



Parade Consulting

PLANNING
URBAN FUTURES

Planning Proposal

58 Anderson Street
Chatswood
Amendment to
Willoughby LEP 2012

3rd November 2020

Submitted to City of Willoughby
On Behalf of Rayhoda Pty Ltd

Parade Consulting Pty Ltd

ABN 66069129960

PO Box 239

Potts Point NSW 1335

Australia

Phone (+61) 0419 306916

Prepared for: Rayhoda Pty Ltd

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1 BACKGROUND

1.1 Introduction

This Planning Proposal Report is submitted to the City of Willoughby Council (Council) to support a Planning Proposal to amend the Willoughby Local Environmental Plan 2012 (WLEP 2012).

This report has been prepared on behalf of Rayhoda Pty Ltd, who have an interest in the subject site on behalf of the owners. The key objectives of the report are to demonstrate the strategic planning merit of accommodating a responsive higher density development in the form of a tall slender building on the site, to evaluate the impact of additional building height and density on the site, and to assess the relevant environmental, social and economic impacts of the proposal in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This report has been updated in November 2020 to reflect the latest changes to Willoughby City Council's *Chatswood CBD Planning and Urban Design Strategy 2036*, endorsed by Council in September 2020.

As required by Section 55 of the EP&A Act, this report includes the following:

- Description of the subject site and context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.
- Description of the community consultation process that would be expected to be undertaken before consideration is given to making of the planning instrument.

The report has been prepared having regard to the NSW Department of Planning's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

The report is accompanied by a range of plans and reports prepared by specialist consultants to provide a comprehensive analysis of the site opportunities and constraints. These address the key issues and impacts associated with the proposal:

- Indicative Design Concepts (Drew Dickson Architects) – Refer to **Appendix A**
- Urban Design Analysis and Opportunities Study (UrbanAC) – Refer to **Appendix B1**.
- Visual Impact and Transition Analysis (Drew Dickson Architects) – Refer to **Appendix B2**
- Transport and Traffic Assessment (Cardino) – Refer to **Appendix C**.
- Extract of the Market Appraisal and Feasibility Report (AEC) – Refer to **Appendix D**.
- Proposed Amended Planning Scheme Maps – **Refer to Appendix E**.
- The Services Report (Cardino) – Refer to **Appendix F**.
- The Acoustics Report (Renzo Tonin) – Refer to **Appendix G**.
- The Pedestrian and Wind Study (Wintech) – Refer to **Appendix H**.
- Proposed site specific DCP – Refer to **Appendix I**.

1.2 Purpose of the Report

The purpose of this Planning Report is to document and integrate the environmental analysis undertaken in support of the Planning Proposal and summarise the proposed approach to the future redevelopment of the site. The report is designed to demonstrate the integrated manner in which investigations have been undertaken including the constraints and opportunities identified and addressed.

A Planning Proposal is required for the site to amend the existing planning controls which place outdated limitations on any redevelopment. The existing residential house on the subject site - due to the age of construction and the built form - is considered sub-optimal, with a redevelopment conforming to these current controls unlikely to facilitate precinct benefits for this pivotal site within close proximity of the Chatswood CBD and Transport Interchange.

The principal planning controls regulating the redevelopment of the site include a height restriction in the WLEP 2012, in the form of a maximum building height and a proposed sun access plane designed to protect solar access to Victoria Avenue Mall within the Chatswood CBP Planning and Urban Design Strategy Draft Report.

To ensure the amenity of solar access to Victoria Avenue Mall is maintained through the redevelopment of the subject site, the proposed amendment seeks to identify an appropriate maximum height which ensures that the impact on Victoria Avenue Mall is no worse than existing buildings. It is noted that the proposed amendment to WLEP 2012 will not result in any additional overshadowing to Victoria Avenue Mall as the subject site is over 500m distant.

1.3 The Planning Process

This Planning Report along with the appended supporting documentation constitutes a formal submission to Council for their consideration to accept a Planning Proposal to amend WLEP 2012.

If supported by Council staff, a Planning Proposal will be prepared for formal consideration by the City of Willoughby Council. A recommendation will then be provided with this Planning Proposal to forward the proposal to the Department of Planning & Environment for a Gateway Determination. If the proposal is supported at the Gateway stage by the Minister for Planning (or delegate), the proposal will be publicly exhibited for a minimum of 28 days. An assessment will then be undertaken of the proposal, considering any public submissions received throughout the exhibition period.

Parliamentary Counsel will prepare a draft Local Environmental Plan to be forwarded to the Minister (or delegate), for a decision.

If approval is granted, this draft plan will become law and be published on the NSW Legislation website, thereby amending WLEP 2012 and allowing for a further application to be lodged for the redevelopment of the site.

1.4 Pre-Lodgement Consultation

Pre-planning proposal meetings were held with Council on 21 July 2017, and again on Friday the 17th of November 2017. A summary response to Council's comments is provided at **Table 1** below:

Table 1 – Pre-Lodgement Meeting Comments

| Council Comment | Date Received | Considered in this proposal |
|--|----------------------|------------------------------------|
| Variation in minimum site area may be considered subject to what is proposed. | 25/08/2017 | yes |
| Height and floor space will depend on site restraints and surrounding context. | 25/08/2017 | Yes |
| Any proposal will have to work within these site constraints and what is envisioned in the Chatswood CBD Strategy and SEPP 65 Apartment Design Guidelines. | 25/08/2017 | Yes |
| An appropriate relationship is sought with the adjacent conservation area. | 25/08/2017 | Yes |
| Setbacks should be in accordance with the Chatswood CBD Strategy. | 25/08/2017 | Yes |
| Design and setbacks are to be in accordance with SEPP 65 Apartment Design Guidelines. | 25/08/2017 | Yes |
| Emphasis is placed on the Anderson Street Ground level setback. This front setback is to provide for planting. | 25/08/2017 | Yes |
| All traffic entering and leaving the site is to be in a forward direction. If necessary vehicle turning tables are encouraged. | 25/08/2017 | Yes |
| All traffic entering and leaving the site is to have acceptable impacts on Anderson Street, and the nearby intersection with Wilson Street. | 25/08/2017 | Yes |
| Vehicle turning circles are required for trucks accessing site. | 25/08/2017 | Yes |
| Commercial floor space should be maximised. | 25/08/2017 | Yes |
| Affordable housing is to be shown within the floor space proposed at Planning Proposal stage. | 25/08/2017 | Yes |
| All height is to be shown, including lift over runs or anything else at roof top level. | 25/08/2017 | Yes |
| The tower setback from the podium on the railway boundary side should be 1m to achieve the "tower on podium" look. | 17/11/2017 | Yes |
| The total height of the proposal should not be more than 90m including rooftop plant and lift overruns. | 17/11/2017 | Yes |
| A request for consideration of the minimum allowable site area for the B4 zoning should be included in the planning proposal. | 17/11/2017 | Yes |

Further consultation with Council occurred after submission of the original Planning Proposal. This resulted in a number of addendums to the original proposal. Each of these subsequent addendums have been incorporated into this revised Report.

2 LAND TO WHICH THE PLANNING PROPOSAL APPLIES

This chapter briefly describes the site. Further detail is provided in the sections describing the different elements of the existing environment. A contextual analysis of the built form of the subject site and environs are provided in the Urban Design Assessment Report prepared by UrbanAC and in the Visual Impact and Transition Analysis Report by Drew Dickson Architects (Refer - **Appendix B1 and B2**).

2.1 Site Description and Location

The Planning Proposal relates to 58 Anderson Street, Chatswood, being a single dwelling house, and the subject site is bound by Wilson Street to the south, The North Shore Railway Line to the west, and Anderson Street to the east, which is shown in the location plan below. The total area of the site is 565m².

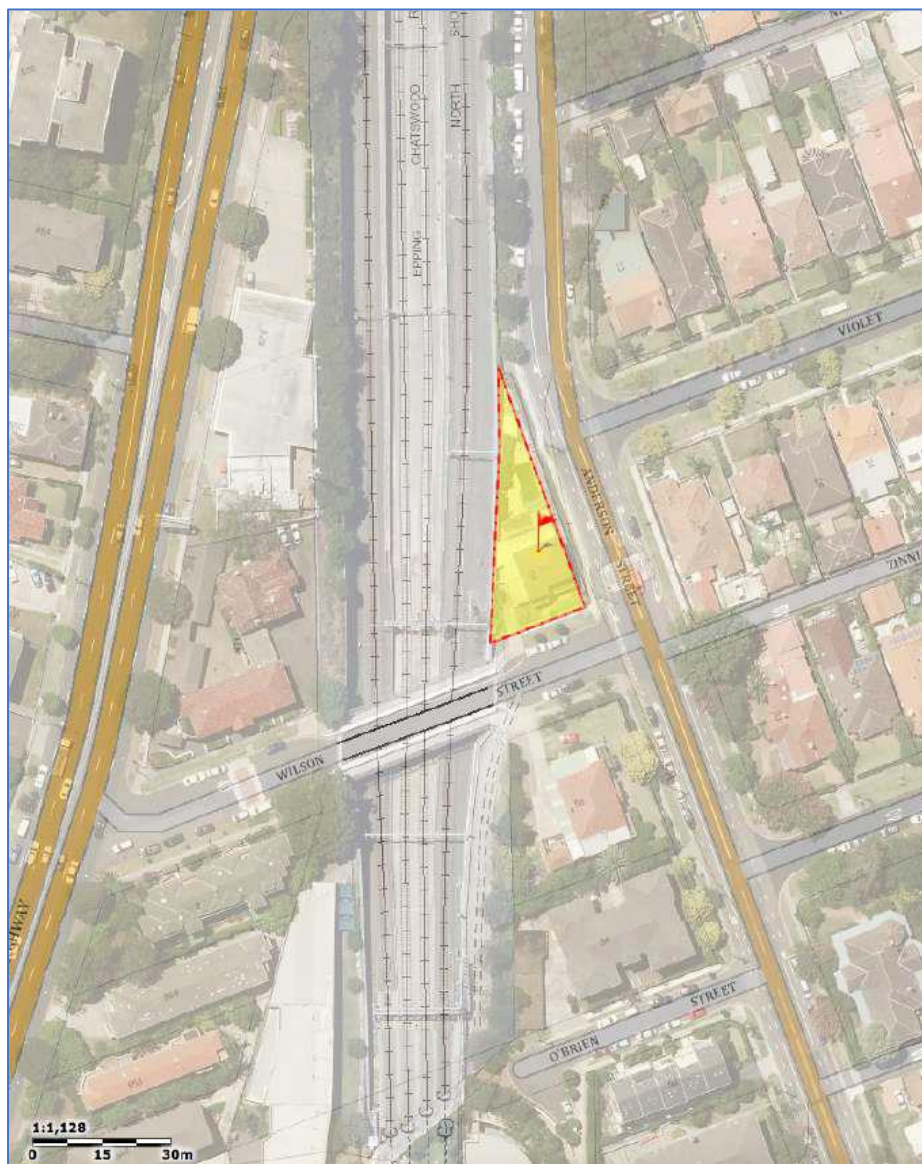


Figure 1 – Site Location Aerial Photo.

2.2 Existing Development on the Site

The site currently accommodates a two-storey house constructed in the 1960s with associated in-yard car parking.

The existing House relates poorly to the newer surrounding context of modern mix-use high rise developments to the south, and is located hard against the railway corridor noise barrier to the west - resulting in limited amenity. The solely residential functionality results in limited pedestrian activity and offers no retail street activation. The following images show the existing dwelling house from its two street frontages:



Figure 2 – Existing Development from Wilson Street.

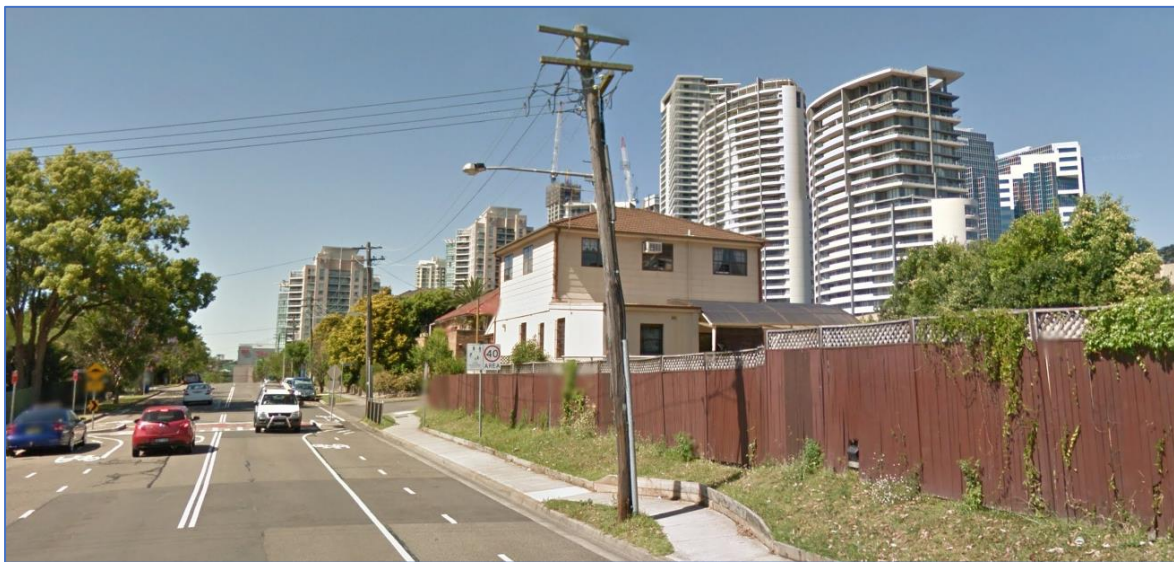


Figure 3 – Existing Development from Anderson Street looking towards Chatswood CBD.

