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

**54-56 ANDERSON STREET, CHATSWOOD**

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**PLANNING PROPOSAL FOR A HIGH-RISE MIXED-USE BUILDING AT 54-56 ANDERSON STREET, CHATSWOOD**

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

**COMMENT**

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

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

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

**COMMENT**

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

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

**COMMENT**

This Key Element is not applicable to the subject land as the site is not located within the B3

Commercial Core Zone.

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

**COMMENT**

This Key Element is not applicable to the subject land as the site is not located within the B3

Commercial Core Zone.

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

**COMMENT**

Complies. The CBD Strategy envisages that a monetary contribution will be paid with respect to additional residential floor space to fund public domain improvements, by way of a Voluntary Planning Agreement (VPA).

The Planning Proposal includes a letter of offer to enter into a VPA providing for payment for developer contributions in accordance with Council’s proposed Community Infrastructure Scheme that is to apply to the Chatswood CBD.

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

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

**COMMENT**

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

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

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

**COMMENT**

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

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

1. **A Design Review Panel for developments up to 35m high.**
2. **Competitive designs for developments over 35m high.**

**COMMENT**

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

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

**COMMENT**

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

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

**COMMENT**

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

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

**COMMENT**

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

**Key Element 12. Minimum site area of:**

1. **1800sqm for commercial development in the B3 Commercial Core zone**
2. **1200sqm for mixed use development in the B4 Mixed Use zone.**

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

**COMMENT**

Complies. The amalgamated land for 54 and 56 Anderson street has a combined site area of 2,216m2, well more than the 1,200m2 minimum site area required for mixed-use development in the B4 Zone.

The site is adjoined on 3 sides by public roads and to the west is the railway corridor. The site is essentially an island site and will not isolate any future development to it’s surrounding area.

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

1. **No maximum FSR for commercial development in the B3 zone.**
2. **A range of FSR maximums in the B4 zone, surrounding the B3 zone**
3. **Retention of 2.5:1 FSR along northern side of Victoria Avenue east.**

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

**Addressing:**

1. **Site constraints,**
2. **Surrounding context,**
3. **Other aspects of this Strategy including setbacks at ground and upper levels,**
4. **satisfying SEPP 65 and the associated Apartment Design Guidelines.**

**COMMENT**

Complies. The Planning Proposal seeks approval for a compliant maximum FSR of up to 5:1, including affordable housing and commercial floor space.

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

**COMMENT**

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

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

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

**COMMENT**

This Key Element is applicable to the subject land and moderated according to its FSR being lower than 6:1. Accordingly an equivalent proportion of commercial being 0.85:1 is proposed inclusive of a total FSR of 5:1.

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

1. **2000sqm GFA for office and**
2. **700sqm GFA for residential towers above Podium within Mixed Use zones.**

**COMMENT**

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

The proposed reference design indicates a floor plate size (GFA) of 560m2 and 300m2 for lower typical floors and upper typical floors respectively, which are well under the required residential tower floor plate size of 700 sqm.

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

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

**COMMENT**

A slim tower form is proposed, with tower floor plates of modest size, as noted above and with generous tower setbacks to all site boundaries. The proposed 25 storey residential tower, above the 3 storey podium, has a width of between 17.5m and 20m and a length of 27m, which as demonstrated in the urban design report’s CGI, can achieve the desired outcome of slender tower form.

In line with the Strategy, the taller built forms are to be positioned further away from Anderson and Wilson Streets than the lower podium building forms. To achieve this outcome a 90m built form is located to the south of the site and a stepped lower built form (up to level 16) is located to the north of the site to provide a transitional height form across the site and to mitigate any visual impact when viewed from the heritage conservation area (HCA).

The proposed residential tower built form size between L4 to L16 (above 3 storey podium) is limited to approximately 20m wide by 40m long with a slightly wider tower form at the southern portion. The upper tower form size between L17 to L27 is limited to 21m wide by 26m long, The overall distribution of bulk and scale across the tower form allows it to achieve a slender tower form.

