REVISED Land Owner Initiated Planning Proposal to amend the Willoughby Local Environmental Plan 2012

Lot 1, DP 547585, 815 Pacific Highway; and,

Lot 1, DP 731307, 15 Help Street,

CHATSWOOD.





8 October 2020

This report was prepared and approved for release by Gilbert de Chalain.

Haskew de Chalain

Hen

Gilbert Blandin de Chalain MPIA

Partner



Copyright: The concepts and information contained within this document is the property of **Haskew de Chalain**. Use or copying of this document in whole or in part without the written permission of **Haskew de Chalain** constitutes an infringement of copyright laws.

TABLE OF CONTENTS

T/	ABLE OF	CONTENTS	3
1	FOR	EWORD	5
2	INTR	ODUCTION	7
	2.1	Proposed LEP Amendment	9
3	SITE	DETAILS	11
	3.1	Official Site Description	13
	3.2	Existing Development	14
4	SITE	CONTEXT	17
	4.1	Site Context – Locational	
	4.2	Site Context – Planning for change	18
	4.2.1	A Metropolis of Three Cities	
	4.2.2	2 North District Plan	20
	4.2.3	Chatswood CBD Survey - Planning and Urban Design Strategy 2036	21
5	EXIS	TING STATUTORY PLANNING FRAMEWORK	23
6	PRO	POSED DEVELOPMENT	27
	6.1	Concept Design	27
	6.2	Public Domain Improvements	30
	6.3	TRAFFIC IMPACT	
	6.4	Economic Impact Assessment	32
7	PLA	NNING PROPOSAL	33
	PART 1-	- OBJECTIVES AND INTENDED OUTCOMES	33
	Part 2 –	Explanation of Provisions	33
	Part 3 –	JUSTIFICATION	
	Secti	on A – Need for the Planning Proposal	
	Secti	on B – Relationship to strategic planning framework	
	Secti	on C – Environmental, social and economic impact	42
	Secti	on D – State and Commonwealth Interests	43
	Part 4 - f	Mapping	44
	Part 5 —	COMMUNITY CONSULTATION	44

	Part 6 – Project Timeline	. 44
8	CONCLUSION	. 45
AF	PENDIX 1	
С	ONSISTENCY WITH KEY ELEMENTS OF THE CHATSWOOD CBD PLANNING AND URBAN DESIGN STRATEGY.	. 46
AF	PENDIX 2	
DF	AFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN	. 60

1 Foreword

This revised request to initiate the preparation of a Planning Proposal to amend the Willoughby Local Environmental Plan 2012 supersedes:

- Amended Land Owner Initiated Planning Proposal to amend the Willoughby Local Environmental Plan 2012 dated 14th September 2019; and,
- Land Owner Initiated Planning Proposal to amend the Willoughby Local Environmental Plan 2012 dated December 2018.

This revised request has been completed after the receipt of comprehensive commentary from Council after Council's review of a number of concept designs developed in response to written and verbal communication. This current proposal has been subject to preliminary assessment and it is understood that in principle support has been achieved.

Council confirms that it supports commercial development within its commercial core zone and this revised proposal has been prepared to supplement the previously submitted documentation and includes amended concept plans that demonstrate development potential over an amalgamated site as encouraged by the *Chatswood CBD Planning and Urban Design Strategy 2036*. In this regard, reference should be made to Appendix 1 of this report. A summary table has been provided highlighting compliance with the 35 Key Elements contained in the *Chatswood CBD Planning and Urban Design Strategy 2036*.

In particular, to achieve maximum development potential, Key Element 12 requires a minimum site area of 1800sqm for commercial development in the B3 Commercial Core zone. The original proposal related to a site of 1,657sqm, being 143sqm under the suggested minimum site area. Nevertheless, this proposal has been amended to demonstrate development potential with an amalgamation with the adjoining site (15 Help Street) resulting in a total site area of 3,520sqm.

Previous proposals did not achieve the support of Council due to inconsistencies with 35 Key Elements contained in the *Chatswood CBD Planning and Urban Design Strategy 2036*, particularly building setbacks. This proposal has been amended to strictly comply with building setbacks and street wall heights.

Furthermore, in accordance with Key Element 28, this proposal now demonstrates compliance with the building setback from all boundaries with a minimum of 1:20 ratio of the setback to building height.

In regards built form, and Key Elements 16 and 17, it is understood that Council is seeking slender tower forms for commercial buildings within the Chatswood CBD. Key Element 16 suggests a maximum floor plate at each level of a development should be no more than 2000sqm GFA for office premises. The GFA floor plate proposed in the current concept range from 690sqm to 2360sqm with the exceedance only occurring at level 1.

With respect to proposed building height (key element 20) it is argued that this proposal has been developed with consideration to site constraints, context and other aspects of the strategy. Furthermore it should be noted that the subject site is not impacted by sun access protection controls, SEPP 65 does not apply to this proposal, the subject site is located within the RL 246.8m and this proposal is within the maximum height limit.

This proposal is supported by further traffic engineering assessment. Traffic assessment advises that based upon Council's DCP car parking requirements the proposed development is required to provide a minimum of 650 total car parking spaces (522 commercial office car parking spaces and 128 retail car parking spaces). However, based on location, land uses proposed and access to high quality public transport options a lower rate of parking should be provided and in this regard this proposal includes 327 spaces, comprising 287 commercial spaces, 35 staff retail spaces and 5 café staff spaces.

This proposal has been designed to provide one access point into the basement for servicing and parking. All access to the site will be provided via a two-way driveway ramp connecting the site to McIntosh Street along the northern frontage. Traffic assessment says that the elimination of the Help Street access driveway will improve both pedestrian and vehicular traffic flows along the Help Street corridor, which is one of the highest trafficked roadways in the Chatswood CBD.

The Applicant remains willing to contribute to public art in accordance with Council's Public Art Policy. Furthermore, the applicant is prepared to negotiate a monetary contribution and/or provision of works in kind towards the provision of public benefits. This could include the provision of a publicly accessible through site link and/or monetary contribution to public domain improvements if suggested by Council.

This proposal seeks an amendment to the Willoughby Local Environmental Plan 2012 to permit an increase in building height, setting a base FSR with no maximum FSR and removal of the 100sqm restriction on shops. This proposal is supported by:

- an amended architectural package;
- an amended landscape plan; and,
- an amended a traffic study.

2 Introduction

This report has been prepared to accompany the lodgement of an amended request to initiate a Planning Proposal, which seeks to amend the:

- the Floor space ratio map;
- the Height of buildings map; and,
- 100 sqm restriction on floor space applied to shops,

within the Willoughby Local Environmental Plan 2012 (WLEP 2012). This application has been amended so that it relates to two (2) parcels of land with frontage to Pacific Highway to the West, Help Street to the South and Macintosh Street to the North.

The land provides a development site of 3,520sqm and is located at the western edge of the Chatswood central business district occupying a gateway position, defining the entrance to Chatswood. The Pacific Highway forms the major north-west road corridor, while Help Street provides a central east-west corridor towards the Chatswood town centre. The Chatswood rail and bus interchange and central Chatswood are all within 400 metres of the subject site.



Figure 1: Site location

The subject site is zoned B3 – Commercial Core, with B5-Busines Development zone to the west. Permitted land uses include the typical commercial/non-residential type uses.