2.3 Surrounding Context

Chatswood CBD is one of Sydney's major commercial and retail centres. The centre provides a variety of facilities ranging from a major shopping centre (Westfield), specialty shops, street front retail, commercial offices, private health and medical services, community facilities and residential accommodation. The site is within the Chatswood Central Business District (CBD) northern edge, and is approximately within 600m from Chatswood Railway Station.

Chatswood is a densely-populated area in New South Wales. It is dominated by high-rise commercial and residential buildings progressively constructed over the last 20-30 years.

The height, bulk, and scale of the existing single dwelling house at the subject site is significantly lower compared to recent buildings in the CBD, as well as the surrounding buildings to the south and to the west of the railway corridor. See local context aerial image below:

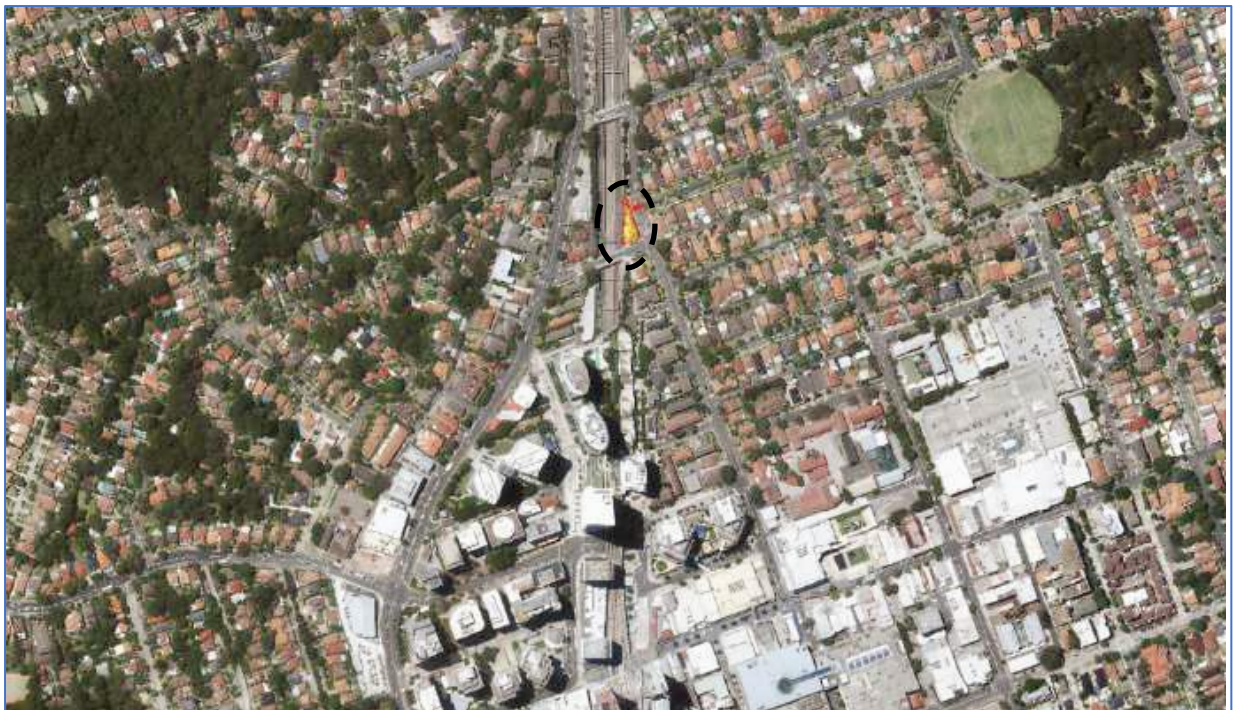


Figure 4 – Aerial Photo of the site in its surrounding urban context.

The land uses and development adjoining and surrounding the site are described below.

North:

The land immediately to the north of the site is both railway corridor and Anderson Street. The eastern side of Anderson Street north of the site is low density Residential federation bungalow housing and is contained in a conservation area. The development to the west of the Railway corridor north of the site is low density highway retail and highway.

East:

The existing development to the east of the subject site, and east of Anderson Street, is dominantly made up of Residential Federation-era Bungalows contained in a conservation area.

West:

Situated on the western boundary of the site is the North Shore Railway Line, and beyond that are formerly low-medium density 2 storey apartments that probably date from the 1920s. These have subsequently been converted to commercial premises. These sites have been rezoned for higher density mixed-use development.

South:

Across Wilson Street from the development is an existing single dwelling House and beyond that 3 storey Walk-up apartments dating from the 1970s. These sites have also been proposed for rezoning to the B4 zone mixed-use development that provides commercial, retail and residential uses.

Further south is the core of the Chatswood CBD and the public transport interchange at the Railway Station.

2.4 Local Planning Context

2.4.1 Willoughby Local Environmental Plan 2012

Existing Zoning & Permissible Uses

The site is currently zoned R2 Low Density Residential under the Willoughby Local Environmental Plan 2012 as shown in **Figure 5** below.

The existing LEP and DCP controls for the Chatswood CBD were updated to the standard template format in 2012. Key elements include:

- A complex array of controls
- Land zoning for the commercial core is primarily B3, edged by areas of B4, R4 and R3
- Height of buildings and FSR controls on a site by site basis with some areas grouped into broader 'sub-precincts' within the CBD
- A comparatively high number of 'special provision areas' which vary the controls in the LEP (typically in response to site amalgamation)
- Detailed DCP controls for many sites (including sites already fully developed)
- The existing DCP is unusual for Sydney in describing within the B3 zone an 'office precinct' (retail is limited to 100sqm GFA) and 'retail precinct' (offices are limited to 100sqm GFA) reflecting the significant regional role that retail plays in the Chatswood CBD
- Chatswood CBD is bound by Heritage Conservation Areas to the north and south
- Sun access protection controls provided through the LEP and DCP
- Aviation limitations set by Sydney Airport (the PANS-OPS surface).

The existing zoning of the subject site is R2 Low Density Residential (see **Figure 5**,) but this is recommended to change to B4 Mixed Use in the recently adopted Chatswood CBD Planning and Urban Design Strategy. The site is not a heritage item, however, it is opposite the North Chatswood heritage conservation areas, which extends east from Anderson Street.

The black edged rectangle on the following map indicates the location of the subject site within the Chatswood CBD.

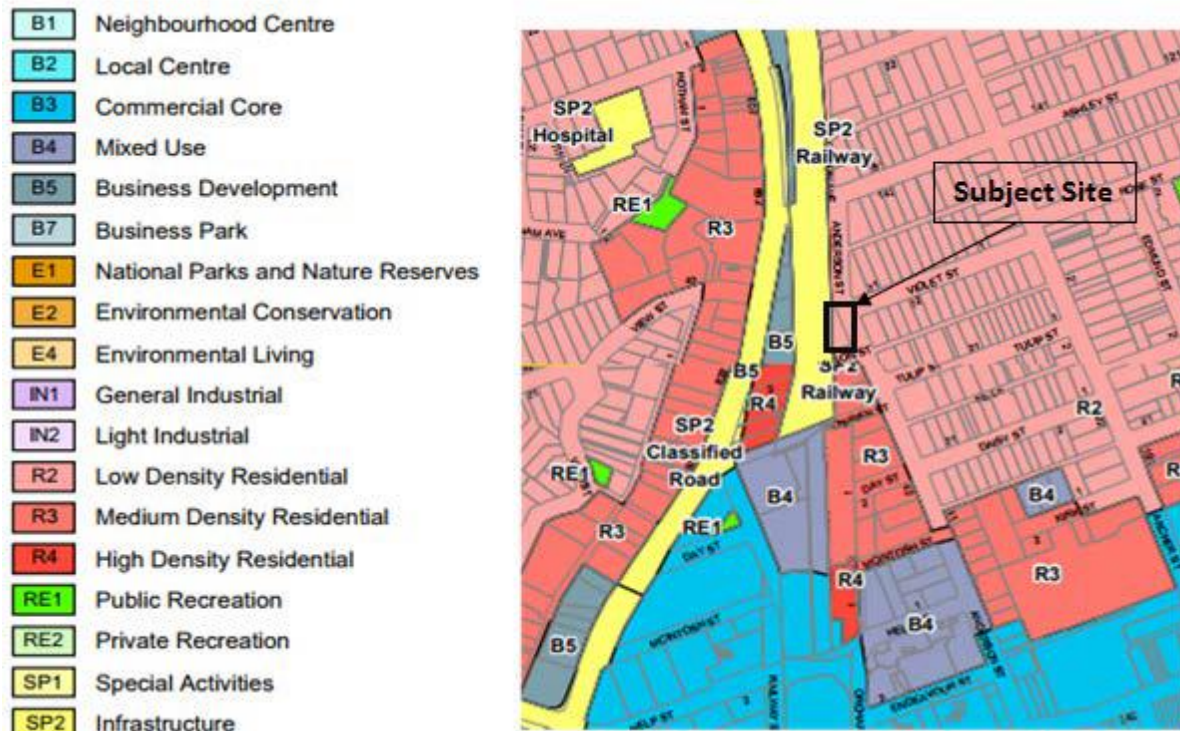


Figure 5 - Extract, Willoughby LEP 2012 Land Zoning Map

Source: Willoughby LEP 2012 maps Sheet LZN_003-004, legislation.nsw.gov.au

1. **Current Zone Objectives**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To accommodate development that is compatible with the scale and character of the surrounding residential development.
- To retain and enhance residential amenity, including views, solar access, aural and visual privacy, and landscape quality.
- To retain the heritage values of particular localities and places.
- To encourage self-sufficiency with respect to energy and food supply.

2. **Permitted without consent**

Home occupations.

3. **Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Home industries; Recreation areas; Respite day care centres; Roads.

4. **Prohibited**

Any development not specified in item 2 or 3.

Table 2 - Current Planning Controls

| Control | LEP |
|-------------------|----------------------------|
| Zone | R2 Low Density Residential |
| Building Height | 8.5m |
| Floor Space Ratio | 0.4:1 |

2.4.2 Chatswood CBD Planning and Urban Design Strategy 2036 – endorsed by Council September 2020

Willoughby City Council engaged Architectus to prepare a Planning and Urban Design Study of the Chatswood CBD, supported by transport and traffic advice from Arup and economic advice from BIS Shrapnel.

The report was debated by Council during December 2016 with the view to exhibit to the public during early 2017 and public submissions were requested by 17 March 2017. This report's recommendations were endorsed by Council in June 2017.

The report now contains one volume, being a final report endorsed by Council in September 2020. The Report provides detail on a range of planning and development issues.

The purpose of the strategy is to establish a strong framework to guide all future private and public development in the Centre over the next 20 years and to achieve through exceptional design a distinctive, resilient, and vibrant centre for Chatswood.

Specifically, the strategy:

- Reviews the current planning framework (statutory and non-statutory) that controls the development of the Chatswood CBD.
- Identifies the opportunities and constraints that are impacting on development in the Chatswood CBD.
- Develops and recommends a planning framework that Council can implement to ensure Chatswood sustainably grows as a competitive strategic centre of Sydney.

In response to Council's brief, the study is designed to provide recommendations that are based on:

- World best practice in the planning and design of cities.
- Achieving a sustainable balance between commercial, retail, residential, education, cultural and other uses in the Centre to ensure on-going vibrancy.
- Maintaining a compact, walkable and economically buoyant Centre.
- Exploring city form and scale aimed at accommodating future growth and change.
- Architectural principles to distinguish Chatswood as a centre that expects exceptional urban design, pedestrian linkages and public domain, embracing key elements of local character and heritage.

The strategy focuses on the land up to 800m from Chatswood Railway Station. It anticipates growth for the Chatswood CBD over the next 30 years based on statistics from the Department of Planning and Environment, the Bureau of Transport Statistics and BIS-Shrapnel work including:

- 501,750sqm residential Gross Floor Area.
- 297,500sqm office Gross Floor Area
- 136,200sqm other commercial Gross Floor Area.

The draft study recommends controls to achieve the objectives for the Chatswood CBD including:

- Delivery of floorspace which is appropriate to the projected requirements within the future Chatswood CBD
- Chatswood's future as an employment centre is protected whilst allowing capacity for residential growth
- Good sun access to key public spaces
- Retaining Chatswood CBD as the focus of Chatswood
- Capturing the value of uplift in development capacity for Council in order to be able to deliver required improvements to the public realm for a major and attractive residential and commercial centre
- High-quality built outcomes are achieved through a design excellence process
- Tower developments are encouraged to be slim and well separated.

3 DEVELOPMENT CONCEPT

This Planning Proposal is seeking to amend the height of buildings and floor space ratio development standards within the WLEP 2012 as they apply to the site. An indicative development concept (reference design) has been developed by Drew Dickson Architects, and is detailed in **Appendix A**.

