

PLANNING PROPOSAL ASSESSMENT AGAINST THE 35 KEY ELEMENTS OF THE CHATSWOOD CBD PLANNING AND URBAN DESIGN STRATEGY 2020

PLANNING PROPOSAL FOR A HIGH-RISE MIXED-USE BUILDING AT 5-9 GORDON AVENUE, CHATSWOOD

Key Element 1. The Chatswood CBD boundary is extended to the north and south as per Figure 3.1.1 to accommodate future growth of the centre.

COMMENT

The subject land is located within the southern extension of the Chatswood CBD boundary, as identified in Figure 3.1.1 of the Strategy and is therefore, compliant with Key Element 1.

Key Element 2. Land uses in the LEP will be amended as shown in Figure 3.1.2, to:

- a) Protect the CBD core around the Interchange as commercial, permitting retail throughout to promote employment opportunities (with no residential permitted).**
- b) Enable other areas to be mixed use permitting commercial and residential.**

COMMENT

The subject land is located within the Chatswood CBD area proposed to be zoned B4 Mixed Use and is located outside the Commercial Core. The Planning Proposal (PP) includes a request for the site to be rezoned to a B4 Mixed Use Zone.

Key Element 3. The existing DCP limits on office and retail use in parts of the Commercial Core to be removed.

COMMENT

This Key Element is not applicable to the subject land as the site is not located within the B3 Commercial Core Zone.

Key Element 4. Serviced apartments to be removed as a permissible use from the B3 Commercial Core zone.

COMMENT

This Key Element is not applicable to the subject land as the site is not located within the B3 Commercial Core Zone.

Key Element 5. Planning Agreements will be negotiated to fund public domain Improvements.

COMMENT

The CBD Strategy envisages that a monetary contribution will be paid with respect to additional residential floor space to fund public domain improvements, by way of a Voluntary Planning Agreement (VPA). The Planning Proposal includes a letter of offer to enter into a VPA providing for payment for developer contributions in accordance with Council's proposed Community Infrastructure Scheme that is to apply to the Chatswood CBD.

Key Element 6. A new Planning Agreements Policy will apply and be linked to a contributions scheme that will provide public and social infrastructure in the Chatswood CBD necessary to support an increased working and residential population. The scheme would:

- a) **Apply to residential uses**
- b) **Apply to commercial uses above 10:1 FSR**
- c) **Operate in addition to the existing Section 7.11 or 7.12 contributions scheme and separate from Affordable Housing requirements within Willoughby Local Environment Plan (WLEP).**
- d) **Contribute to public domain improvements in the centre (including streets and parks) that would enhance amenity and support residential and commercial uses.**

COMMENT

As noted in Key Element 5 above, the Planning Proposal includes a letter of offer to enter into a VPA providing for payment for developer contributions for residential floor space in accordance with Council's proposed Community Infrastructure Scheme (CIS) that is to apply to the Chatswood CBD. The PP does not propose a commercial FSR above 10:1.

The proponent notes that the CIS contribution proposed per square metre of residential floor space is in addition to section 7.11 or 7.12 contributions and is to be implemented by way of a VPA. The proponent also notes that the CIS is separate from requirements for Affordable Housing. The PP includes separate provision for Affordable Housing equating to 4% of residential floor space.

Key Element 7. All redevelopments in Chatswood CBD should contribute public art in accordance with Council's Public Art Policy.

COMMENT

The proponent will contribute to delivery of public art as part of the design excellence process and in accordance with Council's Public Art Policy.

Key Element 8. Design excellence is to be required for all developments based on the following process:

- a) **A Design Review Panel for developments up to 35m high.**
- b) **Competitive designs for developments over 35m high.**

COMMENT

As the proposed development will exceed a height of 35m a competitive design process will be required as part of the preparation of a Development Application for the future building. This competitive design process will be in accordance with Council's Design Excellence Policy.

Key Element 9. Achievement of design excellence will include achievement of higher building sustainability standards.

COMMENT

Council requires a high sustainability performance. A minimum 5-star GBCA rating for apartments, which is to be demonstrated at the Development Application (DA) stage. A sustainability report will be submitted with the DA, in addition to a SEPP 65 – Design Quality of Residential Flat Development report and detailed acoustic and wind assessments.

Key Element 10. The Architects for design excellence schemes should be maintained through the development application process and can only be substituted with written agreement of Council.