As recognised by Council within their Chatswood CBD Planning and Urban Design Strategy, current Height of Building and Floor Space Ratio do not permit development of the type and scale needed to support site redevelopment, hence the reason for this planning proposal.

This Planning Proposal has been prepared on the basis of detailed comments provided by Council, urban design analysis of the subject site and context which argues that the site is able to support the scale of development as proposed and would act as a catalyst to the progressive urban renewal of the Pacific Highway corridor.

It is further argued that transformation of the Chatswood centre as envisaged by Council is unlikely under the existing development standards. It is argued that the current local development standards will not encourage the acquisition and redevelopment of outdated and aged premises. Furthermore, the existing land uses along the Pacific Highway and Help Street represent an uninspiring streetscape and affords very little in the way of creating the renewed Chatswood centre envisaged in the *Chatswood CBD Planning and Urban Design Strategy*. The existing situation is undesirable and if it is to be redressed, then it is clear that amendment of the current planning regime is required.

The solution which is advanced by this Planning Proposal is to **maintain existing zonings** with amendment to the current height of buildings and floor space ratio development standards. The increase in permitted height and FSR sought by this proposal would enable redevelopment of the subject site in line with the concept plan submitted as part of this proposal.

It is argued that this is the most appropriate means of achieving a desirable development outcome because the development scheme envisaged for the site precisely accords with the standard instrument zone objectives. and would not undermine the desire to preserve a retail and urban hierarchy. That is, this proposal does not reduce the quantum of commercial floor area, rather, this proposal would result in the significant increase in commercial floor space, supported by viable retail land use at the ground floor.

It is suggested that the amendment of development standards applicable to the subject site would bring significant benefits to the locality. For instance, the subject site has contributed moderate employment opportunity in the past and existing land uses are a less than ideal use of well-located and strategically significant land. Moreover, permitting development of the subject land as proposed would have the potential to bring about positive amenity improvements to the locality particularly experienced at street level.

Secondary local controls in the form of a draft Site-Specific Development Control Plan have been included as part of this proposal to provide supplementary controls which would encourage the development of the land as detailed in this proposal. However, it should be noted that a fully resolved development control plan is not required in order to determine whether a Planning Proposal warrants referral to Gateway. Furthermore, if Council is of a mind to support this proposal, further studies can form part of Gateway's requirements.

2.1 PROPOSED LEP AMENDMENT

This Planning Proposal has been prepared to initiate a change in development standards to support the redevelopment of the subject site for the provision for employment generating land uses within a defined development site.

This Planning Proposal would seek to:

- amend the height of buildings (HOB) map to apply maximum building height to the subject site of 142.8 (RL 246.8) metres;
- amend the floor space ratio (FSR) map to apply a base FSR of 5.0:1 with no maximum FSR; and,
- remove the 100sqm floor area restriction applied to shops.

The Concept Plan submitted with this proposal seeks to deliver a built form that is consistent with that suggested in the Chatswood CBD Planning and Urban Design Strategy.

Following an assessment of the planning context and the relevant State and local planning policies, it can be concluded that there is planning merit for the preparation of a Planning Proposal. It is therefore recommended that this request to prepare a Planning Proposal be favorably considered by Willoughby Council and that Council resolve to forward a proposal to the NSW Department of Planning, Industry and Environment for Gateway determination in accordance with the Environmental Planning and Assessment Act, 1979 to prepare the necessary LEP amendment.



Figure 2: Future skyline of Chatswood

This page has been left intentionally blank

3 Site Details

This application has been amended so that it relates to two (2) parcels of land with frontage to Pacific Highway to the West, Help Street to the South and Macintosh Street to the North.

The land provides a development site of 3,520sqm and is located at the western edge of the Chatswood central business district occupying a gateway position and defining the entrance to Chatswood.

The site's location is shown in the Regional context as Figure 3 An Aerial Photograph (Neighbourhood Context) and Aerial Photograph (Local Context) are provided as Figure 4 and Figure 5 respectively. An extract of the current zoning map is included as Figure 6.



Figure 3: Regional Context

Subject site



Figure 4: Neighbourhood Context



Figure 5: Subject site - Local Context



Figure 6: Current Zoning

The subject site currently supports moderate commercial land uses and under current land use controls, is unlikely to attract redevelopment for more desirable uses of the land. In fact, it is argued that the more appropriate use of land has been restricted by an overly conservative approach to zoning and development standards for a site that is located within a highly accessible location. The existing restriction on building height and density in highly desirable and accessible location has not kept up with contemporary approaches to urban planning.

The subject site is particularly attractive in terms of access, size and location for modern commercial development and with amendment of the development standards within the WLEP 2012, a broader range of contemporary employment generating land uses may be encouraged.

The subject land is situated within walking distance of Chatswood Railway Station, Bus Interchange and future Metro Station, adjacent to significant areas of employment land. The Sydney CBD is easily accessible by rail, bus and future metro services.

It is argued that increased population in this locality can be easily accommodated and would be consistent with State Government policy as a location appropriate for jobs growth.

This Planning Proposal provides a Concept Plan for the subject site which indicates a mix of land uses that does not displace employment generation. Rather, this plan increases employment opportunity.

3.1 OFFICIAL SITE DESCRIPTION

The site comprises two (2) allotments officially described as:

- Lot 1, DP 547585 815 Pacific Highway, CHATSWOOD; and,
- Lot 1, DP 731307, 15 Help Street, CHATSWOOD

3.2 EXISTING DEVELOPMENT

The land is developed for commercial purposes. The existing uses contribute little to street level activation or aesthetic. The subject site occupies a prominent corner in the urban block bounded by Mcintosh St to the north, Help St to the south, Pacific Highway to the west. The site is located within 220 m walking distance from Chatswood railway station

Reference should be made to images below for an indication of existing development.



Figure 7: Existing development over the subject site



Figure 8: Existing built from in the vicinity of the subject site

This page has been left intentionally blank

4 Site Context

It is argued that the site context is a function of locational context (where the subject site is located within the metropolitan area) and planning context (how the site should be considered in light of recent planning strategies and plans). The consideration of the site context then leads to the establishment of the opportunities and constraints influencing future development potential. These matters are discussed below.

4.1 Site Context – Locational

As the figure below shows, the subject site is located at the western edge of the Chatswood Central Business District and excellent public transport options are available. The subject site is accessible by Rail, Bus and future metro services. Significant higher order shopping and professional services are in close proximity with the Sydney CBD being close by.



Figure 9: Local Context

The Chatswood CBD has four (4) gateways and three of these gateways are marked with significant buildings being the Altura Chatswood as the northern gateway, the Era Chatswood as the eastern gateway and the Meriton Suites as the southern gateway. The subject site occupies the fourth (4) gateway, being the western gateway and the built form that would be permitted if this planning proposal was supported would mark the fourth gateway with a landmark building.

4.2 Site Context – Planning for change

The planning context for Chatswood is established by a number of significant planning strategies recently completed by the Greater Sydney Commission and Willoughby Council. The strategies and plans provide a wide range of transformation plans and initiatives spanning higher level objectives to more specific actions supported by suggested planning controls and land use guidelines. All of which will influence land use and redevelopment decisions for the subject site and locality. The most relevant plans and strategies are listed and commentary on the relevance of the plan or strategy to the subject site provided below.