3.1 Urban Design Principles

The urban design principles that underpin this Planning Proposal are as follows:

- Facilitate a mixed-use tower that responds to the location of the site and the neighbouring properties;
- no additional overshadowing to Victoria Avenue; and
- Facilitate development on a strategic site in the Chatswood CBD within walking distance of the railway station.
- Provide a mix of non-residential (in podium) and residential development;
- Shape the building to minimise overshadowing of adjoining buildings;
- Set up an envelope that allows design excellence to be further explored in the detailed DA stage

3.2 Proposed Zoning

The zoning proposed in Council's endorsed Planning and Urban Design Strategy suggest that this site should be rezoned to B4 mixed use. The following table summarises this proposed planning changes:

Table 3 - Proposed Planning Controls

| Control | Existing | Proposed |
|-------------------|----------------------------|--------------|
| Zone | R2 Low Density Residential | B4 Mixed Use |
| Building Height | 8.5m | 53m |
| Floor Space Ratio | 0.4:1 | 4:1 |

3.3 Height

It is proposed to amend WLEP 2012, as it applies to the site, to increase the maximum "height of buildings" development standard to 53 metres. This is in line with the CBD Strategy (refer to **Section 5.1**). The indicative height of the development concept is illustrated at **Appendix A** is 15 storeys.

3.4 FSR

It is proposed to amend WLEP 2012 to amend the maximum „floor space ratio“ development standard to 4:1. The Planning Proposal seeks to require a minimum 1:1 FSR for commercial floor space for any development on site.

The indicative built form delivered by a FSR of 4:1 (including 1:1 commercial floor space) is illustrated by the development concept at **Appendix A**.

A 3D model and elevation of the development concept is shown at **Figure 6** and **Figure 7** on the following page:



Figure 6 – 3D Model of the Proposed Development looking north-westwards over Anderson Street. Source: DDA

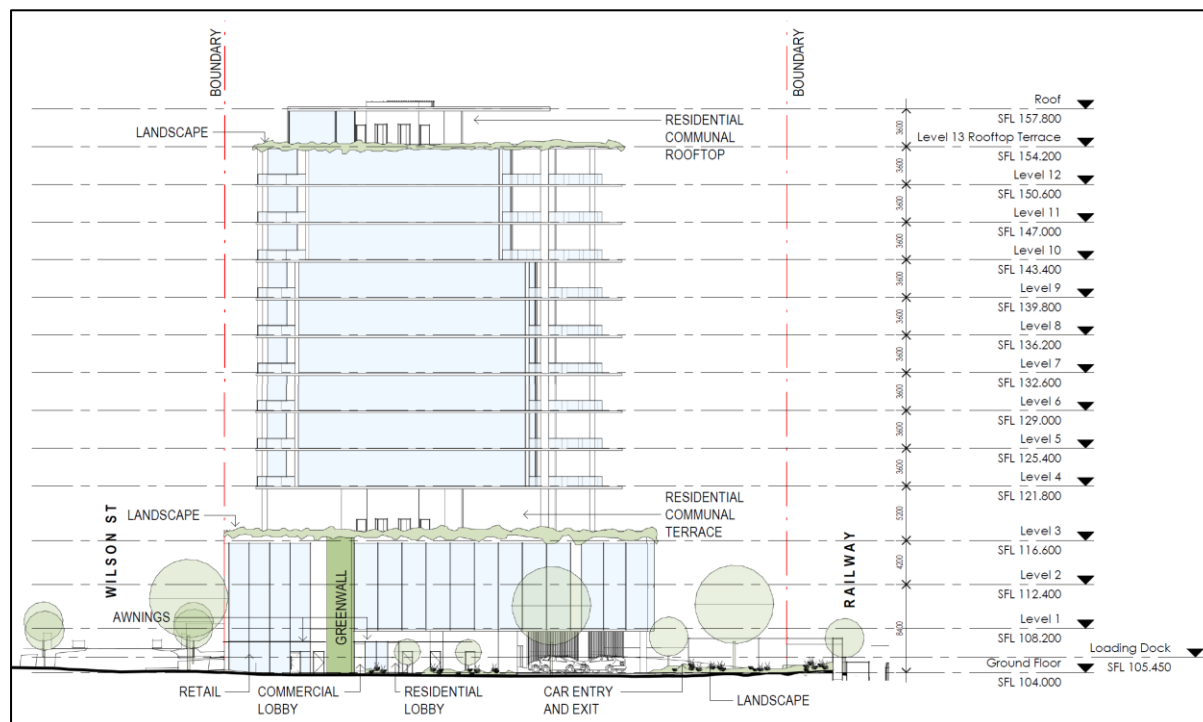


Figure 7 – Eastern Elevation of the Proposed Development. Source: Drew Dickson Architects

3.5 The Indicative Design Concept

As the Planning Proposal is seeking to amend both the land use and key development standards on the subject site, indicative design concepts and a comprehensive urban design analysis have been undertaken to inform the potential bulk, scale, and massing of the built form on the site; and to determine the potential impacts of this amendment in the surrounding context.

The urban design analysis reviewed the site and surrounding environment, orientation, solar access, and views from the site, street podium heights, taller building heights, setbacks, vehicular access, pedestrian connectivity, and shadow analysis. This analysis leads to potential design and development scenarios for the site.

The preferred design concept provides the potential for an iconic, metropolitan, transit-oriented mixed-use development which is responsive to the surrounding amenity and sensitive to the solar access requirements of nearby development. A photomontage of the preferred design option is included on the following page.



Figure 8 – The “Café Corner” and Commercial podium of the proposed development.

Source: DDA

The concept provides a podium, consistent with similar nearby podiums, including that of the recently completed 28 Anderson Street mixed-use development. Above the podium, the proposal provides an envelope for a tall slender tower (to be refined prior to DA submission). The residential tower is setback 30 metres from the closest building (across Wilson Street), providing a generous amount of building separation and privacy.

3.6 Proposed Development

To facilitate the above design principles and test the site’s capacity, Drew Dickson Architects has prepared an indicative development concept as detailed at **Appendix A**. The reference design provides a building on the site that:

- Provides a maximum building height of 53 metres; and
- Provides a building with a total FSR of 4:1 (including a minimum 1:1 commercial FSR).

A numeric overview of the development concept the Planning Proposal would facilitate is provided at **Table 4**.

| Table 4 – Numerical Overview | |
|-------------------------------------|-------------------------|
| DETAIL | PREFERRED OPTION |
| Site Area | 565 |
| Gross Floor Area | |
| Commercial | 565sqm |
| Residential | 1695sqm |
| Total | 2260sqm |
| Floor Space Ratio | |
| Commercial | 1:1 |
| Residential | 3:1 |
| Total | 4:1 |
| Height | 53m |
| Levels | 15 |
| Car Parking Levels | 3 to 5 (TBD) |

Section 5 of this Report provides an analysis of the potential environmental impacts of the proposal, including bulk, scale and massing, residential amenity, traffic as well as the broader social and economic benefits of the scheme.

4 PLANNING PROPOSAL

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning & Assessment Act, 1979* (EP&A Act), and “A Guide to Preparing Planning Proposals” prepared by the NSW Department of Planning and Environment, which requires the following matters to be addressed:

- The objectives and intended outcomes of the amendment to the WLEP 2012;
- Explanation of provisions;
- Justification, including:
 - Relationship to strategic planning frameworks;
 - Environmental, social and economic impact;
 - State and Commonwealth interests;
- Maps; and
- Community consultation.

The following Section outlines the objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes, including relevant mapping. The justification and evaluation of impacts is set out in **Section 5** of this report.

4.1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to facilitate the redevelopment of land at 58 Anderson Street, Chatswood in a manner generally consistent with the provisions of the CBD Strategy which designate the site for mixed-uses.

The Planning Proposal is a site-specific amendment to WLEP 2012 to amend the maximum building height on the site and to provide maximum building envelope controls on the site. The requested amendments to the WLEP 2012 are outlined in detail in Section 4.2, 4.3 and 4.4.

The main objective of the Planning Proposal is to facilitate the future development of the site. The proposed amendments will have the effect of ‘unlocking’ the site and enabling a viable and ecologically responsive tall slender building to be realised. The amendments under this Planning Proposal will ensure that the final form of development on the site is more appropriately tailored to the site’s characteristics and opportunities, whilst not detrimentally impacting on the amenity of the surrounding public areas.

In response to the strategic site qualities and opportunities, the ultimate objective of the Planning Proposal is to facilitate the future development of a high quality, metropolitan scale, mixed-use development that is iconic within this precinct of the Chatswood CBD location. A favourable outcome would enable the direct achievement of a range of both regional and local strategic planning objectives including job and housing growth in a highly accessible and connected location, a stronger night-time economy and urban renewal of the last under-developed parcels within this precinct of Chatswood CBD.

The intended outcome of the Planning Proposal is to amend the zoning, height, and FSR controls of the WLEP 2012 to support mixed-use development on the site as detailed in Section 4.2, 4.3 and 4.4.

4.2 Explanation of Proposed Provisions

The Planning Proposal incorporates a number of amendments to the WLEP 2012 as it relates to the site. These amendments are summarised in **Table 5**.

Table 5 – Amended Planning Controls

| Control | Existing | Proposed |
|-------------------|----------------------------|--------------|
| Zone | R2 Low Density Residential | B4 Mixed Use |
| Building Height | 8.5m | 53m |
| Floor Space Ratio | 0.4:1 | 4:1 |

The proposed outcome will be achieved by converting the existing R2 Zoning to the B4 Mixed Use Zoning, and amending WLEP *Height of Buildings* and *Floor Space Ratio* maps to reflect the preferred design option. Therefore, it is requested that Willoughby City Council amend Willoughby Local Environmental Plan 2012 in the following manner:

Amend the zoning of 58 Anderson Street Chatswood (DP1107551) from R2 Low Density Residential to B4 Mixed Use.

The zoning Map would be amended as follows:



Figure 9 – Proposed Amendment to the WLEP 2012 Zone Map

Base Source: Willoughby LEP 2012 maps Sheet LZN_003-004, legislation.nsw.gov.au

4.3 Height of Buildings

Incorporate this site into the B4 Mixed Use zone. It is proposed to increase the maximum building height from 8.5m to 53m across the entire site by amending the Height of Buildings Map from I2 to 53m.

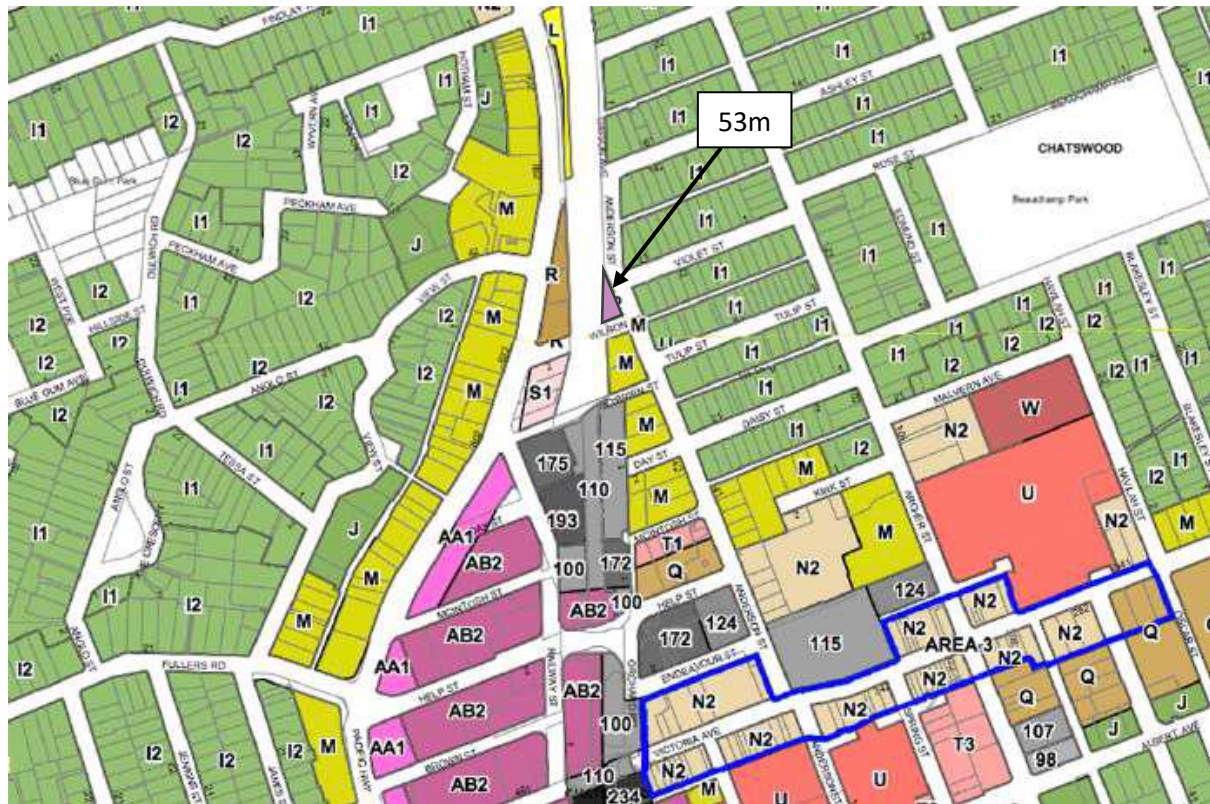


Figure 10 – Proposed Amendment to the Maximum Building Height

Base Source: Willoughby LEP 2012 maps Sheet HOB_004, legislation.nsw.gov.au

4.4 Floor Space Ratio

Incorporate this site into the B4 Mixed Use zone. It is proposed to increase the maximum floor space ratio (FSR) from 0.8:1 to 4:1 by amending the Floor Space Ratio Map from B 0.4:1 to 4:1, as shown below.