The generous tower setbacks proposed and building separation achieved over street corridors, are in exceed of the minimum requirements in SEPP65 ADG. The additional setback allows for more generous buffer as well as street tree planning, and communal roof landscaped open space that will have a positive effect in mitigating the visual impacts brought by high-rises through screening their presence.

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

**COMMENT**

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

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

1. **Victoria Avenue (between interchange and Archer St) 12pm-2pm**
2. **Concourse Open Space 12pm-2pm**
3. **Garden of Remembrance 12pm- 2pm**
4. **Tennis and croquet club 12pm-2pm**
5. **Chatswood Oval 11am- 2pm (which in turn also protects Chatswood Park)**

**In addition,**

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

**COMMENT**

The site is not affected by a sun access height plane and has no shadow impacts on any solar access protected areas identified in the CBD Strategy.

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

**a) Sun access protection.**

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

**COMMENT**

Complies. The proposed mixed-use building has two height variation to the built form.

54 Anderson Street

The southern part of the development has a maximum height of 90m which complies with the maximum height permitted in the CBD Strategy.

56Anderson Street

The northern part of the development has a maximum height of 53m which complies with the maximum height permitted in the CBD Strategy.

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

1. **Within the height maximums.**
2. **Integrated into the overall building form**

**COMMENT**

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

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

**COMMENT**

The subject land is not impacted by the links and open space plan in Figure 3.1.7 of the CBD Strategy.

The site provides a through site link between O’Brien Street and Wilson Street adjacent to the railway line thereby providing an extension to the existing pedestrian connection between Mcintosh Street and O’Brien Street.

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

**COMMENT**

Complies. The proposal includes landscaped terrace on level 3 and level 16 that have been designed to provide for a high-quality communal space, with good solar access and an appropriate level of safety and usability.

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

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

**COMMENT**

The concept plan includes an area of publicly accessible open space along the Anderson Street and Wilson Street frontage of the site, which will include some tree planting and other landscaping. Street trees are proposed along the Anderson Street frontage of the site to mitigate the scale of change between the heritage conservation area and the development. Detailed design of the public realm will be undertaken in consultation with Council and have regard to context and the nearby public domain.

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

**COMMENT**

Complies. The tower roof exceeds a height of more than 30m. Communal open space are located on level 3 and level 16 which incorporates a mixture of soft landscaping, planting and outdoor activities areas that can be enjoyed by the residence.

**Key Element 26. A minimum of 20% of the site is to be provided as soft landscaping, which may be located on Ground, Podium and roof top levels or green walls of buildings.**

**COMMENT**

Complies. Based on a site area of 2,216m2, a soft landscaped area of at least 443m2 is required and will be provided at ground level and communal open space above the podium.

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

**Mixed use frontage with commercial Ground Floor:**

1. **6-14 metre street wall height at front boundary.**
2. **Minimum 3 metre setback above street wall to tower.**

**h) Anderson Street interface**

1. **Minimum 3m setback at Ground Level from front boundary.**
2. **6-14 m street wall height.**
3. **Minimum 1m setback above street wall to tower.**

**COMMENT**

Complies. A three-storey podium is proposed with a compliant height of up to 13m to provide sufficient floor to ceiling height clearance for retail/commercial podium floor levels.

Anderson Street

* The proposal provided 4.5m podium setback from boundary at Anderson Street frontage which complies with the minimum 3m setback in the CBD strategy.
* The tower is further setback additional 1.5m from street wall which complies with the minimum 1m setback in the CBD strategy.

O’Brien, Wilson Street and Rail Corridor Boundary

* The podium has a minimum setback of 3m which is consistent with the CBD strategy.
* The tower is further setback a minimum of additional 3m from street wall which complies with the minimum 3m setback in the CBD strategy.

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

**COMMENT**

Complies. The proposed residential tower above the podium has a setback of at least 6m to all site boundaries, which is more than the required 1:20 ratio tower setback.