In summary, Chatswood is a strategic centre that has the potential to be transformed by significant investment in Metro Rail adding to excellent accessibility from rail and bus services. It is argued that this proposal will leverage off this significant investment and contribute to the urban renewal of Chatswood. Furthermore, this proposal will provide jobs within close proximity to housing and social infrastructure such as schools, community facilities, open space and public spaces, supporting the notion of a 30 minute city.

As the Government has predicted in numerous strategies, the significant investment in transport infrastructure should act as a catalyst for new development giving the community the potential for shorter commutes to major job centres.

The scale of investment in the metro rail, along with the existing rail and bus services means that Chatswood could be transformed, provided there is support at the local level with an appropriate amendment to the local environmental plan to enable a viable redevelopment projects to be devised.

This proposal is entirely consistent with government strategy and if supported, a prominent site within a strategic centre, close to rail, metro rail, jobs, shopping and social infrastructure will be transformed to provide new employment supportive development contributing to the urban renewal of the locality.

4.2.1 A Metropolis of Three Cities



Greater Sydney Region Plan - March 2018 (Greater Sydney Commission)

The Greater Sydney Region Plan, A Metropolis of Three Cities has at its foundation that most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The vision of the plan says that it seeks to bring new thinking to land use and transport patterns to boost Greater Sydney's liveability, productivity and sustainability by spreading the benefits of growth.

The plan aims to provide residents with quick and easy access to jobs and essential services. The plan seeks to put workers closer to jobs, city-scale infrastructure and services, entertainment and cultural facilities. The plan says that:

The Eastern Harbour City has significant rail projects underway to increase its global competitiveness, boost business-to-business connections and attract skilled workers with faster commuting times. The Sydney Metro Northwest links Rouse Hill to **Chatswood**, Sydney Metro City & Southwest connects **Chatswood** to Sydenham-Bankstown

Furthermore, Chatswood is defined as being within the Eastern Economic Corridor and a strategic centre. Strategic centres are said to enable access to a wide range of goods, services and jobs. Strategic centres are expected to accommodate high levels of private sector investment, enabling them to grow and evolve.



Figure 10: Extract from the Greater Sydney Region Plan – Chatswood identified as a strategic centre

It is argued that this proposal will support the provision of commercial development within a locality that is a defined strategic centre that is the beneficiary of significant Government investment, that is accessible to transport, jobs, housing and social infrastructure.

The subject site will benefit from major infrastructure investment including Metro Rail, is accessible by existing rail, is within 30 minutes to housing and services, is within walking distance of centres, schools and health facilities.

4.2.2 North District Plan



North District Plan – March 2018 (Greater Sydney Commission)

This District Plan has been prepared to give effect to A Metropolis of Three Cities, the Region Plan that applies to the five districts that make up the Greater Sydney Region. The North District Plan says that:the North District forms a large part of the Eastern Harbour City,and includes the District's strategic centres of Macquarie Park, **Chatswood** and St Leonards which are part of the State's greatest economic asset – the Eastern Economic Corridor.

Road and rail investments such as the Sydney Metro Northwest, Sydney Metro City & Southwest and Western Harbour Tunnel and Beaches Link will provide faster access to the Harbour CBD to bolster business and jobs growth.

The Plan says that the Chatswood strategic centre comprises a mix of uses including retail, office, residential as well as community and health. The centre has a highly successful retail focus. Maintaining and growing a high quality commercial core will facilitate the continued growth of the centre as a major employment hub. This proposal, with the inclusion of significant commercial and retail floor space will support the growth and success of Chatswood.

Action 42 - Strengthen Chatswood is relevant to this proposal.

A	ctions	Responsibility
	rengthen Chatswood through approaches that: protect and grow the commercial core	Willoughby City Council, other planning authorities and State
b.		agencies
C.	promote the role of the centre as a location for high quality, commercial office buildings and a diverse retail offering	
d.	enhance the role of the centre as a destination for cultural and leisure activities	
e.	promote and encourage connectivity, and upgrade and increase public open spaces	
f.	investigate interchange operations on both sides of the railway line to increase capacity and efficiency of modal changes	
g.	improve pedestrian connectivity between the eastern and western side of the rail line	

That is, this proposal would:

- Protect and grow the commercial centre with the preservation of B3 zone and then the provision of significant commercial floor space with no residential land uses;
- Place significant job opportunities within easy walking distance to future metro rail; and,
- Facilitate the provision of premium office and retail offerings.

This proposal does not undermine the growth of the commercial core. This proposal would increase commercial floor space. Furthermore, this proposal would increase employment population in close proximity to Sydney Metro, maximizing land use opportunities provided by this significant investment in infrastructure.

4.2.3 Chatswood CBD Survey - Planning and Urban Design Strategy 2036



Chatswood CBD Planning and Urban Design Strategy

Council's Chatswood CBD Planning and Urban Design Strategy, has been exhibited and adopted the strategy.

The Council says that the Strategy puts forward recommendations relating to planning controls and the design of buildings and public spaces that seek to position Chatswood for the opportunities with growth and the arrival of the Sydney Metro Rail.

The Strategy aims to achieve:

- A reinvigorated commercial core area and economically buoyant CBD, to provide for future employment.
- A sustainable balance between commercial, retail, residential, education, cultural and other uses to ensure on-going vibrancy.
- A compact, walkable CBD.
- A city form and scale to accommodate future growth and change.
- A CBD of exceptional urban design, easy pedestrian linkages and good public domain, where local character and heritage are embraced, and the greening of the centre is achieved.
- Simplified controls for the LEP and DCP in relation to the CBD.

Of particular relevance to this proposal, the study reviewed the current planning framework (statutory and non-statutory) that directs the development of the Chatswood CBD. Relevant to the subject site, the Strategy, as depicted in the figures below, recommends:

- Preservation of office/retail core;
- increased height of building to RL 246.8; and,
- Base FSR of 5.0:1, with no Maximum FSR.





Figure 12: Recommended building heights - RL 246.8



Figure 13: Recommended FSR – no maximum above base FSR of 5.0:1

5 Existing Statutory Planning Framework

Willoughby Local Environmental Plan 2012 provides the local statutory planning framework for the subject site with the key provisions which will be amended as a result of this proposal are detailed below.

Zoning

The site is zoned B3 – Commercial Core



The objectives of the B3 Commercial Core zone are:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community;
- To encourage appropriate employment opportunities in accessible locations;
- To maximise public transport patronage and encourage walking and cycling;
- To support the role of St Leonards as a specialised centre providing health, research and education facilities;
- To strengthen the role of Chatswood as a major centre for the inner north sub-region and to improve its public domain and pedestrian links; and
- To protect and encourage safe and accessible city blocks by providing active land uses on street and pedestrian frontages.

This proposal seeks no amendment to zoning or land use permissibility.