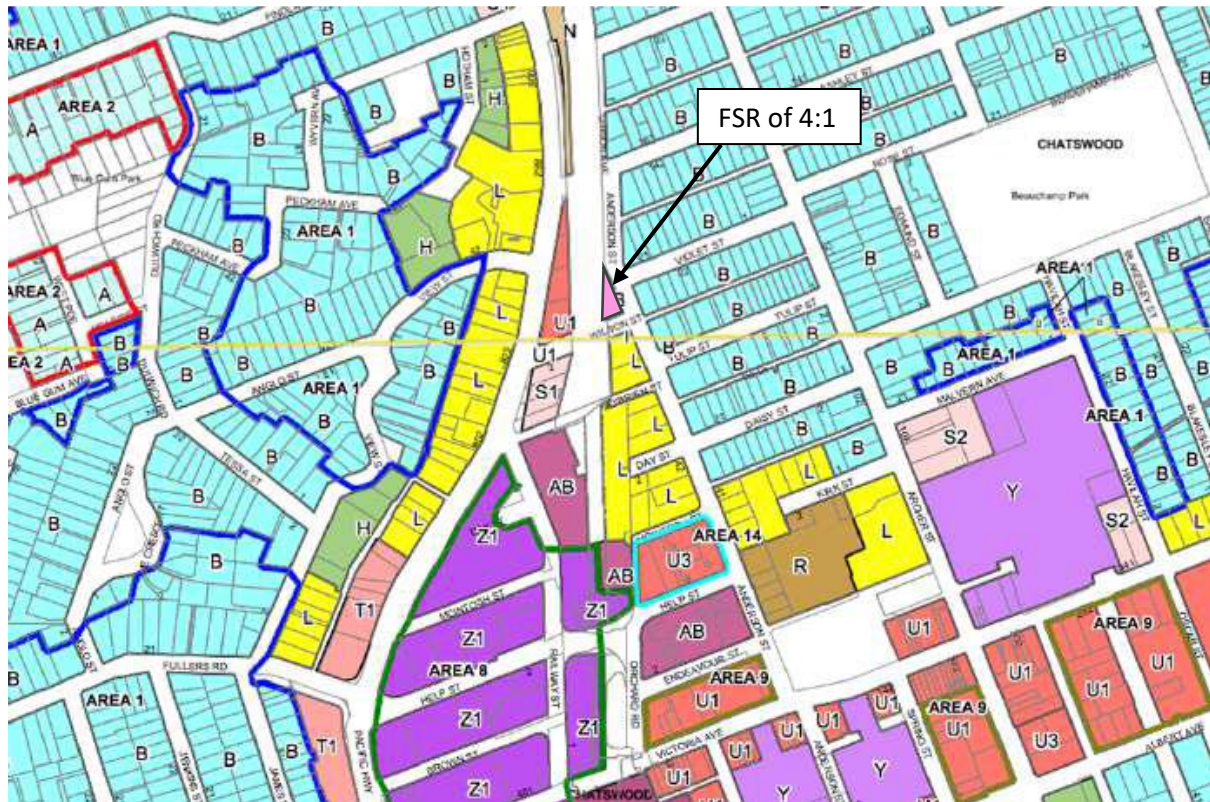


Figure 11 – Proposed Amendment to the Maximum Floor Space Ratio

Base Source: Willoughby LEP 2012 maps Sheet FSR_003-004, legislation.nsw.gov.au

4.5 Mapping

This Planning Proposal seeks to amend the following maps of the WLEP 2012:

- Zone Map - Sheet LZN_004;
- Height of Buildings Map - Sheet HOB_004; and
- Floor Space Ratio Map - Sheet FSR_004.

These proposed maps are included at **Appendix E**.

4.6 DCP Controls

Council's CBD Strategy envisaged a new CBD DCP, which will ultimately be developed by Council. A specific DCP is proposed to be developed for the site. DCPs affecting this site could otherwise be developed generally in accordance with Council's current or future DCP requirements. A proposed DCP for the site has been provided as **Appendix I**.

5 JUSTIFICATION FOR LEP AMENDMENT

5.1 Planning Proposal Justification

This Planning Proposal and indicative design option seeks to respond specifically to the Endorsed Planning and Urban Design Study objectives by:

- Providing a high quality mixed-use development that provides commercial and residential uses to serve both the local and wider community needs.
- Creating additional retail jobs in a highly accessible location with good access to public transport, fostering in either a boutique retail or commercial space.
- Providing approximately 15 high quality residential apartments in very close proximity to Chatswood Railway Station which would reduce car dependency, and encourage patronage of public transport, walking and cycling.
- Provision of various notable public domain improvements including revitalised and coordinated pedestrian footpaths, crossings, and an activated street frontage.

Proposed Development Standards

Proposed development standards relating to the site include:

| | |
|-----------------------------|--|
| Maximum building height of: | 53m |
| Wilson Street Frontage: | 22m boundary, 18.5m of façade, with a 0m setback |
| Anderson Street Frontage: | 55m boundary, 48m of façade, with a 3m setback |

However, given the highly strategic and prominent site location, the underlying development standards are significantly less than those proposed for the adjacent CBD environment, and the nearby existing CBD buildings which achieved heights ranging up to 263.8m AHD and FSRs of 7:1 to 10.94:1. Within this strategic context, the current development standards are constrained and prevent the revitalisation of the site.

Previously in response to Council's exhibition of the Draft CBD Strategy, the proponent noted that the subject site, 58 Anderson Street, provided an opportunity to assist Council's objectives and intention as outlined below:

1. Subject site is in good proximity to public transport, excellent access to jobs either offices (services) or retail (goods & services), primary and secondary education all within walking distance.
2. The subject site is the only developable site within its street block.
3. The proposed development can accommodate public domain enhancements, promote precinct benefits, support building sustainability technologies, vertical gardens and meaningful roof terraces – subject to their respective feasibility.
4. A key refinement of the built design is to respond to the Sun Access Plane and not exceed 53m Height Limit. The proposal does not propose to exceed the 53 m Height Limit.
5. The desired proponent outcome is to achieve an FSR of 4:1 and this will be dependent on the design process, if that is achievable then the proponent will enter into negotiation of a voluntary planning agreement.

5.2 NEED FOR THE PLANNING PROPOSAL

The Department of Planning's document *A Guide to Preparing Planning Proposals* includes the following questions in describing the need for the Planning Proposal.

5.2.1 Q1: Is the Planning Proposal a result of any strategic study or report?

Yes.

The Planning Proposal has been developed by a private proponent as the result of a local strategic study, Chatswood CBD Planning and Urban Strategy 2036 – which was commissioned by Willoughby Council and publicly exhibited during the first quarter of 2017 and approved by Council in June 2017. The plan was further amended after inputs from the Department of Planning, Industry, and Environment (DPIE), and reapproved by Council in September 2020. In addition, a comprehensive evaluation of the site's physical and strategic attributes have been undertaken to inform the potential redevelopment.

The CBD Strategy anticipates significant growth for the Chatswood CBD over the next 20 years including the need for an additional:

- 501,750m² residential Gross Floor Area.
- 297,500m² office Gross Floor Area
- 136,200m² other commercial Gross Floor Area.

A future development of the site, such as that facilitated by this Planning Proposal, would contribute an additional 2,260m² floor area in total including 565m² commercial floor area and 1,695m² residential floor area. This would also contribute to the delivery of the above CBD growth by providing a vibrant residential population to partake in services of the CBD, for one of the few sites identified for mixed-use and that is capable of redevelopment.

To accommodate and shape this growth the following key outcomes are recommended by the CBD Strategy:

- Delivery of floor space (residential and non-residential) which is appropriate to the projected requirements within the future Chatswood CBD;
- Chatswood's future as an employment centre is protected, by providing a development outside of the commercial core with some non-residential uses, whilst allowing capacity for residential growth;
- Good solar access to key public spaces and adjoining residential properties;
- High quality built outcomes will be achieved through a design excellence process; and
- Tower developments are encouraged to be slim and well separated.

The development concept is consistent with the above key outcomes recommended by the CBD Strategy.

The CBD Strategy identifies the site as an "opportunity site" in its Opportunities Sites Map. It is located in the outer centre of Chatswood CBD, adjacent to the office and retail core where mixed-uses are encouraged.

The development concept (as outlined at **Section 3.0**), which can only be facilitated by this Planning Proposal, is consistent with the key planning considerations for the future, including:

- Encouraging smaller office uses in mixed-use buildings which form a vital part of the overall office mix in the CBD;
- Delivery of residential uses that will contribute to the activity of Chatswood CBD to the benefit of office and retail uses;
- Providing integral residential uses ensure Chatswood remains a mixed-use centre, providing jobs closer to homes;
- Contributing capacity for residential growth without affecting the viability of Chatswood's office core;
- Delivery of high architectural quality;
- Contribution to the city centre through developer contributions providing funding to new open space, streetscape, and public domain improvements.

The development concept is also consistent with the recommended LEP and DCP controls for the site within the CBD Strategy. A summary assessment is provided at **Table 6** below.

Table 6 – Planning Control Changes

| Control Type | Recommended Control | This Planning Proposal |
|-------------------|---------------------|--|
| Zone | Mixed Use | A change to the applicable zone of the site is proposed. The site would change from the current R2 Low Density Residential zone to B4 Mixed Use. |
| Height | 53m | 53m |
| Floor Space Ratio | 4:1 | 4:1 (including minimum 1:1 commercial floor space). Refer below for further |

Floor Space Ratio

Development that would be facilitated by this Planning Proposal is largely consistent with findings of the CBD Strategy as it would provide a slim mixed-use building on an opportunity site, within 500 metres of Chatswood Railway Station. The Planning Proposal seeks that an FSR of 4:1 apply to the site, this is compliant with the relevant FSR recommended by the CBD Strategy. The uplift of FSR from the current low density zoning is considered appropriate for the following reasons:

- The feasibility analysis undertaken by AEC (refer below) shows that it is not feasible to redevelop the sites under the current controls. The FSR threshold required for feasible development is inversely related to the minimum non-residential FSR required.
- Proposed uplift of the site is strategically justified by seeking to increase housing and jobs within walking 500m walking distance of the Chatswood Railway Station, consistent with the relevant actions and directions of A Plan for Growing Sydney and the North District Plan.
- The site is capable of accommodating a built form of 4:1 FSR without causing additional environmental impacts to the locality in terms of overshadowing or traffic

generation. A slim tower floor plate below the upper limit recommendations of the strategy is able to be provided without adverse impacts.

- The proposed FSR of 4:1 is lower than the FSRs likely to be permitted on surrounding sites to the south and west once the planning processes triggered by the approval of Council's Planning and Urban Design Strategy are complete, those being 6:1.

These justifications are explored in more detail below.

Market Feasibility Analysis

To accompany this Planning Proposal AEC Group undertook a market appraisal and feasibility analysis of the Chatswood residential and commercial market in 2017 (an extract of this report forms **Appendix D**). The purpose of that analysis was to:

- Determine the nature of demand from commercial occupiers (in particular boutique operators outside the main commercial core) within Chatswood and ascertain the type of commercial floor space that would be sustainable on a nearby site;
- Understand if development of the nearby site under existing and proposed planning controls is feasible given the high cost of consolidating that site; and
- Determine the quantity of additional density required for development to be commercially viable on a nearby site.

The analysis was undertaken in 2017 and reviewed in 2020. The report found that demand for commercial office space has fallen in the last six months and that there is demand for smaller commercial suites (less than 300m²) in the Chatswood market. This is largely due to changes in work-from-home practices in a post COVID-19 economy. Commercial office spaces in mixed-use buildings are well regarded by smaller professional firms who do not require a large corporate location and that benefit from co-locating near retail and residential uses.

This Planning Proposal includes a provision to require commercial uses to be provided on the site at a density of 1:1. As such, future development of the site in line with this Planning Proposal would facilitate a range of commercial suite sizes between 31m² to 266m² with the larger floor plate capable of being broken into smaller or larger tenancies as required to appeal to the commercial sector.

Market conditions indicate there is strong demand for residential development in Chatswood, with a particular focus of high density apartment living in the CBD, close to amenities and high frequency public transport. Current demand is expected to grow in the medium term – in line with population growth trends. The development concept will contribute to residential growth and development of the northern CBD fringe, complimenting the surrounding land uses, and is located on a proposed mixed-use site which will not undermine the main commercial core.

Feasibility modelling for a nearby site at 3-5 Help Street (owned by the same proponents) was undertaken by AEC in 2017, the findings of the report for that site are as follows:

- To provide for a non-residential (commercial) FSR of 2:1, a total FSR in the order of 7.4:1 was required for feasible development (of that site).
- If a commercial FSR of 1:1 were provided, a total FSR of at least 6.5:1 was required for feasible development.
- The FSR threshold required for feasible development is inversely related to the minimum non-residential FSR required.

However, these findings were based on site acquisition costs that were much higher per square meter than for this site located at 58 Anderson Street. Although detailed site specific feasibility modelling for this site has not yet been undertaken, the lower rate per square meter required for site acquisition should result in the feasibility thresholds listed above being somewhat lower – allowing this site to be feasibly developed at an FSR of 4:1 (including only 1:1 commercial).

The environmental assessment at **Section 5.4** demonstrates the site is capable of accommodating the additional density and the development concept is capable of appropriately managing any environmental impact.

