Shore Hospital.

The area is generally well-serviced with Police, Ambulance, Fire and other emergency services.

This PP does not obstruct the existing public infrastructure.

6.4.2 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth public authorities have not yet been identified or consulted. It is anticipated that this will occur as a condition of Gateway Determination.

7. Part 5 - Community Consultation

This PP is considered to be of a type that falls within the definition of a '*low impact Planning Proposal*.'¹ Therefore, it is likely to be on exhibition for a minimum period of 28 days. The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on Council's website. The written notice will:

- Give a brief description of the objectives or intended outcomes of the PP;
- Indicate the land affected by the PP;
- State where and when the PP can be inspected;
- Give the name and address of the RPA for the receipt of any submissions; and
- Indicate the last date for submissions.

During the exhibition period, the following material will be made available for inspection: -

- The PP, in the form approved for community consultation by the Secretary of Planning and Environment;
- The Gateway determination; and
- Any studies relied upon by the PP.

¹ Low impact planning proposal means a planning proposal that in the opinion of the person making the Gateway determination is consistent with the pattern of surrounding land use zones and/or land uses, is consistent with the strategic planning framework, presents no issues with regard to infrastructure servicing, is not a principle LEP, and does not reclassify public land.

8. Part 6 - Project Timeline

An indicative timeframe for completion of this PP is outlined in **Table 7** below. This may be amended at gateway.

TABLE 8: PROJECT TIMELINE

Step	Indicative Timeframe
Commencement date	Submission to the Council in July 2018 for consideration. Submission to DP&E for GWD in March 2019. GWD issued May 2019
Completion of required technical information	Technical studies have been commissioned to support the PP.
Timeframe for government agency consultation (pre-and post exhibition as required by Gateway determination)	As specified in Gateway determination. Anticipated timeframe is to run concurrently with public exhibition period.
Public exhibition period	As specified in Gateway determination. Anticipated timeframe for public exhibition is 28 days.
Consideration of submissions	To be determined by Council.
Dates for public hearing (if required)	To be determined by Council if required.
Submission to the Department to finalise the LEP	To be determined by Council.
Plan notification	To be determined by DPIE

9. Conclusion

This amended Planning Proposal is a proposal by Megland Group Pty Ltd to amend the existing controls of 871-877 Pacific Highway, Chatswood to enable the redevelopment of the site in accordance with the Chatswood CBD Planning and Urban Design Strategy. The proposed amendments to the existing controls include:

- Rezoning the site from B5 Business Development to B4 Mixed Use;
- Amending the Floor Space Ratio from 2.5:1 to 6:1.
- Increasing the maximum building height from 21m to 90m.
- Adding a minimum commercial floor space of 1:1 within the Mixed Use zone.
- Requiring the development to include 4% of residential GFA as 'affordable housing'

The Planning Proposal will enable the construction of a 90m mixed use building comprising 3 levels of retail/commercial floor space, 24 levels of apartments and 1 floor of communal areas above the podium.

The Planning Proposal: -

- Is consistent with the Chatswood CBD Planning and Urban Design Strategy;
- Is a suitable development and will not adversely impact on the locality;
- Will facilitate a high density mixed use development in an accessible location;
- Will allow for the delivery of affordable housing in an accessible location.
- Create the opportunity for a gateway building form for the northern end of Chatswood CBD;
- Is consistent with the Greater Sydney Region Plan and North District Plan;
- Is consistent with the relevant Ministerial Directions under Section 9.1 of the Act; and
- Does not pose any adverse environmental or social impacts to the surrounding community.

In summary there is no reasonable planning basis which would not support amending the *Willoughby Local Environmental Plan 2012* in relation to the site to be consistent with the objectives in the Chatswood CBD Planning and Urban Design Strategy. The proposal fosters a gateway opportunity on this site to support the improved urban form of Chatswood CBD.