Height of Buildings



Clause 4.3 (Height of buildings) establishes a maximum building height of 60 metres for the site. The objectives of the clause are:

The objectives of the clause are:

- To ensure that new development is in harmony with the bulk and scale of surrounding buildings and the streetscape;
- To minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion;
- To ensure a high visual quality of the development when viewed from adjoining properties, the street, waterways, public reserves or foreshores;
- To minimise disruption to existing views or to achieve reasonable view sharing from adjacent developments or from public open spaces with the height and bulk of the development;
- To set upper limits for the height of buildings that are consistent with the redevelopment potential of the relevant land given other development restrictions, such as floor space and landscaping;
- To use maximum height limits to assist in responding to the current and desired future character of the locality;
- To reinforce the primary character and land use of the city centre of Chatswood with the area west of the North Shore Rail Line, being the commercial office core of Chatswood, and the area east of the North Shore Rail Line, being the retail shopping core of Chatswood; and
- To achieve transitions in building scale from higher intensity business and retail centres to surrounding residential areas.

This Proposal seeks an amendment in HOB standard to RL 246.8/142.8 metres and it is argued that the objectives of the clause will still be able to be satisfied, even with a significant increase in permitted height.

Floor Space Ratio



Figure 16: Current Floor Space Ratio Standard – 5.0:1

Clause 4.4 (Floor space ratio) establishes a maximum floor space ratio (FSR) of 5.0:1 for the site.

The objectives of the clause are:

- To limit the intensity of development to which the controls apply so that it will be carried out in accordance with the environmental capacity of the land and the zone objectives for the land;
- To limit traffic generation as a result of that development;
- To minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion;
- To manage the bulk and scale of that development to suit the land use purpose and objectives of the zone;
- To permit higher density development at transport nodal points;
- To allow growth for a mix of retail, business and commercial purposes consistent with Chatswood's sub-regional retail and business service, employment, entertainment and cultural roles while conserving the compactness of the city centre of Chatswood;
- To reinforce the primary character and land use of the city centre of Chatswood with the area west of the North Shore Rail Line, being the commercial office core of Chatswood, and the area east of the North Shore Rail Line, being the retail shopping core of Chatswood;
- To provide functional and accessible open spaces with good sunlight access during key usage times and provide for passive and active enjoyment by workers, residents and visitors to the city centre of Chatswood;
- To achieve transitions in building scale and density from the higher intensity business and retail centres to surrounding residential areas;
- To encourage the consolidation of certain land for redevelopment; and
- To encourage the provision of community facilities and affordable housing and the conservation of heritage items by permitting additional gross floor area for these land uses.

This proposal seeks the application of a base FSR of 5.0:1 with no maximum FSR and it is argued that this increase in permitted FSR will not undermine the objectives of the standard.

Size of Shops in Zone B3 and Zone B4 in Chatswood

Clause 6.12 applies to land in the B3 Commercial Core and B4 Mixed Use zone on the western side of the North Shore Rail Line in Chatswood, and applies to the subject site. The clause limits the maximum gross floor area of a shop to 100sqm.

This proposal will seek the removal of the applicability of this provision to the subject site.

6 Proposed Development

This planning proposal is required to enable the development of the subject site for a commercial land uses at the height and density detailed in this proposal. This planning proposal does not seek to amend zoning or include additional permitted land uses. The uses envisaged are permitted land uses under the current land use regime. A concept plan is submitted with this proposal. This plan has been devised to respond to the site opportunities and constraints. Furthermore, the design has been developed with regard to the Chatswood CBD Planning and Urban Design Strategy. The built from proposed is a result of the development controls suggested in the Strategy.

6.1 CONCEPT DESIGN

This Planning Proposal seeks to amend the Willoughby Local Environmental Plan 2012 to support a commercial tower development over the subject site and will enable the subsequent lodgement of Development Applications for construction and use of the building.

The future redevelopment for the site centers about the creation of a high-quality commercial development that includes the potential to integrate:

- commercial and/or retail land uses;
- office; and,
- car parking

As shown in the figures on the following page, the concept includes the proposal to:

- Adopt a single tower;
- Facilitate site amalgamation;
- Provide high quality improvements to the public domain;
- Provide a high-quality commercial environment with excellent access to amenities and close proximity to public transport; and
- Increased employment opportunities with the inclusion of new commercial and retail land uses.



DEVELOPMENT SUMMARY

SITE AREA	3,520 m²
RETAIL GFA	3,067 m²
RETAIL FSR	0.87 :1
COMMERCIAL GFA	57,457 m²
COMMERCIAL FSR	15.47 :1
TOTAL GFA	60,524 m²
TOTAL FSR	17.2 : 1
BUILDING HEIGHT	RL 246.8
PROPOSED PARKING	327

Figure 17: Concept



Figure 18: Proposal shown in context, existing built form and potential built form



Figure 19: Amalgamation considered

The subject site has been defined as a site that could be amalgamated with the adjoining site at 15 Help Street. Amalgamation has been considered in the concept design presented.



Figure 21: Potential amalgamated building envelope



Figure 22: Proposal shown against existing and possible building mass.

6.2 PUBLIC DOMAIN IMPROVEMENTS

Envisaged public domain works include the enhancement of the pedestrian areas activating the street frontages. Furthermore, as shown in the following figure this proposal includes a through site link that will be accessible to the general public.

Notwithstanding the above, the Environmental Planning and Assessment Act, provides for a proponent to enter into a Voluntary Planning Agreement (VPA) where a change to an environmental planning instrument is sought. That is, the developer may pay a monetary contribution or provide a material public benefit to be used or applied towards a public purpose. In this regard, the proponent is willing to enter into more detailed discussions with Council for the preparation of a formal offer to Council to enter into a VPA. This process will be advanced at a later stage and will include consideration to a range of public

benefits that could include further streetscape and public domain works in and around the site, or provision of a monetary contribution to Council.



Figure 23: Public domain improvements and through site link

6.3 TRAFFIC IMPACT

Traffic assessment has been conducted assuming that the concept was to be refined and submitted as a development application. The Traffic Report accompanies this planning proposal. The Traffic report concludes with:

..... the planning proposal for a mixed-use development (as depicted in Annexure A) is supportable in terms of its traffic and parking impacts subject to the provision of the required compliant parking, and further DA assessment of the traffic impact on the surrounding road network. The following outcomes of this traffic impact assessment are relevant to note:

• The proposed development would require 327 car parking spaces for the development based upon Council's DCP and a reasonable assessment of retail / commercial parking demand within the Chatswood CBD.

• A subsequent compliant development application would require approximately 103 secure bicycle lockers and 43 visitor bicycle rails / racks according to Council DCP rates.

• 13-14 motorcycle spaces are required as a part of the development.

• A subsequent compliant development application would generate a net maximum of 547 movements in the AM (435 in, 112 out) peak hour and 468 trips in the PM (101 in, 367 out) peak hour.

• The proposed development at 815 Pacific Highway and 15 Help Street requires the provision of multiple 8.8m length Medium Rigid Vehicle loading bays for waste collection within the basement.

• Council and the BCA requires that a minimum of 2% the retail spaces and 1% of the commercial spaces must be disabled spaces. Given the scale of the development, a total of five (5) disabled parking spaces are required, four (4) for the commercial portion, and (1) for the retail portion. Disabled spaces are to be designed in accordance with AS2890.6.

• The car park layout is to be designed in accordance with AS2890.1:2004, AS2890.6:2009 and AS2890.2002. The detailed design of the basement car park will be reviewed during the development application stage.

Reference should be made to the Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering (200560.01FA - 11th September 2020)

6.4 ECONOMIC IMPACT ASSESSMENT

HillPDA was commissioned to undertake an economic impact assessment for the original planning proposal submitted in December 2018. That assessment confirmed that the development as originally proposed would satisfy planning strategy to support jobs and economic growth and will provide appropriate commercial and retail floor space. Further assessment at this stage is not considered necessary.