COMMENT

The PP includes a reference design for the proposed development of the site. This reference design informs the site specific DCP provisions. The architect for the design excellence process will be retained for the development application process, with the final form of the design prepared in consultation with Council and not adopted until endorsement by the Design Panel. The design excellence process will proceed in accordance with Council's Design Excellence Policy.

Key Element 11. Figure 3.1.3 shows the existing FSR controls under WLEP 2012.

COMMENT

The subject land has an existing maximum FSR of 0.9:1 pursuant to WLEP 2012, as shown in Figure 3.1.3 – Existing Floor Space Ratios under WLEP 2012.

Key Element 12. Minimum site area of:

- a) 1800sqm for commercial development in the B3 Commercial Core zone
- b) 1200sqm for mixed use development in the B4 Mixed Use zone.

To achieve maximum FSR as indicated in Figure 3.1.4. Site amalgamation is encouraged to meet this minimum requirement. In addition, sites should not be left isolated.

COMMENT

The subject land has a site area of 1,522m², well in excess of the 1,200m² minimum site area required for mixed-use development in the B4 Zone.

The site is adjoined on 2 sides by public roads and to the north by a large site containing a Bowling Club and associated bowling greens. The adjoining land to the east at 1-3 Gordon Avenue has an area of 1,113m² and contains a 3 storey 1980's residential flat building. We understand Rail Corp has purchased this property and proposes to demolish the existing apartment building.

1-3 Gordon Avenue has an area only marginally (7%) less than the 1,200m² minimum area required. The Planning Proposal includes provision of a potential basement driveway access to 1-3 Gordon Avenue, should this site be redeveloped in accordance with the Chatswood CBD Strategy. CBD. The concept plans for 5-9 Gordon Avenue include an indicative future building form for 1-3 Gordon Avenue in accordance with the design principles in the Chatswood CBD Strategy. Accordingly, an isolated development site will not be created.

Key Element 13. The FSRs in Figure 3.1.4, should be considered as maximums achievable in the centre subject to minimum site area and appropriate contributions, and are as follows:

- a) No maximum FSR for commercial development in the B3 zone.
- b) A range of FSR maximums in the B4 zone, surrounding the B3 zone
- c) Retention of 2.5:1 FSR along northern side of Victoria Avenue east.

Floor space ratio maximums are not necessarily achievable on every site, and will depend on Addressing:

- c) Site constraints,
- d) Surrounding context,
- e) Other aspects of this Strategy including setbacks at ground and upper levels,

f) satisfying SEPP 65 and the associated Apartment Design Guidelines.

COMMENT

The Planning Proposal seeks approval for a compliant maximum FSR of up to 6:1, including affordable housing and commercial floor space (1,522m²).

Key Element 14. Affordable housing is to be provided within the maximum floor space ratio, and throughout a development rather than in a cluster.

COMMENT

Affordable housing component is provided and contained within the maximum allowable FSR. As part of the implementation of the planning proposal, it is proposed to identify the site in the Willoughby LEP as a site that provide 4% of residential floor space as affordable housing (or payment of an equivalent cash contribution to Council). As noted in Key Element 6, an affordable housing component equating to 4% of residential floor space is proposed and dispersed within the residential tower.

Key Element 15. Where the maximum floor space ratio of 6:1 is achieved, the minimum commercial floor space ratio sought in development in a Mixed- Use zone is 1:1.

The objective of this Key Element is to achieve a satisfactory level of commercial in the B4 Mixed Use zone to deliver a reasonable amount of employment floor space, typically to be within the podium levels of a development. This will be moderated depending on the overall FSR.

COMMENT

The proposal provides on the ground and first-floor levels of the podium, a commercial assessable GFA of 1,522m², which equates to a compliant commercial FSR of 1:1. Given the location of the site near the southern edge of the extended Chatswood CBD, consideration should be given to permitting a reduced commercial FSR by allowing the first floor level to be utilized for residential, rather than commercial floor space.

Key Element 16. In order to achieve the slender tower forms sought by Council the maximum floor plate at each level of a development should be no more than:

- a) 2000sqm GFA for office and**
- b) 700sqm GFA for residential towers above Podium within Mixed Use zones.**

COMMENT

The concept plan provides for tower floorplates of less than 400m² GFA, which is readily compliant with the 700m² GFA maximum permitted for residential towers.