Suitability of Built Form

A comprehensive evaluation of the site's physical and strategic attributes has been undertaken to assess the appropriateness of a future development delivered in accordance with an LEP modified in accordance with this Planning Proposal. The site is able to achieve an appropriate massing, bulk and height, which is responsive to the CBD context. The Planning Proposal retains the CBD Strategy's recommended height limit of 53m, which assists in maintaining amenity to surrounding buildings and solar access to buildings further south and south east.

An assessment of the environmental impacts of the development concept is provided at **Section 5.4** including assessment of traffic generation and overshadowing. The assessment demonstrates that a building of 4:1 FSR would not result in adverse impact to adjoining development or the locality. Accordingly considering the location of the building within the edge of the CBD, proximity to the Railway Station, and lack of environmental impact, the proposed 4:1 FSR is considered appropriate.

This Planning Proposal includes the preparation of indicative design concepts and planning analysis to arrive at an appropriate massing, bulk, and height scenario which is responsive to the metropolitan context, but not unreasonable with regard to impacts on surrounding amenity, and maintains solar access to nearby developments. These options have been reviewed by a traffic consultant to assess the potential impacts of the proposed increase in commercial and residential floorspace at the site.

An assessment has also been undertaken to determine the future demand for commercial and residential development to inform the indicative design concepts. This demonstrates that the market can support additional commercial and residential uses in the general vicinity of the subject site.

In summary, the strategic studies and analysis undertaken demonstrate that the site's characteristics are unique, highly strategic, and prominent within the Centre's Edge Precincts of Chatswood CBD. The technical reports which accompany the Planning Proposal demonstrate strong justification for the redevelopment of the site.

5.2.2 Q2: Is the planning proposal the best means of achieving the objectives or intended outcomes?

Yes.

This Planning Proposal is the best means to achieve the objectives and intended outcomes described in **Section 3** of this report for the following reasons:

- The current WLEP 2012's *Height of Building Map* and *Floor Space Ratio Map* would need to be amended to permit the height and floor space proposed.
- The extent in numeric variation from the current built form controls could not reasonably be achieved through the use of Clause 4.6 – Exceptions to Development Standards.
- A site-specific request for a 4:1 FSR is required to justify additional density (and assess no adverse environmental impacts) separate to the overall findings of the draft CBD Strategy.

Given that the WLEP 2012 came into effect on 31 January 2013 there are no alternative options available to avoid a standalone Planning Proposal. This Planning Proposal could accompany the CBD Strategy; however, the controls proposed for the site are unique in the strategy, which require a site specific justification.

5.3 Relationship to Strategic Planning Framework

5.3.1 Q3: Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes.

The Planning Proposal is consistent with the objectives and directions and actions of the Metropolitan Strategy: A Plan for Growing Sydney.

A Plan for Growing Sydney

Chatswood is identified as a Strategic Centre. A Strategic centre is defined as:

*“locations that currently or are planned to have at least 10,000 jobs. These are priority locations for **employment**, retail, **housing**, services and **mixed uses**”*

This Planning Proposal proposes to increase residential and commercial density in an area close to the Chatswood Railway Station and strategic centre, while maintaining a high level of amenity.

This Planning Proposal is also consistent with other relevant directions and actions contained in A Plan for Growing Sydney.

Action 1.7.1: Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity

“The Government will:

- *prioritise strategic centres for targeted investment based on the potential of a centre to provide a large number of jobs to increase jobs close to where people live;*
- *attract significant investment;*
- *provide a range of services and be an attractive place to live, work and play; and*
- *continue to grow”*

The site, being close to Chatswood CBD commercial core will help achieve this action. A range of services currently exists in proximity to the site itself. It is close to various forms of transport, extensive range of Chatswood services and the Sydney CBD.

A high quality mixed-use building will deliver more homes and jobs at a key location on the edge of the Chatswood commercial centre that will help to create a vibrant hub of activity in the CBD.

Action 2.1.1: Accelerate housing supply and local housing choices

Currently, State Government has proposed an additional 664,000 new dwellings by 2031. Increasing housing supply and addressing housing affordability and choice, requires the Government to:

- work with Councils to identify where development is feasible;
- identify where investments in local infrastructure can create housing supply;
- target locations which deliver homes closer to jobs;
- directly facilitate housing supply and choice through the projects of Urban Growth NSW and Priority Precincts; and
- direct the Greater Sydney Commission to work with Councils over the long-term with a requirement that Councils review housing needs when preparing their Local Environmental Plans.

It is anticipated that these actions will increase housing supply across the whole metropolitan area, particularly in and around centres.

“The most suitable areas for significant urban renewal are those areas best connected to employment and include:

- *in and around centres that are close to jobs and are serviced by public transport services that are frequent and capable of moving large numbers of people; and*
- *in and around strategic centres”*

Given Chatswood’s role as a “strategic centre”, the Planning Proposal complies with this direction.

Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs

Action 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres

A Plan for Growing Sydney focuses on new housing in centres which have public transport that runs frequently and can carry large numbers of passengers. New housing will be complemented by additional jobs and social infrastructure – especially in strategic centres.

The Planning Proposal provides the following opportunities:

- the opportunity to connect new homes to the job-rich areas of the Sydney CBD and the northern section of the Sydney Rapid Transit corridor from North Sydney to Norwest; and

- the opportunity to connect new homes to job-rich locations via good public transport, within an approximate 30- minute rail or light rail journey.

Toward our Greater Sydney 2056

Toward our Greater Sydney 2056 outlines a draft amendment to A Plan for Growing Sydney. It identifies a metropolitan priority for the 30-minute city where people can access jobs and services within 30 minutes. The Planning Proposal will facilitate housing and jobs in close proximity to high frequency public transport consistent with this priority.

In addition to the findings of A Plan for Growing Sydney guidance for investigating urban renewal corridors includes considering accessibility to regional high frequency transport and a catchment within walking distance of centres with regional transport. The Planning Proposal is consistent with this criterion.

Draft Greater Sydney Region Plan

The Planning Proposal will facilitate housing and jobs in the Chatswood Strategic Centre, close to services and frequent transport infrastructure which will contribute to the realisation of the 30-minute city. The Planning Proposal is consistent with the following objectives:

- Objective 10 – Greater Housing Supply
- Objective 11 – Housing is more diverse and affordable
- Objective 12 – Great places that bring people together
- Objective 14 - A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities

NSW Long Term Transport Master Plan 2012

The NSW Long Term Transport Master Plan 2012 has the aim of better integrating land use and transport. A Plan for Growing Sydney has been prepared to integrate with the Long-Term Transport Master Plan.

This Planning Proposal will serve the objectives of the Transport Plan by locating both residential and employment generating uses close to an existing railway station. This will promote the use of public transport and reduce reliance on private motor vehicles.

Revised Draft North District Plan

The North District is expected to grow significantly, and the Draft North District Plan highlights the need more housing choice, including more compact and diverse housing with an anticipated need for an additional 1,250 homes by 2021. The Planning Proposal is therefore consistent with Liveability Priority 1 which aims to deliver the North Districts five-year housing target.

The Chatswood Strategic Centre will also grow with an additional 6,300 – 8,300 jobs expected to be accommodated by the Centre by 2036. The Planning Proposal includes a minimum provision of 1:1 FSR for commercial floor space which equates to 2,290m² of commercial GFA and approximately 114 jobs.

This Planning Proposal is consistent with Productivity Priority 2: Manage growth and change in strategic centres, as it will:

- deliver on the Chatswood strategic centre’s job targets;
- promote the use of walking, cycling and integrated public transport solutions by locating housing and jobs close to high frequency transport and provision of bicycle parking on-site; and
- manage the transition between higher intensity activity in and around a centre and lower intensity activity that frames the centre.

Chatswood CBD Planning and Urban Design Strategy

Willoughby City Council prepared a Planning and Urban Design Study of the Chatswood CBD, supported by transport and traffic advice from Arup and economic advice from BIS Shrapnel. The purpose of CBD Strategy is to establish a strong framework to guide all future private and public development in the Centre over the next 20 years and to achieve exceptional design and a distinctive, resilient and vibrant centre for Chatswood.

The study focuses on the land 800m from Chatswood Railway Station. It anticipates growth for the Chatswood CBD over the next 30 years based on statistics from the Department of Planning and Environment, the Bureau of Transport Statistics and BIS-Shrapnel. The draft study recommends controls to achieve the objectives for the Chatswood CBD including:

- Delivery of floor space which is appropriate to the projected requirements within the future Chatswood CBD;
- Chatswood’s future as an employment centre is protected whilst allowing capacity for residential growth;
- Good sun access to key public spaces;
- Retaining Chatswood CBD as the focus of Chatswood;
- Capturing the value of uplift in development capacity for Council in order to be able to deliver required improvements to the public realm for a major and attractive residential and commercial centre;
- High quality built outcomes are achieved through a design excellence process; and
- Tower developments are encouraged to be slim and well separated.

As outlined at **Section 5.2.1** this Planning Proposal is largely consistent with the objectives and recommendations of Chatswood CBD Strategy.

The current development on the site fails to effectively provide the scale, form, and quality of development that is commensurate with Chatswood’s emerging metropolitan status. This Planning Proposal is therefore a direct and positive response to the site’s exceptional strategic location on the edge of the Chatswood CBD, and the broader strategic regional and sub-regional objectives for the area.

Chatswood is identified as a Major Centre and is located within the Global Economic Corridor in both the current *Metropolitan Plan for Sydney 2036* and the *Draft Metropolitan Strategy for Sydney to 2031*. The draft Strategy identifies metropolitan priorities for Chatswood, including:

Table 7 – Metropolitan Priorities of draft Metropolitan Strategy for Sydney

| METROPOLITAN PRIORITY – CHATSWOOD | PLANNING PROPOSAL |
|--|--|
| To support its role as the primary office-based hub for northern Sydney. | <p>Chatswood accommodates a large proportion of commercial office buildings which are predominantly located on the western side of the railway.</p> <p>Part E of the Willoughby DCP provides commentary on the current and future character of Chatswood. It clarifies that the western side of the North Shore Rail Line is the commercial office precinct of Chatswood, and the eastern side is shopping precinct:</p> <p><i>“Between Pacific Highway and the North Shore Rail Line is the commercial office precinct of Chatswood characterised by multi-storey office buildings intermingled with some older low scale office development and service retailing...</i></p> <p><i>East of the North Shore Rail Link is the shopping precinct of Chatswood which is one of the largest retail centres in Sydney with a catchment extending well beyond the Willoughby LGA”.</i></p> <p>The Council’s above commentary marries with economic analysis, which suggests that the market is unlikely to be able to support a significant provision of commercial office space at the subject site.</p> <p>In response to the above the Planning Proposal seeks to provide a mix of high quality commercial uses and shop-top housing within close proximity to Chatswood Transport Interchange. This will support the existing office based hub by providing housing close to work and shopping opportunities reducing the dependency on cars.</p> |
| To grow as a dominant service retail and recreational centre. | The Planning Proposal seeks to facilitate a future built form outcome that would replace (and expand) the existing residential and commercial uses with a new, highly attractive building. The proposal will facilitate better pedestrian connectivity and linkages within the surrounding precinct. |

| | |
|--|---|
| To plan for medium and high density housing outside the commercial core. | <p>The strategic site attributes within Chatswood CBD make the subject site exceptionally attractive for high density housing.</p> <p>The nearby existing buildings, respectively some 200m to the south west of the site, have permitted heights greater than 53m with some over 90m, and FSRs achieving greater than 4:1 up to over 7:1.</p> <p>This Planning Proposal seeks to provide more comparable height and density standards which apply to the site which is consistent with this Metropolitan Priority.</p> |
|--|---|

5.3.2 Q4: Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plans?

Yes.

Willoughby City Council has prepared local strategic documents that reinforce the key local matters relevant to the LGA including Willoughby City Strategy and the Chatswood City Centre Plan 2008 and Chatswood CBD Planning and Urban Design Strategy 2036.

Council's community strategic plan, long term vision and guide for the future growth of the city. The Strategy includes key *strategic directions* which relate to community and cultural life, natural environment, housing, infrastructure, economic activity and governance. The objectives relating to housing and economic activity are of most relevance to the proposal.

- Housing – The Strategies seeks to promote housing choice, quality living amenity for residents and protection of local character. The Planning Proposal responds positively to these objectives by enabling shop-top housing to provide a diversity of apartment types, sizes at various price-points designed in accordance with the guidance of the Development Control Plans (DCPs). The potential impacts of the proposed uplift in height and density on the site preserves the local character of Chatswood CBD and the surrounding residential amenity.
- Economic Activity – The Strategies aim to promote growth for local business, support of centres and engagement with business. The provision of shop-top housing on the site will allow for the comprehensive redevelopment and generates jobs for the first time on the site. The provision of shop-top housing permits an opportunity for a new, high quality 'corner cafe' that will activate this part of Chatswood. The proposal could provide for an additional 5 to 10 FTE jobs.

5.3.3 Q5: Is the planning proposal consistent with applicable state environmental planning policies?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified below.

An assessment of the Planning Proposal against relevant State Environmental Planning Policies (SEPPs) is set out in **Table 8** below.