7 Planning Proposal

This section of this report provides information to satisfy the Environmental Planning and Assessment Act 1979. Reference has been made to the Department of Planning's Guide to preparing Planning Proposals (August 2016).

PART 1 – Objectives and Intended Outcomes

The key objective of this Planning Proposal is to amend the provisions of the Willoughby Local Environmental Plan 2012 to:

• enable building heights and density greater than the current height and floor space ratio controls permit.

The proposed amendments to built form development standards aim to facilitate development which:

- recognizes the strategic location of the subject site, particularly being located within, strategic centre and in walking distance of existing rail, bus interchange and future metro rail station;
- leverages the subject site's proximity to public transport, town centres and housing;
- will be a catalyst to the urban renewal; and,
- increases employment opportunities by increasing commercial and retail floor space.

Concept designs for future development has been prepared and summarised in Section 6 of this report and are separately attached. However, it should be noted that the scheme will be refined as part of the Development Application process once the Planning Proposal has been supported by Council and a favorable Gateway Determination has been received.

Part 2 – Explanation of Provisions

This Planning Proposal will amend the Willoughby Local Environmental Plan 2012 by:

- Amendment to the height of buildings (HOB) map to permit building heights height applicable to the subject site of up to 142.8 metres (RL246.8);
- Amendment of the floor space ratio (FSR) map to apply a base FSR of 5.0:1 with no maximum FSR.
- Remove the 100sqm floor space restriction on shops.

Part 3 – Justification

Justification for this proposal is outlined in accordance with the Department of Planning and Environment's Guide to preparing Planning Proposals.

Section A – Need for the Planning Proposal

Q1. Is this Planning Proposal a result of any Strategic Study or Report?

The Planning Proposal is consistent with the Chatswood CBD Planning and Urban Design Strategy as detailed in section 4 of this report. This Planning Proposal will contribute to the urban renewal of Chatswood and facilitate the provision of additional commercial floor space opportunities. The submitted architectural package, urban design report, and traffic assessment supports this proposal.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A planning proposal amending permitted height of buildings and floor space ratio and removing the 100sqm restriction of shop floor space is the only means of achieving the objectives and intended outcomes.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The applicable strategies are discussed in section 4 of this report. This proposal is considered to have strategic merit as this proposal is consistent with the applicable strategies and represents development that is responding to a change in circumstance triggered by significant investment into a strategic centre and where significant investment in improved transport infrastructure is to occur.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

This proposal is consistent with the Chatswood CBD Planning and Urban Design Strategy.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following table provides a summary of applicable State Environmental Planning Policies

Legislation and	Comments
Provisions State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	The Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	The Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Major Development) 2005	This Planning Proposal does not impact upon the application of the SEPP to future development.
State Environmental Planning Policy (SEPP) 32 – Urban Consolidation	The proposed location is in an area where there is existing public infrastructure, transport and community facilities. This in turn enables people to live in a locality which is both close to employment and public transport enabling ease of travel to workplaces, leisure and other opportunities.
	The proposed amendment to development standards and redevelopment of the subject land is considered supportive to increased housing development in the locality as providing employment while reducing the reliance on private motor vehicles with direct access to public transport options.
State Environmental Planning Policy 55 - Remediation of Land	Clause 7 of SEEP 55 requires that contamination be considered in the assessment of Development Applications. Given the existing and long term commercial use of the subject land, it is not considered likely that the existing site has been contaminated. Nevertheless, appropriate investigation would be carried out at development stage.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy No.64 – Advertising and Signage	Future development will need to satisfy the provisions of the SEPP.
State Environmental Planning Policy (Infrastructure) 2007	The Planning Proposal will facilitate the increases in commercial floor space and any future Development Application subsequent to this proposed LEP amendment would most likely be "traffic generating development" pursuant to clause 104 and Schedule 3 of SEPP (Infrastructure) 2007. It would be expected that the subject Planning Proposal will be referred to the RMS for comment. It is further expected that a requirement of Gateway will be the preparation of a comprehensive Traffic Impact Statement.

The applicable Ministerial Directions have been identified and comment provided below.

Ministerial Direction	Applicable to Planning Proposal?	Consistency of Proposal with Direction	Assessment
1. Employment and Reso			
 1.1 Business and Industrial Zones The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. 	Yes	Yes	The proposal seeks to maintain the current zoning. As demonstrated in the concept plan and discussed in this report this proposal relates commercial/retail development that increases available commercial floor space. Residential development is not proposed and will not undermine the commercial core zone objectives. The development as proposed will strengthen the economic activity within the strategic centre of Chatswood.
1.2 Rural Zones	Yes	N/A	This proposal does not increase density of land within a rural zone.
1.3 Mining, Petroleum, Production and Extractive Industries	Yes	N/A	This proposal does not impact on Mining, Petroleum, Production and Extractive Industries
1.4 Oyster Production	No	N/A	Direction does not apply.
1.5 Rural Lands	No	N/A	Direction does not apply.
2. Environment and Herito	ige	-	
2.1 Environmental Protection Zones	Yes	N/A	The site of the Planning Proposal is not within an environment protection zone or land identified for environment protection purposes.
2.2 Coastal Protection	No	N/A	Direction does not apply.
2.3 Heritage Conservation (1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance	Yes	Yes	The Willoughby LEP 2012 contains Standard Instrument LEP heritage clauses. The Proposal is relates to a site that is not a heritage item or within a heritage conservation area.
2.4 Recreation Vehicle Area	YEs	N/A	This proposal has no impact on recreation vehicle area
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A	Direction does not apply.
Ministerial Direction	Applicable to Planning Proposal?	Consistency of Proposal with Direction	Assessment
--	--	--	---
3. Housing, Infrastructure			
3.1 Residential Zones The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	Yes	Yes	While this direction does not strictly apply to this proposal (not in a residential zone) it is worth noting that this proposal will make efficient use of existing infrastructure and services, use existing developed land so as to avoid the consumption of land for housing and associated urban development The subject land is in close proximity to public transport and housing and will provide for employment, both locally and regionally.
3.2 Caravan Parks and Manufactured Home Estates	Yes	N/A	Direction does not impact on Caravan Parks and Manufactured Home Estates.
3.3 Home Occupations The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Yes	N/A	The Planning Proposal will not affect the home occupation related provisions This proposal does not include dwellings.
 3.4 Integrated Land Use and Transport The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the 	Yes	Yes	The Planning Proposal will add commercial floor space in close proximity to public transport and housing, both locally and regionally which is a Key Priority of the NSW State Government This Proposal also encourages the choice of available transport and reduces travel demand including the number of trips generated by development and the distances travelled, particularly by car whilst encouraging pedestrian access to nearby public transport.