Key Element 17. In pursuit of the same goal of slender tower forms, the width of each side of any tower should be minimized to satisfactorily address this objective. To the same end, design elements that contribute to building bulk are not supported and should be minimised.

Setbacks are considered an important part of achieving slender tower forms.

COMMENT

A slim tower form is proposed, with tower floor plates of modest size, as noted above and with generous tower setbacks to all site boundaries.

The proposed 25 storey residential tower, above the 2 storey podium, has a width of between 17.5m and 20m and a length of 27m, which as demonstrated in the urban design report's CGI, can achieve the desired outcome of slender tower form.

Key Element 18. If there is more than one residential tower on a site, sufficient separation is to be provided in accordance with setbacks required in this Strategy, SEPP 65 and the Apartment Design Guidelines, to ensure that the slender tower form objective is achieved. Council will seek to avoid an outcome where two towers read as one large tower. Towers are not to be linked above Podium and should operate independently regarding lifts and services.

COMMENT

Key Element 18 does not apply to the subject land, as only 1 residential tower is proposed.

Key Element 19. The sun access protection in Figure 3.1.5 will be incorporated into LEP controls, to ensure no additional overshadowing and protection in mid-winter of:

- a) Victoria Avenue (between interchange and Archer St) 12pm-2pm
- b) Concourse Open Space 12pm-2pm
- c) Garden of Remembrance 12pm- 2pm
- d) Tennis and croquet club 12pm-2pm
- e) Chatswood Oval 11am- 2pm (which in turn also protects Chatswood Park)

In addition,

- f) Heights adjoining the South Chatswood Conservation Area will provide a minimum 3 hours solar access between 9am and 3pm mid-winter.

COMMENT

Key Element 19 does not apply as the site is located to the south of the nominated sun protected areas and does not adjoin the South Chatswood Conservation Area.

Key Element 20. Maximum height of buildings in the CBD will be based on Figure 3.1.6, based on context and up to the airspace limits (Pans Ops plane), except as reduced further to meet:

- a) Sun access protection.

Achievement of nominated height maximums will depend on addressing site constraints, surrounding context and other aspects of this Strategy in addition to satisfying SEPP 65 and Apartment Design Guidelines.

COMMENT

The proposed mixed-use building extends to a height of 90m above existing ground level, which complies with the 90m maximum building height applying to the site under the CBD Strategy.

Key Element 21. All structures located at roof- top level, including lift over runs and any other architectural features are to be:

- a) Within the height maximums.
- b) Integrated into the overall building form

COMMENT

The concept plan's rooftop which include plant room and lift overruns are within the height of the building envelope. These facilities will be integrated into the final design of the building so these facilities do not detract from the architectural and visual quality of the building.

Key Element 22. The links and open space plan in Figure 3.1.7 will form part of the DCP. All Proposals should have regard to the potential on adjacent sites. Pedestrian and cycling linkages will be sought in order to improve existing access within and through the CBD. New linkages may also be sought where these are considered to be of public benefit. All such links should be provided with public rights of access and designed with adequate width, sympathetic landscaping and passive surveillance.

COMMENT

The subject land is not impacted by the links and open space plan in Figure 3.1.7 of the CBD Strategy. The site is located close to Frank Channon Walk to the east, which also includes a cycleway. Gordon Avenue is a cul-de-sac that is suitable for an on-road cycleway connecting to Frank Channon Walk from the Pacific Highway. In accordance with the strategy, the proposal includes widening Hammond Lane and provision of a footpath to this laneway to improve pedestrian access to the north.

Key Element 23. Any communal open space, with particular regard to roof top level on towers, should be designed to address issues of quality, safety and usability.

COMMENT

The proposal includes a landscaped communal terrace on the roof of the podium that has been designed to provide for a high-quality communal space, with good solar access and an appropriate level of safety and usability.

Key Element 24. Public realm or areas accessible by public on private land:

- a) is expected from all B3 and B4 redeveloped sites.**
- b) Is to be designed to respond to context and nearby public domain.**
- c) Should be visible from the street and easily accessible.**
- d) Depending on context a public right of way or similar may be required to achieve a permanent public benefit.**

COMMENT

The concept plan includes an area of publicly accessible open space along the Gordon Avenue frontage of the site, which will include some tree planting and other landscaping. A right of way, or similar mechanism can be used to achieve a permanent public benefit. Street trees are proposed along the Gordon Avenue frontage of the site. Detailed design of the public realm will be undertaken in consultation with Council and have regard to context and the nearby public domain.

