

26 March 2018

Amanda Harvey
Director Sydney Region East
NSW Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Amanda,

Re: Planning Proposal regarding 629-639 Pacific Highway, Chatswood

At its meeting of 12 February 2018, Council considered a report regarding a Planning Proposal and concept plans prepared by Ingham Planning on behalf of DPG Project 23 Pty Ltd for 629-639 Pacific Highway, Chatswood.

This Planning Proposal is the first to be considered and endorsed by Council for progression to Gateway in response to indicated changes to zoning and planning controls in the Chatswood CBD Strategy.

The CBD Strategy carefully follows the strategic direction of the Greater Sydney Commission's recently launched Sydney Region Plan and North District Plan.

The Strategy aims to deliver on the jobs target set by the District Plan for Chatswood CBD as a Strategic Centre. It aims to ensure the ongoing economic success of Chatswood by protecting and growing the Commercial Core around the Interchange for commercial development only. This area is the most suitable and B3 Commercial Core is the most appropriate zone to attract A grade commercial development. Residential development is also planned in the CBD but beyond this Core as part of a Mixed Use zone extending into existing and new areas of the CBD. This is an important aspect of the Strategy, demonstrating the balance struck between commercial core and surrounding mixed use.

Turning to the Planning Proposal in question, this is located within a newly proposed southern extension of the CBD. Consistent with the Strategy, the Planning Proposal seeks to rezone the land B4 Mixed Use and to amend the current Willoughby Local Environmental Plan 2012 by:

- Increasing the height on the site to 90 metres in accordance with the Chatswood CBD Planning and Urban Design Strategy.
- Increasing the Floor Space Ratio on the site to 6:1 in accordance with the Chatswood CBD Planning and Urban Design Strategy.

Council consideration of this Planning Proposal included the amendments required to be made to Willoughby Local Environmental Plan 2012 and site specific Development Control Plan provisions. It was resolved:

“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."*

A Voluntary Planning Agreement will be required for this Planning Proposal but has not been submitted at this stage. The proponents have however indicated they intend to participate in future discussions on the subject. This is likely to result in a separate exhibition of a draft Voluntary Planning Agreement at a later stage.

Based on the abovementioned Council resolution, the Planning Proposal and the relevant documentation is now referred to the Department of Planning and Environment under Section 56 of the Environmental Planning and Assessment Act 1979 for a Gateway Determination.

Please find attached the following documentation:

- From Council:
 - Council Report dated 12 February 2018, (including Attachments and in particular Attachment 3 – Department of Planning and Environment Assessment)
 - Council Resolution of 12 February 2018.
- From the proponent:
 - Letter from Develotek, following Council Resolution of 12 February 2018, dated 21 March 2018.
 - Response to Council Resolution of 12 February 2018.
 - Planning Proposal Report, by Ingham Planning, dated March 2018.
 - Traffic and Parking Assessment Report, by Varga Traffic Planning, dated 14 March 2018.
 - Urban Design Study, including concept plans and shadow diagrams, by DEM, dated March 2018.

Together with the hard copy, a soft copy is provided on CD of all the abovementioned documentation.

Should you have any enquiries regarding this matter please contact Craig O'Brien on 9777 7647 or email craig.obrien@willoughby.nsw.gov.au.

Yours faithfully,



Norma Shankie-Williams
STRATEGIC PLANNING TEAM LEADER