Table 8 – Consistency with State Environmental Planning Policies

| SEPP | CONSISTENCY | | N/A | DETAILS |
|---|-------------|----|-----|--|
| | Yes | No | | |
| SEPP (State and Regional Development) 2011 | | | N/A | The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the Northern Planning Panel acting as the determining authority. |
| SEPP (Affordable Rental Housing) 2009 | | | N/A | Not relevant to proposed WLEP 2012 amendment. |
| SEPP (Exempt and Complying Development Codes) 2008 | | | N/A | Not relevant to proposed WLEP 2012 amendment. May apply to future development on the site. |
| SEPP (Housing for Seniors or People with a Disability) 2004 | | | N/A | Not relevant to proposed WLEP 2012 amendment. |
| SEPP (BASIX) 2004 | Yes | | | Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal. |
| SEPP (Infrastructure) 2007 | Yes | | | The future development is likely to be considered traffic generating development under the relevant thresholds of Schedule 3 and referral to RMS would be required. |
| SEPP No. 55 Remediation of Land | Yes | | | A contamination study has not been commissioned at this early stage of planning. This can be undertaken if required by the Gateway Determination, though the site has been used for residential uses for some time and as such is considered at low risk of contamination. |
| SEPP No. 64 Advertising and Signage | | | N/A | Not relevant to the proposed WLEP 2012 Amendment. |
| SEPP No. 65 Design Quality of Residential Apartment Development | Yes | | | Nothing within this amendment will prevent a future DA's ability to comply with SEPP 65. The indicative development concept prepared by Drew Dickson Architects complies with key SEPP 65 and ADG principles. |
| Urban Renewal 2010 | | | N/A | The site is not located within a potential precinct as identified by the SEPP. |
| Sydney Harbour Catchment SREP | Yes | | | The site is located within the Sydney Harbour Catchment area associated with the SREP. Future development would be consistent with the aims and planning principles related to the Sydney Harbour Catchment. |

5.3.4 Q6: Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes.

The Planning Proposal has been assessed against the s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

Table 9 – Section 117 Directions

| DIRECTION | CONSISTENCY | | N/A | DETAILS |
|--|-------------|----|-----|--|
| | Yes | No | | |
| 1 Employment and Resources | | | | |
| 1.1 Business and Industrial Zones | Yes | | | This Planning Proposal seeks to amend the existing Residential zone to B4 Mixed Use zoning, the Planning Proposal will facilitate a mixed-use development consistent with this direction in that it proposes a zoning that permits all types of commercial premises with consent. The rezoning will allow for the provision of commercial space for at least an additional 5 to 10 FTE jobs and support the viability of Chatswood Major Centre which in consistent with this Direction. |
| 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 |
| 2 Environment and Heritage | | | | |
| 2.1 Environmental Protection Zones | | | N/A | Not applicable |
| 2.2 Coastal Protection | | | N/A | Not applicable |
| 2.3 Heritage Conservation | | | N/A | Not applicable |
| 2.4 Recreational Vehicle Area | | | N/A | Not applicable |
| 3. Housing, Infrastructure and Urban Development | | | | |
| 3.1 Residential Zones _ | | | | The proposed amendment would see the delivery of new dwellings that are located close to public transport, employment opportunities and day to day services. The proposal will therefore make more efficient use of this infrastructure and will reduce the consumption of land for housing and associated urban development on the urban fringe. |
| 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 Planning Proposal, through unlocking the development potential of the site, will concentrate critical mass to support public transport, and improve access to housing and jobs and services by walking, cycling and public transport. In light of this it is expected that the proposal will reduce travel demand including the number of trips generated by the development and the distances travelled, especially by car. |
| 3.5 Development Near Licensed Aerodromes | | | N/A | Not applicable |

| | | | | |
|---|-----|--|-----|---|
| 3.6 Shooting Ranges | | | N/A | Not applicable |
| 4. Hazard and Risk | | | | |
| 4.1 Acid Sulphate Soil _ | Yes | | | The WLEP 2012 contains acid sulphate soils provisions and this proposal does not seek to amend them. Acid sulphate soils investigations and analysis will accordingly be undertaken as part of any future development of the land in accordance with the requirements of the WLEP 2012. |
| 4.2 Mine Subsidence and Unstable Land | | | N/A | Not applicable |
| 4.3 Flood Prone Land | | | N/A | Not applicable |
| 4.4 Planning for Bushfire Protection | | | N/A | Not applicable |
| 5. Regional Planning | | | | |
| 5.2 Sydney Drinking Water Catchment | | | N/a | Not applicable |
| 5.10 Implementation of Regional Plans | Yes | | | As outlined at Section 5.3, this Planning Proposal is consistent with A Plan for Growing Sydney. |
| 6. Local Plan Making | | | | |
| 6.1 Approval and Referral Requirements | Yes | | | This Planning Proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral. |
| 6.2 Reserving Land for Public Purposes | Yes | | | This Planning Proposal is consistent with this Direction in that it does not create, alter or reduce existing zonings or reservations of land for public purposes. |
| 6.3 Site Specific Provision | | | N/A | Not applicable |
| 7. Metropolitan Planning | | | | |
| 7.1 Implementation of A Plan for Growing Sydney | Yes | | | As discussed in Section 5.3 above, the Planning Proposal provides a range of new job opportunities, housing and increased high quality commercial floor space which is consistent with the priorities of A Plan for Growing Sydney. |

5.4 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.4.1 Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Not applicable to this Planning Proposal at this urban site. A desktop analysis of relevant reports publicly available has not revealed this site to be part of any critical habitat or that any threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this proposal. Further consideration can be undertaken during the Development Application stage, if relevant.

5.4.2 Q8: Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Given the proposed uplift in building height and density, the potential environmental effects that are relevant to the Planning Proposal include the indicative building design, residential amenity, and traffic impacts.

Bulk, Scale, and Massing of Indicative Design Concept

The preferred design option provides a development which is consistent with the predominant street edge heights of the nearby developments both existing and proposed for Anderson Street to the south. Further, in response to local planning objectives, the indicative design also seeks to activate the street frontages of Anderson Street and Wilson Street and facilitate more practical pedestrian linkages within the precinct.

The architectural plans at Appendix A show the additional 4:1 density proposed by the reference scheme is capable of compliance with the requirements of SEPP65 and the ADG. The reference scheme also demonstrates compliance with the podium and tower setback recommendations of the CBD strategy. The development concept accordingly incorporates:

- A podium with street-wall setbacks of 3m from the Anderson Street boundary and 0m from the Wilson Street boundary.
- A tower with setbacks of 4m from the Anderson Street Boundary and 3m from the Wilson Street Boundary.
- Compliant separation between the podium and tower components and potential future neighbouring buildings to the south and west - that meet ADG guidelines.
- Slim floorplates below the CBD Strategy recommendations.
- Floorplates fully capable of compliance with the ADG including solar access and natural ventilation.
- No additional overshadowing to Victoria Avenue (being some 500m distant).
- Adequate solar access to adjoining properties.
- A sound and feasible commercial component of 1:1 FSR.

The existing development is an opportune site capable of redevelopment due to it being in single ownership. The site is within 500 metres of the Chatswood Railway Station and well suited to high density mixed-use/residential development.



Figure 12 – The concept design for a tall slender tower. Source: Drew Dickson Architects

Above the podium, the proposal provides a tall slender shaped tower on the western side of the site to preserve setbacks from the adjacent heritage conservation area to the east. The residential tower is proposed to be setback at least 30 metres from the nearby buildings, providing a generous amount of building separation and privacy between sites.

As discussed below, the proposed design has sought to provide high levels of internal amenity, and not give rise to any unreasonable amenity impacts on surrounding properties.

Amenity impacts on surrounding properties

View sharing and overshadowing are the two key potential amenity impacts arising from the proposed increase in height and density on the site, and have accordingly guided the appropriate height, bulk and scale for the site.

View Sharing

The site will be in the immediate vicinity of other large buildings on its southern and western boundaries. The likely buildings to the west and south will contain residential apartments which are likely to be set above lower level commercial uses. These have been considered in the design of the proposal. The upper residential apartments of the likely nearby buildings will have similar district views to those enjoyed by this proposal.

The Land and Environment Court judgement in the matter of *Tenacity Consulting v Warringah* [2004] NSWLEC 140 has been adopted as a “Planning Principle” for “View Sharing” by the court. In his judgement, Commissioner Roseth SC states that:

“The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four-step assessment”.

In response to the above view sharing principles, the urban design analysis undertaken by Urbanac /Kann Finch/DDA Architects compared the potential view sharing impacts of commercial and residential schemes on the site. As commercial buildings require large floor plates and critical mass, an office tower with a commensurate quantum of gross floor area would potentially create a larger degree of view loss on the residential component of the nearby buildings.

In comparison, the preferred design concept seeks to minimise view loss to the residential apartments of the nearby buildings by reducing the bulk and scale of the building envelopes above the podium. Refer to the 3D model shown in **Figure 13** on the following page.



Figure 13 – The “Narrow Tower” profile minimises impacts on views for existing buildings in the Chatswood CBD to the south.
Source: Drew Dickson Architects

The residential component of the development commences above Level 2 (i.e. above 9m). In response, the preferred design concept provides a single residential building envelope which responds specifically to the views from the nearby residential apartments, and negates excessive overshadowing. A slender taller tower, lower than the likely height of the nearby buildings to the south, has been designed to maximize view sharing in comparison to more conventional shaped building forms. The positioning of the building core and angled shape of the building envelope also provides increased building separation and privacy between the nearby buildings and the subject site.

In summary, the preferred design option provides a reasonable view sharing scenario in light of the Tenacity test above, compared to alternative options. A more detailed Tenacity Assessment would be undertaken at the Development Application stage when a detailed design scheme is available.

Overshadowing

DDA Architects have undertaken shadow studies for the various design options between 9-3pm on the winter solstice.

The proposed building envelope will provide no additional shadowing of Victoria Avenue Mall being at least 500m distant. The shadowing of the Victoria Avenue Mall predominantly falls within the existing shadows cast by the existing developments located much further south such as Regency Towers.

This accords with the objectives of Willoughby DCP and the proposed Solar Access Control depicted in the Chatswood CBD Planning and Urban Strategy – Draft Report which seeks to restrict overshadowing of the Mall between 12pm and 2pm. Between midday and 3pm the main shadows cast from the proposal fall on the adjacent future mixed-use areas, local roads, and a small number of nearby residential houses. No additional shadows are created that fall on the Mall.

In summary, the proposed high level analysis of overshadowing indicates that the proposed height and density do not create any unreasonable amenity impacts on the surrounding properties.

The following diagrams demonstrate the June 21 shadows likely to be cast by a development similar to the concept design used for this proposal.



Figure 14 – June 21 Shadows cast by the concept design at 9:00am, 12noon, and 3:00pm.

Source: Drew Dickson Architects.

Traffic and Parking

A Transport and Traffic Assessment has been prepared by Cardino Consultants (Refer - **Appendix C**) to assess the impacts of the proposal on the site, and review the preferred design concepts. The results show that the site is capable of accommodating development that satisfies DCP requirements for car parking, motorcycle and bicycle parking.

The following conclusion outlines the analysis and discussions presented within Cardino's report:

- The provision of car parking is adequate to service the development.
- The geometric design of the proposed parking facilities is to be ultimately constructed in accordance with the *Willoughby Development Control Plan 2016* and Austroad 2890.3 – Off street parking.

Given the site's highly accessible location close to Chatswood Railway Station, a range of public transport options and alternatives are available for future occupants of the commercial and residential components of the proposal. This will limit car dependency and encourage public transport, walking and other means of travel.

Car parking is to be provided in 3 Basement Levels of the preferred design option, with each basement level accommodating approximately 10 car parking spaces. Additional levels can be considered if required during DA stage. Vehicle access to the site is proposed to enter and exit via Anderson Street and utilise a turntable to access a car-stacker lift system. Council collection trucks and delivery is via a turntable dock accessed via Wilson Street. The remainder of the ground-level façade is free of vehicular access ways. This will create opportunities for street activation and ground floor uses on the Wilson and Anderson Streets street-corner, which is in accordance with Council's preferred policies.

Traffic Generation

The development concept would generate up to 8 vehicle movements during both the AM and PM peak hours.

The Transport and Traffic Assessment prepared by Cardino confirms that the potential traffic generation of the proposal is supportable, and can be readily accommodated by the surrounding road network.

The following intersection was modelled for park AM and MP traffic movements generated by the concept development:

- Anderson Street/Wilson Street

The modelling results demonstrate the development concept would continue to operate at the same (acceptable) level of service as existing with no change to the average delay in seconds and only a minor increase to the 95th percentile queues predicted.

The following conclusion outlines the analysis and discussions presented within Cardino's report:

- The proposed development is expected to generate 7 trips during the AM peak hour, 8 trips during the PM peak hour.
- The Anderson Street / Wilson Street intersection will operate at LoS A in the AM and LoS A in the PM Peak in the future year scenarios with the additional traffic generated by the proposed development.

5.4.3 Q9: How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will have a positive economic impact by increasing flexibility of future use of the site to reflect changing economic and market demands.

An assessment of residential and office development options in Chatswood CBD has been undertaken by AEC Group (Refer – **Appendix D**) to determine the future demand for these uses in Chatswood.

The key findings of this analysis are that the market can support smaller boutique commercial floor plates and residential uses, however, significant commercial office floorspace is unlikely to be supportable in locations such as this site. A summary of the residential and commercial options evaluated in the report are provided below.

Residential

- The site presents and reinforces the location for the development of apartments.
- Attached and high-density dwelling approvals have seen an increasing trend in Sydney over recent years, and these have already been the dominant new dwelling type in the Willoughby LGA and Chatswood since 2001.
- Population growth within the Willoughby LGA is driven by overseas migrants from high density Asian cities and “empty nesters” fuelling demand for a variety of residential products.
- There is strong demand for high density residential dwellings within the Chatswood CBD, in particular 2 and 3 bedroom apartments which offer flexibility for a variety of household types.