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

1. **In accordance with the Apartment Design Guide for residential uses.**
2. **A minimum of 6 metres from all boundaries for commercial uses above street wall height.**

**COMMENT**

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

The proposed residential tower is setback minimum 6m from all boundaries. The building separation to neighbouring buildings will comply in accordance with SEPP 65 ADG (minimum 18m for 5 – 8 storey buildings and minimum 24m for 9 storey and above) as follow:

Anderson Street: The existing street corridor is at least 20m wide and all existing properties within HCA will remain and limit to 2 storey high only.

Wilson Street: The existing street corridor is at least 20m wide. Over 24m buildings separation will be provided on residential floors.

O’Brien Street: The existing street corridor is at least 12m wide. Min 24m buildings separation will be provided on residential floors.

Western boundary- Railway corridor: The corridor width is well in exceed 24m, plus additional 6m tower setback is provided within the subject site. Over 24m buildings separation will be provided on residential floors.

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

**Key Element 30. At ground level, to achieve the vibrant CBD Council desires, buildings are to maximise active frontages. Particular emphasis is placed on the B3 Commercial**

**Core zone. Blank walls are to be minimised and located away from key street locations.**

**COMMENT**

Complies. Glass fronted residential and commercial lobbies and glazing to retail floor space is provided on the ground floor to the Anderson Street, Wilson Street and corner of O’Brien Street frontage of the site.

A landscaped buffer is also provided to the Anderson Street and Wilson Street frontage. At ground level there is no blank wall facing Anderson Street and Wilson Street frontage.

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

**COMMENT**

Complies. The site is adjoined on 3 sides by public roads and to the west is the railway corridor. The site is essentially an island site and will not isolate any future development to its surrounding area.

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

**COMMENT**

Key Element 32 does not apply to the subject land.

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

**COMMENT**

The proposal maximized the ground floor level for commercial floor space uses, with the ground floor frontage to Anderson Street and Wilson Street comprising glazing to the commercial suites and the commercial lobby.

60% of the building frontage to Anderson Street and Wilson Street comprising glazing to a commercial suite. Over 50% of floor area on the ground floor comprises commercial suites and the residential entry and commercial lobby.

The driveway to the basement parking and loading dock is located at the rear of the site off O’Brien Street. The ground floor plant room is discreetly located at the rear of the O”Brien Street off the main street frontage, in the southwest corner. Where possible the main plant rooms and services are located in the basement.

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

**COMMENT**

The electricity transformer and supporting facilities is discreetly located off O’Brien Street in the rear portion of the building, adjoining the driveway to the basement.

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

1. **Vehicle entry points to a site are to be rationalised to minimise streetscape impact, with one entry area into and exiting a site. To achieve this objective loading docks, including garbage and residential removal trucks, are to be located within Basement areas. Where possible, cars and service vehicle access should be separated.**
2. **In order to facilitate rationalisation of vehicle entry points on neighbouring sites, all development sites are to provide an opportunity within Basement levels to provide vehicle access to adjoining sites when they are developed.**
3. **All vehicles are to enter and exit a site in a forward direction. Physical solutions rather than mechanical solutions are sought.**
4. **All commercial and residential loading and unloading is required to occur on-site and not in public streets.**
5. **Car parking should be reduced consistent with the objectives of Council’s Integrated Transport Strategy and in accordance with any future revised car parking rates in Council’s DCP.**
6. **Other strategies for car parking reduction include reciprocal arrangements for sharing parking and car share.**

**COMMENT**

The proposal provides a two-way 6m wide driveway at the rear off O’Brien Street providing access to the basement car parking. This driveway represents approximately 20% of the width of the O’Brien Street frontage.

It is not possible to provide a separate driveway to the basement truck loading bay. Given the modest extent of commercial floor space, only a small number of truck movements are likely to occur, predominantly outside morning and evening mid-week peak travel times. All vehicles can enter and leave the site in a forward direction.

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

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

As a reference, the above parking rates equate to 102 residential parking spaces and 16 commercial/visitor parking spaces based on the reference design included within the Planning Proposal. The reference design is compliant with the above mention parking control recommended by ARUP. In addition, the proposal can comply with any future revised car parking rates in Councils DCP.

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

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