Ministerial Direction	Applicable to Planning	Consistency of Proposal	Assessment
number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Proposal?	with Direction	
3.5 Development Near Licensed Aerodromes	Yes	N/A	The site is not near a Licensed Aerodromes.
3.6 Shooting Ranges	Yes	N/A	The subject site is not near a shooting range
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Yes	Yes	The site is identified as Class 5 land. The Planning Proposal does not amend Clause 6.1 and the current Acid Sulfate Soils Map for the site.
4.2 Mine Subsidence and Unstable Land	No	N/A	Direction does not apply.
4.3 Flood Prone Land	Yes	N/A	The site is not identified a Flood Prone Land or within a potential flood planning area.
4.4 Planning for Bushfire Protection	No	N/A	Direction does not apply.
5. Regional Planning		1	
5.1 Implementation of Regional Strategies	No	N/A	Direction does not apply.
5.2 Drinking Water Catchment	No	N/A	Direction does not apply.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	Direction does not apply.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	Direction does not apply.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)			Direction revoked.

Ministerial Direction	Applicable to Planning	Consistency of Proposal	Assessment
5.6 Sydney to Canberra Corridor	Proposal?	with Direction	Direction revoked.
5.7 Central Coast			Direction revoked.
5.8 Second Sydney Airport: Badgerys Creek			Direction revoked.
5.9 North West Rail Link Corridor Strategy	No	N/A	Direction does not apply.
5.10 Implementation of Regional Plans	No	N/A	Direction does not apply.
6. Local Plan Making			
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Yes	Yes	The Proposal seeks to minimise the inclusion of provisions that would require the concurrence, consultation or referral of development applications to a Minister or public authority.
 6.2 Reserving Land for Public Purposes The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 	Yes	Yes	No reservation of public land required
6.3 Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Yes	Yes	The Planning Proposal does not propose site specific or development specific controls outside those listed within this report.
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney The objective of this direction is to give legal effect to the planning	Yes	Yes	As discussed in this Report, this Planning Proposal is considered to be consistent with applicable state strategic plans.

Ministerial Direction	Applicable to Planning	Consistency of Proposal	Assessment
principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	Proposal?	with Direction	
7.2 Implementation of Greater Macarthur Land Release Investigation	No	N/A	Direction does not apply.
 7.3 Parramatta Road Corridor Urban Transformation Strategy The objectives of this Direction are to: (a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit, (b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and (c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure. 	No	N/A	Direction does not apply.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan Objective (1) The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use	No	N/A	Direction does not apply.

Ministerial Direction	Applicable to Planning Proposal?	Consistency of Proposal with Direction	Assessment
Strategy (the Strategy).			
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan Objective (1) The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).	No	N/A	Direction does not apply.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan Objective (1) The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.	No	N/A	Direction does not apply.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor Objective (1) The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.	No	N/A	Direction does not apply
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and	No	N/A	Direction does not apply

Ministerial Direction	Applicable to Planning Proposal?	Consistency of Proposal with Direction	Assessment
Infrastructure Implementation Plan Objective (1) The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan)			
7.9 Implementation of Bayside West Precincts 2036 Plan Objective (1) The objective of this direction is to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).	No	N/A	This direction does not apply
7.10 Implementation of Planning Principles for the Cooks Cove Precinct Objective (1) The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.	No	N/A	This direction does not apply

Section C - Environmental, social and economic impact

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?

No, the subject land does not contain threatened or endangered ecological communities.

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

The primary causes for potential impacts are visual / streetscape impacts arising from a proposal which will be transformative to the existing character. Other impacts relate to traffic and additional demand for public services and utilities. It is argued that the impacts are not unacceptable and can be appropriately managed.

Streetscape and character impacts are to be managed/mitigated through high standards of architectural design. A Draft site specific development control plan has also be prepared.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The social and economic impacts of this proposal are significantly positive as it will facilitate additional supply and choice of commercial floor space within a highly accessible location. The development as proposed will also act as a catalyst to the urban renewal of the outer portion of the Chatswood CBD. This proposal will enable the development of a site with a high standard of amenity and deliver a high quality product which promotes healthy and sustainable living/work environment.

The Planning Proposal has demonstrated consistency with the relevant strategies.

Given the nature of development which will be facilitated by this Planning Proposal, it is likely that the proposal will have significant long term economic impacts. The construction phase of future redevelopment will result in considerable employment and economic benefit. Increases in commercial floor space will also be an economic benefit to the locality. There are no identified negative economic impacts.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

The subject site is located in an area which is well serviced by existing infrastructure as detailed within this proposal. The locality is provided with all necessary utilities and public transport services. It would be expected that liaison with utility providers will occur subsequent to Gateway Determination. It would be expected that any requirement to augment the capacity of existing services will be at the developer's expense.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with other public authorities or the wider community has not yet occurred. The Gateway determination will establish which authorities should be consulted.

Part 4 - Mapping

This planning proposal will require amendments to the Height of Buildings and Floor Space Ratio Maps.

Part 5 – Community Consultation

This is a matter for the Council to determine and then to be confirmed as part of the Gateway determination. The applicant is prepared to assist as appropriate.

Part 6 – Project Timeline

This is a matter for the Council to determine and then to be confirmed as part of the Gateway determination.

8 Conclusion

This Planning Proposal has been prepared to initiate an amendment to the development standards within the Willoughby Local Environmental Plan to enable the delivery of a built form and land use consistent with the Chatswood CBD Planning and Urban Design Strategy.

This Planning Proposal would seek to:

- amend the height of buildings (HOB) map to apply maximum building height to the subject site of 142.8 (RL 246.8) metres;
- amend the floor space ratio (FSR) map to apply a base FSR of 5.0:1 to the subject site with no maximum FSR; and,
- remove the 100sqm floor space restriction on shops.

The amendment of development standards applicable to the subject site would bring significant benefits to the locality. Furthermore, permitting development of the subject land as proposed will have the potential to bring about significant urban renewal including positive amenity improvements. The proposal will also contribute to improved economic performance of the strategic centre of Chatswood.

This proposal is consistent with state strategic planning and would encourage beneficial change to the locality. As such, Council's support to progress a planning proposal is sought.

Appendix 1

Consistency with Key Elements of the Chatswood CBD Planning and Urban Design Strategy

Key Element	Comment	Consistency
CBD boundary 1 The Chatswood CBD boundary is expanded to the north and south as per Figure 3.1.1. to accommodate future growth of the centre. Subject Site figure 3.1 Extended CBD boundary $figure 3.1.1 to accommodate future figure 3.1.1 to accommodate futurefigure 3.1.1 to accommodate future$	 The subject site is located at 815 Pacific Hwy, Chatswood, at the corner of Help Street. The site is located within the existing CBD boundary. This proposal does not undermine the CBD boundary key element. 	CONSISTENT

Key Element	Comment	Consistency
Land use		
2 Land uses in the LEP will be amended as shown in Figure 3.1.2, to:		
(a) Protect the CBD core around the Interchange as commercial, permitting retail throughout to promote employment opportunities (with no residential permitted).	• No residential proposed. This proposal will promote employment.	CONSISTENT
(b) Enable other areas to be mixed use	Not relevant to this proposal.	NOT RELEVANT
permitting commercial and residential. 3 The existing DCP limits on office and retail use in parts of the Commercial Core to be removed.	• Noted	
4 Serviced apartments to be removed as a permissible use from the B3 Commercial Core zone.	Serviced apartments not included in this proposal.	NOT RELEVANT TO THIS PROPOSAL
Fige 3.1.2 Recommended lands		