- The subject site is a strong location for apartments given its excellent public transport access, attractive views, high amenities and proximity to the Chatswood CBD commercial core.
- Despite strong demand, there are limited new residential developments in the pipeline within the Chatswood CBD.
- The proposed 15 units will also help deliver the Sydney Metropolitan and Willoughby's City Strategies" dwelling targets.

Commercial

- There is a demand for boutique commercial suites in mixed-use buildings.
- The market is unlikely to be able to support a significant provision of commercial office space at the subject site due to its proximity to the northern edge CBD Commercial Core
- The Sydney office market is soft and likely to remain so over the medium term, a view supported by reports prepared by BIS Shrapnel for Council.
- The high vacancy rates and pipeline of an extensive provision of commercial office space within the Sydney CBD is pushing incentives up and exerting downward pressure on rents.
- Lower rents and proximity to customer markets are the key location drivers for office tenants.
- The high incentives and relatively low office rents within the Sydney CBD are attracting some to relocate back into the city from the suburbs. A number of office users in St Leonards, Macquarie Park, Chatswood and Parramatta have relocated/or plan to relocate back into the city.
- We understand that the market is responding with a pull-back from supply of any significant commercial office developments in Chatswood, and a corresponding lack of office sales transactions.

The Planning Proposal will contribute to delivery of housing in a strategic location that has been found to be a suitable location for increased densities by the CBD Strategy. It will have a positive economic impact on the locality by redeveloping an underutilised site that will incorporate employment generating uses. Construction of the development concept will create construction jobs with additional multiplier effect economic benefit to the local economy.

The proposed development of the site in accordance with the concept proposed in this Planning Proposal will provide a range of positive social and economic effects, including the provision of approximately 5 to 10 additional FTE jobs for the local economy, 15 residential apartments (3 of which could be 4 bedrooms) to respond to strong housing demand, and extensive public domain benefits in the local area by the provision of a new, high quality mixed-use development of a metropolitan scale.

The proposal is unlikely to have any negative social impacts, as the proposal will only facilitate the provision of additional compatible uses within the area. Accordingly the proposal would result in increased residential populations activating the area, adding to the vibrancy of Chatswood CBD.

5.5 State and Commonwealth Interests

5.5.1 Q10: Is there adequate public infrastructure for the planning proposal?

The Planning Proposal does not alter the public infrastructure requirements that would be required when compared to the Council endorsed proposed zoning and planning controls. The site is within walking distance of public transport (trains and buses), employment and lifestyle retail facilities within Chatswood. Upgrades to infrastructure potentially arising from the development of the site (such as utilities and traffic) would be assessed during the development application process.

5.5.2 Q11: What are the views of State or Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will be known once consultation has occurred in accordance with the Gateway determination of the Planning Proposal.

5.6 Community Consultation

Confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination. Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

6 CONCLUSION

The report has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal provides a comprehensive justification of the proposed amendment to WLEP, and is considered justified for the following reasons:

- The proposal is consistent with the objectives of the EP&A Act, in that it promotes the orderly and economic use and development of land.
- The proposal is consistent with the metropolitan, sub-regional and regional strategic planning framework which places a strong emphasis on achieving efficient use of existing urban areas which already enjoy access to existing infrastructure and services.
- The proposal is consistent with the applicable SEPPs and Section 117 Directions.
- The proposal is largely consistent with findings of the CBD Strategy.
- The proposal will respond to market and investor demand for residential and commercial office space in Chatswood by introducing new planning controls that will stimulate investment and renewal within the centre.
- The current use and building on the site can not to respond positively to the opportunities created by a prominent, strategic edge CBD site, and is significantly underdeveloped.
- The proposal provides the potential for an iconic, high quality, mixed-use development, with improved street activation and pedestrian connectivity on a strategically significant site, in a highly prominent location within Chatswood CBD.
- Well designed, higher density mixed-use development is at the cornerstone of Sydney's metropolitan planning initiatives as it encourages integrated infrastructure, transport and land use. The Planning Proposal will provide approximately 5 to 10 FTE jobs and 15 high quality apartments in a highly accessible *Global Sydney and Major Centre* location, creating a true transit-oriented development which reduces car dependency and encourages public transport patronage.
- The proposal will provide new boutique retail at a different scale to the model utilised in the Commercial Core, which provides an alternative benefit and choice to encourage new start up businesses.
- The proposal will have a range of positive environmental, social and economic impacts on the surrounding locality which are discussed in this report.
- The proposal will not generate any quantifiable adverse impacts on the operation of the surrounding road network.
- The proposal has no unacceptable environmental impacts from the height or FSR proposed.
- The proposal is consistent with the objectives and actions contained in the applicable regional and sub-regional strategy, and Council's Community Strategic Plan. It is also consistent with applicable State Environmental Planning Policies and Section 117 Directions.

This report has documented and integrated the environmental, social, and economic analysis undertaken to select the most optimal built form for the site.

A redevelopment of the site could provide significant public benefits as outlined within this report. These benefits include:

- Delivery of a new landmark building providing boutique grade retail and commercial floor space which will support Chatswood's position and attract national and international business and capital;
- Delivery of an iconic building that does not result in additional overshadowing on Victoria Avenue Mall and limits shadowing to the lower levels of the likely nearby similar developments ensuring that a high level of amenity is maintained;
- Delivery of a building which provides enhanced amenity to occupants, maximises views, and provides a new striking addition to Chatswood's CBD skyline.

Overall, it is considered that the Planning Proposal has a range of positive benefits, and it is requested that the proposed amendments to the WLEP2012 are considered acceptable by Willoughby City Council, and it is enabled to proceed to Gateway Determination under Section 56 of the EP&A Act.

7 ADDENDUM Report incorporating WCC Comments on the Original Proposal

7.1 BACKGROUND

7.1.1 Introduction

This Planning Proposal Addendum Report is submitted to the City of Willoughby Council (Council) to support a Planning Proposal to amend the Willoughby Local Environmental Plan 2012 (WLEP 2012).

This addendum report has been prepared on behalf of Rayhoda Pty Ltd who have an interest in the subject site on behalf of the owners. The key objectives of the report are to demonstrate the strategic planning merit of accommodating a responsive higher density development in the form of a tall slender building on the site, to evaluate the impact of additional building height and density on the site, and to assess the relevant environmental, social and economic impacts of the proposal in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This report has been prepared in response to a number of queries raised by Council Staff regarding the proposed Concept development that has been prepared to support the Planning Proposal. These queries are contained in Table 1 on the following page, and have been converted into a checklist shown as Appendix AA. Each of these queries is dealt with individually in the body of this addendum report.

7.1.2 Consultation

Council notified our project team of preliminary feedback which formed a number of queries relating to the proposed Concept Design prepared in support of the planning proposal on 26 April 2018. A summary of Council's queries are provided in **Table 1** below:

Table 1 – Queries Raised in Preliminary Feedback from Council

| Council Feedback | Date Received | Addressed in this Addendum |
|--|---------------|----------------------------|
| 1. Podium Height of between 6 to 14m | 26/04/2018 | yes |
| 2. 1:1 FSR for Commercial component | 26/04/2018 | Yes |
| 3. 2 lifts servicing the residential required | 26/04/2018 | Yes |
| 4. Services risers/cores should be shown on the concept design | 26/04/2018 | Yes |
| 5. Green roof at podium level | 26/04/2018 | Yes |
| 6. Articulate the western façade | 26/04/2018 | Yes |
| 7. Document the garbage requirements of the development | 26/04/2018 | Yes |
| 8. Provide details regarding the fire services facilities on the ground floor | 26/04/2018 | Yes |
| 9. Specify the substation requirements and location | 26/04/2018 | Yes |
| 10. Two fire stairs are likely to be required | 26/04/2018 | Yes |
| 11. Streetscape still requires some activation | 26/04/2018 | Yes |
| 12. Two-way access to the site needs to be achieved for residents/commercial parking | 26/04/2018 | Yes |
| 13. Storage of up to two vehicles arriving whilst one departs | 26/04/2018 | Yes |
| 14. No vehicles to be waiting on Anderson Street | 26/04/2018 | Yes |
| 15. Document how the separation of garbage and couriers/deliveries will be managed | 26/04/2018 | Yes |
| 16. Provide clarification of the designation separation of ground floor/basement users | 26/04/2018 | Yes |
| 17. Preference for LVR rather than MVR length vehicles in the bay | 26/04/2018 | Yes |
| 18. Provide comments on disabled parking | 26/04/2018 | Yes |
| 19. Undertake turning path analysis for both access and egress points | 26/04/2018 | Yes |
| 20. Vehicular access should be left-in and left-out | 26/04/2018 | Yes |
| 21. All car parking designs must satisfy Australian Standards | 26/04/2018 | Yes |

| | | |
|--|------------|-----|
| 22. bicycle parking designs must satisfy Australian Standards | 26/04/2018 | Yes |
| 23. provide the justification for a turntable | 26/04/2018 | Yes |
| 24. Bike rider showers and lockers to be adjacent to bicycle racks/storage | 26/04/2018 | Yes |
| 25. Provide comments on noise | 26/04/2018 | Yes |
| 26. Provide comments on wind | 26/04/2018 | Yes |
| 27. Provide comments on 5 star GBCA rating attainment | 26/04/2018 | Yes |
| 28. Provide comments on on-site landscaping including podium | 26/04/2018 | Yes |
| 29. Provide comments on plantings, planters and green wall sections | 26/04/2018 | Yes |

7.2 Queries raised by Willoughby Council Planners

This section is a summary of the responses prepared by our team of consultants' in response to the queries raised by Council as relates to the Concept Design supporting the Planning Proposal. Each query has been address independently, and has been summarised here. For more detailed information regarding each issue, where applicable, please refer to the referenced consultants reports in the Appendices.

7.2.1 Podium Height of between 6 to 14m

The podium height of the revised design is now 12m above the ground floor level fronting the Anderson Street Footpath.

7.2.2 1:1 FSR for Commercial component

The FSR for the commercial component is now 1.1 to 1.

7.2.3 Two lifts servicing the residential required

Two secure lifts now service the residential component of the building. The commercial levels are serviced by a separate lift connecting the commercial lobby directly with the commercial levels only including the bike club mezzanine. Access to all levels other than return to the lobby is via swipe key card only, or by being buzzed in by a resident/commercial tenant whereby the lift will proceed only to the level of the authorising occupant.

7.2.4 Services risers/cores should be shown on the concept design

Services and riser cores are in the screened alcove area located behind the lift shafts, access is from the intermediate landings of the fire stairs. Further details are contained in the associated Engineering Services Report prepared by Cardino Engineers.

7.2.5 Green roof at podium level

The Top of the Podium level has a landscaped area on all but the western side. Part of this space will be dedicated for a children's adventure playground and outdoor bar-b-que area. (Please refer to: Plan A1003 – A3 – Rev K – – Level 02 and 03 – 58 Anderson Street Chatswood).

7.2.6 Articulate the western façade

The western façade of the building has been articulated through the addition of protruding stair wells, screens behind the services/lift core and the vertical alignment of the windows and structure support columns in the balcony areas. These vertical elements are intersected by the clear line of each floorplate that has been accentuated by the inclusion of floor to ceiling windows.

7.2.7 Garbage requirements of the development

Garbage requirements for the building have been included in the Engineering Services report prepared by Cardino Engineers. Access to the Garbage Bin collection dock is via a door in the residential lobby through into the services lobby. Commercial garbage cleaning contractors will have access to this services lobby from the commercial floors via the commercial lift which also opens into this same lobby.

7.2.8 Fire services facilities on the ground floor

A fire Control Room with external ground floor access has been included in the design. The size of the fire control room meets the required standard. (This Fire Control Room is shown on: Plan A1001 – A3 – Re K – Ground Floor Plan – 58 Anderson Street Chatswood).

7.2.9 Specify the substation requirements and location

The specifications for the substation requirements are contained in the Engineering Services Report by Cardio and involve a street level sub-station Kiosk (the electrical demand requirements for this building are smaller than most similar height buildings due to the small floorplates) and an associated Main Switch Board located in the services lobby on the ground floor with direct external access via a stairway from street level. (These are shown on Plans: Plan – A1001 – A3 – Re K – Ground Floor Plan – 58 Anderson Street Chatswood).

7.2.10 Two fire stairs are likely to be required

Two Fire stairs have been incorporated into the design the run vertically throughout the above ground levels of the building. Additional staircases also serve the basement levels. Please refer to the plans for the design.

7.2.11 Streetscape still requires some activation

A small activated retail space has been incorporated into the design on the leading corner of the building and beside the commercial entrance. These can be accessed from either the commercial lobby or alternatively via additional folding glass doors on the front façade of the building, or both if desired (details to be finalised at DA stage). (Please refer to Plan A1001 – A3 – Re K – Ground Floor Plan – 58 Anderson Street Chatswood.)

7.2.12 Two-way access to the site needs to be achieved for residents/commercial parking

Car Parking access has been converted to separate entry and departure driveways with queuing for 2 arriving cars inside the property boundary whilst one car departs. (Please refer to Plan A1001 – A3 – Re K – Ground Floor Plan – 58 Anderson Street Chatswood.)

7.2.13 Storage of up to two vehicles arriving whilst one departs

Please refer to the previous point above. This requirement has been met by the current concept design

7.2.14 No vehicles to be waiting on Anderson Street.

The design allows for 2 vehicles to queue inside the property boundary on arrival, and depending on the length of the vehicles, potentially a third also - overlapping the footpath and parking lane – but well clear of passing traffic. (Please refer to Plan A1001 – A3 – Re K – Ground Floor Plan – 58 Anderson Street Chatswood.)

