

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 629-639 PACIFIC HIGHWAY, CHATSWOOD - PLANNING PROPOSAL

ATTACHMENTS:

1. IMPLICATIONS
2. COUNCIL DETAILED ASSESSMENT
3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S "A GUIDE TO PREPARING PLANNING PROPOSALS"
4. PLANNING PROPOSAL CONCEPT PLANS
5. DRAFT DEVELOPMENT CONTROL PLAN PROVISIONS
6. PROPOSED WRITTEN AMENDMENTS TO WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012
7. PROPOSED WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012 LAND ZONING HEIGHT OF BUILDINGS, FLOOR SPACE RATIO AND SPECIAL PROVISIONS AREA MAPS

RESPONSIBLE OFFICER:

IAN ARNOTT - PLANNING MANAGER

AUTHOR:

CRAIG O'BRIEN – STRATEGIC PLANNER

CITY STRATEGY LINK:

6.2.1 A COMMUNITY THAT IS INFORMED OF KEY COUNCIL POLICIES, SERVICES AND ACTIVITIES AND CAN PARTICIPATE IN THE DECISION MAKING PROCESS

MEETING DATE:

12 FEBRUARY 2018

PURPOSE OF REPORT

The purpose of this report is to seek endorsement for the forwarding of the Planning Proposal for 629 – 639 Pacific Highway, Chatswood, to the Department of Planning and Environment for a Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act 1979* and proceed to public exhibition.

Members of the Sydney (North) Planning Panel should retire from Council Chambers during consideration of the Agenda Item.

Procedural Motion

That Nick Juradowitch, Director Ingham Planning Pty Ltd address the meeting and answer questions of the Councillors.

RESOLUTION

That Council:

- 1) Support for public exhibition the Planning Proposal, as modified by Council, and draft amendments to *Willoughby Local Environmental Plan 2012*:
 - a) To add Clause 4.4 (2D) as follows:
 - 2D. Subclause (2A) (b) (i) does not apply to any land shown in Area 8 on the Special Provisions Area Map, with affordable housing here to be included in the gross floor area of the building for determining the maximum floor space ratio of the building.
 - b) To add Clause 6.23 as follows:
 - 6.23. Minimum commercial floor space within the Mixed Use zone
Land zoned B4 Mixed Use is to contain a minimum commercial floor space component of 1:1.
 - c) To add Clause 6.24 as follows:
 - 6.24 Design Excellence
 - “(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
 - (2) This clause applies to development involving the erection of a new building on land shown in Area 8 on the Special Provisions Area Map.
 - (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.
 - d) To amend the Land Zoning Map (Sheet LZN_004) for 629 – 639 Pacific Highway, Chatswood, to B4 Mixed Use.
 - e) To amend the Height of Buildings Map (Sheet HOB_004) for 629 – 639 Pacific Highway, Chatswood, to 90 metres.
 - f) To amend the Floor Space Ratio Map (Sheet FSR_004) for 629 – 639 Pacific Highway, Chatswood, to 6:1 (including affordable housing).
 - g) To amend the Special Provisions Area Map (Sheet SPA_004) to show 629 – 639 Pacific Highway, Chatswood, as Area 8.
- 2) Support for public exhibition the accompanying *Development Control Plan* provisions specific to 629 – 639 Pacific Highway, Chatswood, subject to the following amendments:
 - a) In Section 8, an amalgamation plan be included, requiring 629 Pacific Highway and 639 Pacific Highway to be consolidated for redevelopment to occur.

- b) Amend Section 2 Building Form, A. Building Height and Floor Space Ratio, Performance Criteria, Point 1 to read:
 - 1. Provide a slender tower building form.
- c) Delete Section 2 Building Form, A. Building Height and Floor Space Ratio, Performance Criteria, Point 5.
- d) Amend Section 2 Building Form, A. Building Height and Floor Space Ratio, Controls, Point 4 to read:
 - 4. Provide a maximum podium height of 8 metres addressing the Pacific Highway, Gordon Avenue and Hammond Lane.
- e) Amend Section 5 Car parking and Access, Part A Provision, Controls to add:
 - 3. Opportunities should be explored to reduce on-site car parking through the provision of shared residential visitor / commercial car parking and car share spaces.
- f) Amend Section 6 Design Excellence and Building Sustainability, Part B Sustainability Criteria, Performance Criteria, to add"
 - 6. A wind assessment is to be provided at Development Application stage.
- g) Amend Section 9 Substations to:
 - 9. Substations and Services
- h) Amend Section 9 Substations and Services, Controls, Point 1:
 - 1. Substations to be provided within buildings, not within the streets, open spaces or setbacks, and are to be designed to ensure protection of residents from Electro Magnetic Radiation (EMR) emissions.
- i) Amend Section 10 Public Art, Controls, Point 1 to read:
 - 1. A development achieving an FSR uplift should contribute towards public art in accordance with Willoughby's Public Art Policy which may include public art being provided on the site or a monetary contribution for an installation elsewhere in the CBD.
- j) Delete Section 11 Affordable Housing, Controls, Point 2.
- k) Add Section 12 Overland Flooding
 - 12. Overland Flooding
 - Performance Criteria
 - 1. An overland flooding assessment is to be provided at Development Application stage.

- 3) Request the proponent provide a revised traffic report prior to public exhibition that:
 - a) Contains a high level assessment of trip distribution and mode choice.
 - b) Reconsiders retail trip generation, applying a first principles approach.
- 4) Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act 1979*.
- 5) Advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott is nominated as delegate to process and finalise the Planning Proposal.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Resolution: Councillors Campbell, Fernandez, Mustaca, Norton, Rutherford, Tuon and Zhu.

Against: Councillors Wright and Saville

Absent: Councillors Giles-Gidney and Eriksson.

Due to Item 18.1: 629-639 Pacific Highway, Chatswood – Planning Proposal being a Sydney North Planning Panel (SNPP) matter, Councillors Giles-Gidney and Eriksson declared a non-pecuniary substantial interest as respectively a member and alternate of the SNPP and withdrew from the meeting taking no part in the discussion or voting on this topic.

Former Deputy Mayor Mustaca assumed the Chair in the Mayor and Deputy Mayor's absence for this item.