Key Element	Comment	Consistency
Value uplift sharing to fund public domain 5 The existing FSR controls are to be simplified and be retained as a 'base' FSR (Figure 3.1.3).	• Subject site is located within the 5:1 base FSR area.	NOTED
Subject Site Subject Site 6 Increased FSR between the base FSR and the maximum FSR is to be linked to a contributions scheme that will provide the public and social infrastructure in the Chatswood CBD necessary to support an increased working and residential population.	• This proposal includes an offer to enter into a VPA	CONSISTENT
The scheme would: a) Apply to residential uses above base FSR	This proposal is not a residential scheme	NOT RELEVANT TO THIS
b) Apply to commercial uses above 10:1 FSR		PROPOSAL
c) Operate in addition to any adopted Section 94 or 94A contributions scheme and separate from Affordable Housing requirements within Willoughby Local Environment Plan (WLEP).	 This proposal will result in an FSR above 10:1. This proposal is at an FSR of 17.2:1 Noted 	ABLE TO COMPLY NOTED
d) Contribute to public domain improvements in the centre (including streets and parks) that would enhance		

Key Element	Comment	Consistency
amenity and support residential and commercial uses.	• Applicant is willing to offer a contribution via VPA to public domain that would enhance amenity and support residential and commercial uses.	ABLE TO COMPLY
 e) Apply a Value Uplifting Sharing rate identified in Council's Voluntary Planning Agreement (VPA) Policy. 7 All developments in Chatswood Centre achieving a FSR uplift through this strategy should contribute public art in accordance with Council's Public Art Policy, which is separate to the value uplift contributions scheme above. 	 Noted The Applicant is willing to contribute to public art in accordance with Council's Public Art Policy (this policy is currently under review) 	NOTED ABLE TO COMPLY
Design excellence and building sustainability		
 8 Design excellence is to be required for all developments exceeding the base FSR, based on the following process: a) A Design Review Panel for developments up to 35m high. b) Competitive designs for developments over 35m high. 9 Achievement of design excellence will include achievement of higher building surtainability standards. 	 This proposal will exceed 35 metres. The applicant will participate in a competitive design process. Sustainability standards achieved will be detailed in a development application. 	ABLE TO COMPLY ABLE TO COMPLY
sustainability standards. 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.	• Noted	NOTED

Key Element	Comment	Consistency
Floor Space Ratio (FSR) 11 Figure 3.1.3 shows a simplified FSR diagram to that in the existing LEP. It	• Subject site is within the 5:1 Base FSR area	NOTED
provides a maximum base FSR which: a) Is the maximum FSR for sites below the minimum site areas identified in Point 12 below.	• This proposal relates to an amalgamation of sites to achieve a site area to permit an FSR greater than the base FSR.	ABLE TO COMPLY
b) Forms the base above which value uplift sharing and design excellence applies.	• Applicant is willing to participate on the uplift sharing system.	ABLE TO COMPLY
12 Minimum site area of: a) 1800sqm for commercial development in the B3 Commercial Core zone b) 1200sqm for mixed use development in the B4 Mixed Use zone to achieve maximum FSR as indicated in Figure 3.1.4. Site amalgamation is encouraged to meet this minimum requirement. In addition sites should not be left isolated.	 This proposal relates to an amalgamation of two sites resulting in a total site area of 3,520sqm. Site is in the B3 commercial core Site amalgamation considered in this proposal EXAMPLE PROPOSAL FOR 815 PACIFIC HWY & 15 HELP ST (TOTAL AREA: 3,520 m2) 	CONSISTENT NOT RELEVANT TO THIS PROPOSAL CONSISTENT



Key Element	Comment	Consistency
14 Affordable housing is to be provided within the maximum floor space ratio, and throughout a development rather than in a cluster.	This proposal is a non-residential development.	NOT RELEVANT TO THIS PROPOSAL
15 The minimum commercial floor space ratio sought in development in a Mixed Use zone is 1:1 in order to deliver a reasonable amount of employment floorspace	This proposal is not in the Mixed use zone	NOT RELEVANT TO THIS PROPOSAL
Built Form		
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:		to be
a) 2000sqm GFA for office and b) 700sqm GFA for residential towers above Podium within Mixed Use zones.	 The GFA floor plate proposed range from 690sqm to 2360sqm with the exceedance only occurring at level 1. Not a residential proposal. 	O BE CONSIDERD ON MERIT NOT RELEVANT TO THIS PROPOSAL
17 In pursuit of the same goal of slender tower forms, the width of each side of any tower should be minimised to satisfactorily address this objective. To the same end, design elements that contribute to building bulk are not supported, and should be minimised.	• This proposal adopts a slender form which minimises the appearance of bulk	CONSISTENT
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	• No residential towers proposed. SEEP 65 and apartment design guide does not apply.	NOT RELEVANT TO THIS PROPOSAL

Key Element above Podium and should operate	Comment	Consistency
independently regarding lifts and services		
Sun access to key public spaces 19 The sun access protection in Figure 3.1.5 will be incorporated into LEP controls, to ensure no additional overshadowing and protection in mid winter of: a) Victoria Avenue (between interchange and Archer St)12pm - 2pm. b) Concourse Open Space 12pm - 2pm. c) Garden of Remembrance 12pm - 2pm. d) Tennis and croquet club 12pm - 2pm. e) Chatswood Oval 11am - 2pm (which in turn also protects Chatswood Park).	 Development as proposed will not impact upon sun access to key public spaces. No additional LEP control required in respect to this key element and this proposal. 	NO IMPACT
BUILDING Heights 20 Maximum height of buildings in the CBD will be based on Figure 3.1.6, 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.	 The subject site is not impacted by sun access protection controls. SEPP 65 does not apply to this proposal. Subject site located within the RL 246.8m This proposal is within the maximum height 	CONSISTENT NOT RELEVANT TO THIS PROPOSAL CONSISTENT CONSISTENT



Key Element	Comment	Consistency
Links, open space and landscaping		
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.	This proposal allows for new linkages.	CONSISTENT
23 Publicly accessible open space and green landscaping such as street trees will be required by all development, subject to design principles.	Opportunity for street trees.	CONSISTENT
24 All roofs up to 30 metres from ground to be green roofs. These are to provide a balance of passive and active green spaces that maximise solar access.	Roof above 30 metres and landscaped roof proposed	CONSISTENT
 25 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. 26 Any communal open space, with particular regard to roof top level on towers, should be designed to address issues of quality, safety and usability. 	 Refer to landscape plan. Significant soft landscaping proposed. 	CONSISTENT





Key Element	Comment	Consistency
Active street frontages		
30 At ground level, to achieve the vibrant CBD Council desires, buildings are to maximise active frontages. Blank walls are to be minimised and located away from key street locations.	This proposal will include retail uses at the street level encouraging street level activity.	CONSISTENT
Further built form controls		
31 Site Isolation will be discouraged and where unavoidable joined basements and zero-setback podiums should be provided.	Site isolation has been avoided. This proposal includes site amalgamation and joined basement.	CONSISTENT
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.	Not relevant to this proposal	NOT RELEVANT TO THIS PROPOSAL
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.	Basement proposed	CONSISTENT
34 Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages.	Noted	ABLE TO BE COMPLIED WITH
Traffic and Transport		
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. A new CBD		