7.2.15 The separation of garbage and couriers/deliveries

This will need to be managed through a time allocated roster system to be implemented by the building manager. It is proposed that a Condition of Consent be included with DA submission that the Building Manager for the site must administer an agreed roster for access to the loading dock to ensure its availability is clear for garbage collection within a specified time window. This allocated roster for use of the dock will need to be confirmed with Council garbage services prior to implementation.

7.2.16 Provide clarification of the designation separation of ground floor/basement users

Ground floor users are separated into Commercial and Residential entrances, with separate access points for services rooms etc. Access to the Residential lobby is direct from the Car loading area, and further, via the services lobby to the commercial levels, or via secure access from the lifts.

7.2.17 Preference for LVR rather than MVR length vehicles in the bay

Due to the small area for ground floor facilities inside of the permissible building footprint, the site can only comfortably accommodate MVR length vehicles. For more details please refer to the Traffic Assessment Report prepared by Cardino.

7.2.18 Provide comments on disabled parking

Any space in the carpark can be utilised by wheelchair accessible vehicles. Loading and unloading of wheelchairs is facilitated in the car loading bay located on the car lift. Level access to the building is via the residential lobby, and when required, through to the commercial lift also.

7.2.19 Undertake turning path analysis for both access and egress points

Turning path analysis has been undertaken for the new driveway egress and egress, and for the loading/garbage dock. Please refer to the updated Traffic Study for more details.

7.2.20 Vehicular access should be left-in and left-out

Left in/left out entry and exit for the car park has been achieved with the new design. (Please refer to the updated Traffic Study for more details.)

7.2.21 All car parking designs must satisfy Australian Standards

All Car parking designs have been designed in accordance with the required relevant Australian Standards. Please refer to Appendix BB of this addendum report – Email from Car Parking Lift Manufacturer regarding standards compliance.

7.2.22 Bicycle parking designs must satisfy Australian Standards

The design of the Bike Parking Mezzanine can comfortably comply with the relevant Australian Standards. (Please refer to Plan – A1002 – A3 – Re E – Level 1 Floor Plan – 58 Anderson Street Chatswood.)

7.2.23 Provide the justification for a turntable

The site is very constrained in terms of available area for turning large vehicles. However, there is a relatively small area devoted to commercial activities, and hence, the number of loading/unloading activities should be relatively low as compared to other nearby mixed-use developments. The turntable will be maintained to a high standard and subject to a reliability guarantee that ensures that it is fully serviceable 98% of the week and is only out of service for a maximum of 3.3 hours in any one day in any 7-day period. We recommend that this reliability requirement will be a self-proposed condition of consent subject to Council approval. Further details relating to the Turntable can be found in the Traffic Report.

7.2.24 Bike rider showers and lockers to be adjacent to bicycle racks/storage

The Bike Club Mezzanine parking area on Level 1 has a Bike Change room, lockers and shower immediately adjacent to the lockable bike park area. Access to the Bike Club for residents, commercial tenants and cleaning staff is by security pass only.

7.2.25 Provide comments on noise

Please refer to the associated Noise Report.

7.2.26 Provide comments on wind

Please refer to the associated Wind Report.

7.2.27 Provide comments on 5 star GBCA rating attainment

The architects Drew Dickson Architects are of the opinion that the current Concept Design will facilitate the attainment of 5-star GBCA rating, this being a level of analysis and design development that can only be achieved at detailed design during the DA phase.

7.2.28 Provide comments on on-site landscaping including podium

On site Landscaping will be provided in both the deep soil areas (located in the 3-meter setbacks located at the front of the building), and also on the podium level. Green wall elements will also be included on the eastward facing sides of the western boundary/rail corridor noise wall beside the rail corridor, these being designed to be viewed from both Anderson and Wilson Streets.

7.2.29 Provide comments on plantings, planters, and green wall sections

Plantings will be determined based on potential height, location, and appropriateness of species on a location by location basis. Planters will be located along the property boundary separating the area that could be designated for café seating from the adjacent footpath. Planters will be located a minimum of 1 meter back from the edge of the balustrade on the podium level to ensure there is no climb-over risk. The final design of Green Walls will be developed during the DA phase with further consultation from Council.

7.3 CONCLUSION

The addendum report has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal provides a comprehensive justification of the proposed amendment to WLEP, and is considered justified for the following reasons:

This addendum report and the primary Planning Proposal report have documented and integrated the environmental, social and economic analysis undertaken to select the most optimal built form for the site within the proposed constraints of land use, height, density, and built form.

A redevelopment of the site could provide significant public benefits as outlined within the primary report. These benefits include:

- Delivery of a new landmark building providing boutique grade retail floor space which will support Chatswood's position and attract national and international business and capital;
- Delivery of an iconic building that does not result in additional overshadowing on Victoria Avenue Mall and limits shadowing to predominately already cast by existing development ensuring a high level of amenity is maintained;
- Delivery of a building which provides enhanced amenity to occupants, maximises views, and provides a new striking addition to Chatswood's CBD skyline;
- Delivery of a building with activated street frontage;
- Delivery of a building with a substantial commercial floorspace component of over 1:1;
- Delivery of a building with communal space, including a communal play ground area.

Overall, it is considered that the Planning Proposal has a range of positive benefits, and it is requested that the proposed amendments to the WLEP2012 are considered acceptable by Willoughby City Council, and it is enabled to proceed to Gateway Determination under Section 56 of the EP&A Act.

Appendix AA

Planning Proposal Issues Checklist Table

| Checklist for 58 Anderson Street | | | | | |
|--|--------------------------|-----------|-------------------|-----------|--|
| Task | Responsibility | Commenced | Expected Complete | Completed | Comments |
| 1. Podium Height of between 6 to 14m | KF | Y | 4-May | Y | |
| 2. 1:1 FSR for Commercial component | KF | Y | 11-May | Y | Check prior to submission |
| 3. 2 lifts servicing the residential required | KF | Y | 4-May | Y | |
| 4. Services risers/cores should be shown on the concept design | KF | y | 18-May | y | Check Prior to Submission |
| 5. Green roof at podium level | KF | Y | 4-May | Y | |
| 6. Articulate the western façade | KF | Y | 4-May | y | Check Prior to Submission |
| 7. Provide further information regarding the garbage requirements of the development | KF and Parade | Y | 18-May | y | Include comments with submission |
| 8. Provide details regarding the fire services facilities on the ground floor | KF and Fire Engineers | Y | 18-Jan | y | ensure details are provided in submission |
| 9. Specify the substation requirements and location | KF and Engineers | Y | 16-May | y | ensure details are provided in submission |
| 10. Two fire stairs are likely to be required | KF | Y | 4-May | y | |
| 11. Streetscape still requires some activation | KF | Y | 8-May | y | Probably not be achieved |
| 12. Two-way access to the site needs to be achieved for residents/commercial parking | KF and Traffic Engineers | y | 4-May | y | document signalling arrangements |
| 13. Storage of up to two vehicles arriving whilst one departs | KF and Traffic Engineers | Y | 4-May | Y | document signalling arrangements |
| 14. No vehicles to be waiting on Anderson Street. | Traffic Engineers | Y | 7-May | y | document signalling arrangements |
| 15. The separation of garbage and couriers/deliveries will need to be managed through a time allocated roster system to be implemented by the building manager | Parade | y | 18-May | y | Suggest a Condition of consent for dock operations rostering that should be required at DA stage |
| 16. Provide clarification of the designation separation of ground floor/basement users | KF and Traffic Engineers | n | 19-May | y | ensure details are provided in submission |
| 17. Preference for LVR rather than MVR length vehicles in the bay | Traffic Engineers | y | 18-May | y | ensure details are provided in submission |
| 18. Provide comments on disabled parking | Traffic Engineers | y | 18-May | y | ensure details are provided in submission |
| 19. Undertake turning path analysis for both access and egress points | Traffic Engineers | Y | 15-May | y | |
| 20. Vehicular access should be left-in and left-out | KF and Traffic Engineers | y | 4-May | Y | |
| 21. All car parking designs must satisfy Australian Standards | Traffic Engineers | Y | 18-May | y | Check Prior to Submission |
| 22. bicycle parking designs must satisfy Australian Standards | Traffic Engineers | y | 18-May | y | Check Prior to Submission |
| 23. provide the justification for a turntable | KF and Traffic Engineers | y | 18-May | y | ensure details are provided in submission |
| 24. Bike rider showers and lockers to be adjacent to bicycle racks/storage | KF | Y | 18-May | y | Check Prior to Submission |
| 25. Provide comments on noise | KF and Noise Consultants | y | 18-May | y | Check Prior to Submission |
| 26. Provide comments on wind | KF and Wind Consultants | Y | 18-May | y | Check Prior to Submission |
| 27. Provide comments on 5 star GBCA rating attainment | KF | Y | 18-May | y | |
| 28. Provide comments on on-site landscaping including podium | kf | y | 18-May | y | ensure details are provided in submission |
| 29. Provide comments on plantings, planters and green wall sections | KF | y | 18-May | y | ensure details are provided in submission |

Appendix BB

Emails relating to Car Stacker Compliance with Australian Standards

From: Trevor De Waal <Trevor.DeWaal@kannfinch.com>

Sent: Wednesday, 23 May 2018 4:02 PM

To: Daniel Parker <daniel.parker@levantapark.com.au>

Cc: Reza Vakili (Reza.vakili@mcr.com.au) <Reza.vakili@mcr.com.au>; Matt Hurst <matt.hurst@netzplan.com.au>

Subject: RE: 58 Anderson Street / Concept Proposal / Compliance with Australian Standards re Parking .

Thanks Daniel,

As discussed we don't need a design at this time .

A letter indicating that a system as indicated can be designed and installed to meet all applicable Australian Standards including vehicular traffic , maintenance and BCA is sufficient ,

Can you also include confirmation that a one person bicycle lift of 1m wide and say 2m long can be accommodated to deal with movement between ground level and one level above.

Thanks

Trevor De Waal

Principal

KANNFINCH

50 Carrington Street

Sydney, NSW 2000

Phone: +61 2 9299 4111

Fax: +61 2 9290 1481

www.kannfinch.com

Telephone: +61 2 8270 3951

Mobile: +61 414 913 115



From: Daniel Parker <daniel.parker@levantapark.com.au>
Sent: Thursday, 24 May 2018 10:03 AM
To: Trevor De Waal <Trevor.DeWaal@kannfinch.com>
Cc: Reza Vakili (Reza.vakili@mcr.com.au) <Reza.vakili@mcr.com.au>; Matt Hurst <matt.hurst@netzplan.com.au>
Subject: 58 Andersons St - Compliance to Australian Standards.

Afternoon Trevor,

As per our conversation yesterday we can confirm that the design allowed for on your drawings submitted is a design that meets any necessary Australian Standards. Australian Standard AS5124 details the requirements of power driven parking of motor vehicles.

All equipment supplied by LevantaPARK meet the requirements of European Standard as well as all necessary Australian standards.

Details on the required traffic movements per hour, maintenance requirements and details to conform with other BCA regulations can all be adapted with this style of automated stacker.

Regards

Daniel Parker | Technical Consultant

M: +61 437 302 519 | **P:** 1300 993 548 | **F:** 1300 677 643 | **E:** daniel.parker@levantapark.com.au | **W:** www.levantapark.com.au



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From: Daniel Parker <daniel.parker@levantapark.com.au>

Sent: Thursday, 24 May 2018 10:07 AM

To: Trevor De Waal <Trevor.DeWaal@kannfinch.com>

Cc: Reza Vakili (Reza.vakili@mcr.com.au) <Reza.vakili@mcr.com.au>; Matt Hurst <matt.hurst@netzplan.com.au>; Sam Parker <sam.parker@levantapark.com.au>

Subject: 58 Anderson St - Bike Lift with person on Board

Morning Trevor,

Further to our conversation last night we can confirm that we can customise a lift that travels a minimum of one level and will carry a person on board with a bike. This will be with a minimum platform size of approximately 1m wide and 2m in length.

Let me know if you require any further information or technical support.

Regards

Daniel Parker | Technical Consultant

M: +61 437 302 519 | **P:** 1300 993 548 | **F:** 1300 677 643 | **E:** daniel.parker@levantapark.com.au | **W:** www.levantapark.com.au



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8 REFERENCES

DDA Architects

Indicative Design Concepts – 58 Anderson Street Chatswood

September 2020

Cardino Engineers

Services Report for 58 Anderson Street Concept Design

September 2020

Cardino Engineers

Traffic Impact Assessment for 58 Anderson Street Concept Design

September 2020

Renzo Tonin

Acoustic Assessment Report for 58 Anderson Street Concept Design

September 2020

Windtech

Pedestrian and Wind Environment Statement for 58 Anderson Street Concept Design

September 2020

Greater Sydney Commission

Draft Greater Sydney Region Plan – Our Greater Sydney 2056

October 2017

Greater Sydney Commission

Draft North District Plan

November 2016

NSW Government

A Plan for Growing Sydney

December 2014

NSW Government

Department of Planning and Environment

Apartment Design Guide

July 2015

Willoughby City Council and Architectus

Chatswood CBD Planning and Urban Design Study

September 2020

Willoughby City Council

Willoughby Development Control Plan 2016

Willoughby City Council

Willoughby Local Environmental Plan 2012