Key Element 25. All roofs up to 30 metres from ground are to be green roofs. These are to provide a green contribution to the street and a balance of passive and active green spaces that maximise solar access.

COMMENT

The tower roof exceeds a height of more than 30m. A communal open space terrace, with landscaping is proposed above the podium. Good solar access is available to the northern and eastern sides of the communal open space.

Key Element 26. 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.

COMMENT

Based on a site area of 1,522m², a soft landscaped area of at least 304m² is required and will be provided at ground level and above the podium.

Key Element 27. Setbacks and street frontage heights are to be provided based on Figure 3.1.8, which reflect requirements for different parts of the Chatswood CBD. With setbacks of 3 metres or more, including the Pacific Highway, deep soil planting for street trees is to be provided.

Mixed use frontage with commercial Ground Floor:

- i. 6-14 metre street wall height at front boundary.
- ii. Minimum 3 metre setback above street wall to tower.

COMMENT

A 2 storey podium is proposed with a compliant height of up to 7.8m to provide sufficient floor to ceiling height clearance for 2 commercial floor levels. Above the street wall of the podium, compliant tower setbacks of at least 3m are provided.

Key Element 28. All towers above podium in the B3 Commercial Core and B4 Mixed use zones are to be setback from all boundaries a minimum 1:20 ratio of the setback to building height (e.g. 3m setback for a 60m tower, and 4.5m setback for a 90m building).

COMMENT

The proposed residential tower above the podium provides a compliant 1:20 ratio (4.5m) building setback to Gordon Avenue and a setback of at least 6m to all other site boundaries, which is more than the required 1:20 ratio tower setback.

Key Element 29. Building separation to neighbouring buildings is to be:

- a) In accordance with the Apartment Design Guide for residential uses.
- b) A minimum of 6 metres from all boundaries for commercial uses above street wall height.

COMMENT

No commercial uses are proposed above street wall height. Accordingly, item (b) does not apply.

ADG building separation distances are shared 50/50 with adjoining sites. For example, where a 24m building separation is required, a development should provide a boundary building setback of at least 12m.

The proposed residential tower provides more than 24m building separation to the north and south. The neighbouring building to the west is less than 4 storeys, which would require a minimum 12m building separation between residential floor levels. A compliant building separation of some 20m is provided to this building. Any future tall tower on the site to the west would be required to provide at least a 9m eastern side setback, thereby achieving a compliant building separation of at least 24m

The neighbouring building to the east is less than 4 storeys, which would require a minimum 12m building separation between residential floor levels. A compliant building of almost 14m is achieved. Any future tower building would be required to provide at least a 9m western side setback, providing for at least an 18m building separation to the proposed residential tower on 5-9 Gordon Avenue.

It is likely that the western elevation of any future tower at 1-3 Gordon Avenue would have minimal if any windows to living rooms and bedrooms orientated to the west and privacy measures such as screens and raised window sills could be implemented. In addition, shadow impacts are minor. In such circumstances the ADG allows for reduced building setback.

The proposal achieves the objectives of the building separation provisions of the ADG.

Key Element 30. At ground level, to achieve the vibrant CBD Council desires, buildings are to maximise active frontages. Particular emphasis is placed on the B3 Commercial Core zone. Blank walls are to be minimised and located away from key street locations.

COMMENT

Glass fronted residential and commercial lobbies and glazing to commercial floor space is provided on the ground floor to the Gordon Avenue frontage of the site. A landscaped plaza is also provided to the Gordon Avenue frontage. At ground level there is no blank wall facing Gordon Avenue. Some 60% of the ground floor frontage to Hammond Lane comprises the glazed frontage of a commercial suite.

Key Element 31. Site Isolation will be discouraged and where unavoidable joined basements and zero-setback podiums should be provided to encourage future efficient sharing of infrastructure.

COMMENT

The site is adjoined on 2 sides by public roads and to the north by a large site containing a Bowling Club and associated bowling greens. The adjoining land to the east at 1-3 Gordon Avenue has an area of 1,113m² and contains a 3 storey 1990's residential flat building. We understand Rail Corp has purchased this property and proposes to demolish the existing apartment building.