Key Element Transport Strategy will build on the approach. In addition, site specific traffic and transport issues are to be addressed as follows:	Comment	Consistency
a) Vehicle entry points to a site are to be rationalised to minimise streetscape impact, with one entry into and exiting a site. To achieve this objective loading docks, including garbage and residential removal trucks, are to be located within Basement areas.	Only one entry point per street proposed.	CONSISTENT
b) In order to facilitate rationalisation of vehicle entry points on neighbouring sites, all development sites are to provide an opportunity within Basement levels to provide vehicle access to adjoining sites when they are developed.	Common basement proposed.	CONSISTENT
c) All vehicles are to enter and exit a site in a forward direction. In this regard vehicle turntables should be provided where necessary.	Entry and exit in a forward direction.	CONSISTENT
d) All commercial and residential loading and unloading is required to occur on-site and not in public streets.	Loading and unloading will occur in the proposed basement.	CONSISTENT
e) Car parking should be reduced by utilising RMS car parking rates for sites close to public transport, as well as reciprocal parking and car share strategies.	Car parking proposed to meet the needs of the proposed development. Refer to traffic report.	CONSISTENT

Appendix 2

DRAFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN

1.0 General

The controls contained in this Site Specific Development Control Plan applies to land bounded by Pacific Highway to the west, Help Street to the south and McIntosh Street to the north as shown on the map below.



Figure 1: Land to which this Development control plan applies

Objectives of the Plan

The Objectives of the Plan are to:

- 1. Support the provision of commercial development at the western extent of Chatswood CBD.
- 2. Enable the development of the site without impacting the viability of adjoining land.
- 3. Provide an iconic building exhibiting design excellence in architectural form and materials.
- 4. Encourage a bult form that presents the site as a landmark and gateway development for the Chatswood commercial centre.
- 5. Minimise traffic impacts on the surrounding road network.
- 6. Provide landscaping in and surrounding the site that enhances the presentation of the site as well as the amenity of the development.
- 7. Maximise street level activation.

2.0 Built form

Performance Criteria

The built form of new development shall:

- 1. Achieve a slender tower form on the site
- 2. Achieve a site layout that provides a pleasant environment for the occupants and minimises impact on surrounding properties.
- 3. Ensure visual and acoustic privacy and sun access.
- 4. Provide suitable areas for communal open spaces, deep soil zones and landscaping

Controls

- 1. The ground floor shall incorporate retail/commercial uses that present and display their activity to the street
- 2. Building materials and fishes are to be predominantly comprised of a natural palate of steel, concrete, glass and timber

3.0 Height of Building

Performance Criteria

The built form of new development shall:

1. Be consistent with the permitted Height of Buildings development standard applicable to the site.

Controls

- 1. The maximum building height is to include all structures located at roof level, including lift over runs and any other architectural features.
- 2. All rooftop lift overruns or exposed structures are to be integrated with the building.
- 3. Flat roof areas shall incorporate useable outdoor recreation space where suitable.

4.0 Street Frontage Heights And Setbacks

Performance Criteria

Setbacks shall:

- 1. Contribute to deep soil areas, landscaping and open space at street level
- 2. Minimise the effects of adverse wind conditions at street level

3. To ensure the positioning of new buildings contribute to the existing or proposed streetscape character.

Controls

1. The building setbacks are to be in accordance with Figure 2 "Street Frontage Heights and Building Setbacks" as detailed in the Willoughby Council Chatswood CBD Strategy 2036



Figure 2: Street Frontage Heights and Building Setbacks

5.0 Building Exterior

Performance Criteria

- 1. Buildings are to demonstrate a high visual quality of development when viewed from the public domain and the surrounding area.
- 2. Building facades shall complement the character of the area and contribute to creating attractive pedestrian environments and streetscapes.
- 2. Facade design to encourage active street frontages to streets and their surrounding public domain.

Controls

- 1. The building façade is to be modulated and articulated to assist in softening the facades bulk and scale.
- 2. Facades are to be articulated and should incorporate recesses and projecting elements.
- 3. Extensive blank walls shall be avoided at street level.

6.0 Open Space and Landscaping

Performance Criteria

- 3. The development is to provide deep soil planting where green landscaping is located.
- 4. Green roof tops and usable rooftop areas shall be provided.

Controls

- 1. Open space at ground level shall be utilized as publicly accessible open space.
- 2. Public domain improvements shall be provided to all street frontages to Council requirements.
- 3. Ground floor open space areas are to incorporate landscaped areas that integrate with the surrounding public domain.
- 4. A minimum of 2 hours of sun access is to be provided to the public open space on the site.
- 7. A landscape plan is to be provided at Development Application stage detailing all vegetation proposed including species, container size at planting, spacing and approximate size of maturity.
- 8. All existing aerial cables which may include for electricity, communications and other cables connected to street poles and buildings around the site shall be removed and installed underground in accordance with the requirements of the relevant service authorities. Ausgrid lighting poles are to be provided to the requirements of Ausgrid for Street lighting and shall be positioned compatible to the landscaping design around the site

7.0 Links

Performance Criteria

- 1. The development shall provide publicly accessible links and open space.
- 2. Publicly accessible open space is to include green landscaping.

Controls

- The development is to incorporate publicly accessible pedestrian links through the site to the adjoining road reserve level in accordance to figure 3 as detailed in the Willoughby Council Chatswood CBD Strategy 2036
- 2. All publicly accessible open space and linkages are to be the responsibility of the relevant ownership entity, with formal public access to be created over these areas.



Figure 3: Pedestrian links

8.0 Traffic and Transport

Performance Criteria

- 1. The number of vehicle access points to the development are to be minimised.
- 2. Opportunities shall be explored to reduce on-site car parking.
- 3. Vehicle access points are designed to minimize their impacts on pedestrians.

Controls

- 1. Vehicle access points to the development are to be from McIntosh Street.
- 2. All car parking is to be located below ground level.
- 3. A loading dock screened from the public domain for delivery and service vehicles is to be provided which allows for vehicles to enter and leave in a forward direction.
- 4. All commercial/retail vehicle access points for the development are to occur via McIntosh Street.
- 5. All delivery and service vehicle access including waste points for the development are to occur via McIntosh street.
- 6. All loading/unloading to occur at basement level and screened from view from the public domain.

9.0 Waste Management and Loading

Performance Criteria

1. To ensure that adequate provision is made for waste storage and disposal.

Controls

- 1. A concealed waste storage and collection bay is to be provided within the basement parking level of the development. The waste storage and collection area is to be designed to ensure level and safe collection of all waste generated from the use of the development.
- 2. A Waste Management Plan shall be submitted at Development Application Stage.

10.0 Design Excellence and Building Sustainability

Design Excellence

- 1. Design excellence is to be required for all developments based on the following process:
 - a) A Design Review Panel for developments up to 35m high.

b) Competitive designs for developments over 35m high. 815 Pacific Highway & 15 Help Street, Chatswood

Sustainability

- 1. A minimum of 5 stars GBCA building rating is expected. An assessment report is to be submitted at Development Application stage.
- 2. A detailed wind assessment report is to be provided at Development Application stage.

11.0 Public Art

1. Any Public Art is to be in accordance with Council's Public Art Policy.

12.0 Services

- 1. Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages. Substations are to be designed to ensure protection of workers from Electro Magnetic Radiation (EMR) emissions.
- 2. All servicing conduits and reticulation are to be concealed and integrated into the building design.