1-3 Gordon Avenue has an area only marginally (7%) less than the 1,200m² minimum area required. The Planning Proposal includes provision of a potential basement driveway access to 1-3 Gordon Avenue, should this site be redeveloped in accordance with the Chatswood CBD Strategy. CBD. The concept plans for 5-9 Gordon Avenue include an indicative future building form for 1-3 Gordon Avenue in accordance with the design principles in the Chatswood CBD Strategy. Accordingly, an isolated development site will not be created.

Key Element 32. Controls will be applied to ensure the traditional lot pattern along Victoria Ave east (building widths of between 6-12m) is reflected into the future.

COMMENT

Key Element 32 does not apply to the subject land.

Key Element 33. Floor space at Ground level is to be maximised, with supporting functions such as car parking, loading, garbage rooms, plant and other services located in Basement levels.

COMMENT

The proposal provides as much floor space as possible at ground floor level for commercial floor space, with the ground floor frontage to Gordon Avenue comprising glazing to the commercial suites and the residential lobby and 60% of the building frontage to Hammond Lane also comprising glazing to a commercial suite. Some 70% of floor area on the ground floor comprises commercial suites and the residential entry and lobby.

The driveway to the basement parking and loading dock is located at the rear of the site off Hammond Lane. The ground floor plant room is discreetly located at the rear of the ground floor, in the northeast corner. Where possible plant rooms and services are in the basement.

Key Element 34. Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages.

COMMENT

Consultation with the electricity authority indicates it is not possible to provide a substation in the basement. The electricity transformer and supporting facilities is discreetly located off Hammond Lane in the rear portion of the building, adjoining the driveway to the basement.

Key Element 35. The CBD Strategy employs a Travel Demand Management approach seeking to modify travel decisions to achieve more desirable transport, social, economic, and environmental objectives consistent with Council's Integrated Transport Strategy. In addition, site specific traffic and transport issues are to be addressed as follows:

- a) Vehicle entry points to a site are to be rationalised to minimise streetscape impact, with one entry area into and exiting a site. To achieve this objective loading docks, including garbage and residential removal trucks, are to be located within Basement areas. Where possible, cars and service vehicle access should be separated.
- b) In order to facilitate rationalisation of vehicle entry points on neighbouring sites, all development sites are to provide an opportunity within Basement levels to provide vehicle access to adjoining sites when they are developed.
- c) All vehicles are to enter and exit a site in a forward direction. Physical solutions rather than mechanical solutions are sought.
- d) All commercial and residential loading and unloading is required to occur on-site and not in public streets.
- 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 Council's DCP.

- f) Other strategies for car parking reduction include reciprocal arrangements for sharing parking and car share.

COMMENT

The proposal provides a two-way 6m driveway at the rear off Hammond Lane providing access to the basement car parking. This driveway represents approximately 20% of the width of the Hammond Lane frontage. It is not possible to provide a separate driveway to the basement truck loading bay. Given the modest extent of commercial floor space, only a small number of truck movements are likely to occur, predominantly outside morning and evening mid-week peak travel times. All vehicles can enter and leave the site in a forward direction.

ARUP Traffic Engineers have prepared a parking rates benchmarking analysis as part of the Chatswood CBD Strategic Transport Study which aim is to encourage more sustainable mobility pattern. This study recommended the following parking rates within the Chatswood CBD which are less than stipulated in the Willoughby DCP:

- Studio/ 1-bedroom apartment = 0.5 space
- Two bedroom or more apartment = 1 space
- Visitor parking = 1 space per 10 dwellings
- Retail Parking = 1 space per 300m² of GFA
- Office Parking = 1 space per 400m² of GFA

As a reference, the above parking rates equate to 85 residential parking spaces and 13 commercial/visitor parking spaces based on the reference design included within the Planning Proposal. The reference design is compliant with the above mention parking control recommended by ARUP. In addition, the proposal can comply with any future revised car parking rates in Councils DCP.

The basement levels also include provision for required motorbike spaces and bicycle parking spaces in accordance with the current Willoughby DCP.

It is our understanding parking, bicycle and motorbike parking rates will be included within Part 3 of the amended Willoughby DCP as part of the Comprehensive LEP review, rather than within individual site-specific Planning Proposals.

**Nick Juradowitch –
Director Ingham Planning Pty Ltd: September 2020**