



IRF24/464

Gateway determination report – PP-2022-822

641-655A Pacific Highway, Chatswood

April 24



Published by NSW Department of Planning, Housing and Infrastructure

dpie.nsw.gov.au

Title: Gateway determination report – PP-2022-822

Subtitle: 641-655A Pacific Highway, Chatswood

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A1 - Planning Proposal Report (Amended) - 11 September 2023
Attachment A2 - Survey Plans SP 12238 - 2 February 2021
Attachment A3a - Urban Design Report – 20 June 2023
Attachment A3b – Urban Design Report (Amendment) – 7 September 2023
Attachment A4a - Landscape Public Domain Report - June 2023
Attachment A4b – Landscape and Public Domain Drawings (Amendment) – 5 September 2023
Attachment A5 – Draft Site Specific DCP - 641-655 & 655A Pacific Highway (Revised) - September 2023
Attachment A6 - VPA Offer_641-655A Pacific Highway Chatswood - 11 March 2022
Attachment A7 – Amended Traffic Impact Assessment – 15 February 2024
Attachment A8 - Heritage Impact Statement - 11 March 2022
Attachment A9 - Preliminary Site Investigation (Stage 1) - 18 March 2022
Attachment A10 - Geotechnical Assessment - 18 March 2022
Attachment A11 - Acoustic Report - 11 March 2022
Attachment A12 - Pedestrian Wind Assessment - 10 March 2022
Attachment A13 - Tree Constraints Report - 11 March 2022
Attachment A14a - Certificate of Title – Lot 1 DP590952 - March 2022
Attachment A14b – Certificate of Title – Lot 1 DP861346 – March 2022
Attachment A15 - Owners Consent - 11 March 2022
Attachment A16 - Preliminary Flood Report
Attachment A17 - Amended Indicative Concept Scheme - 14 February 2024
Attachment B1 - Letter to DPHI - 29 February 2024

Attachment B2 - Council Resolution 11 December 2023

Attachment B3 - Council Report and Attachment 1 to Council report

Attachment B4 - Detailed Assessment (Attachment 2 to Councils Report)

Attachment B5 - Council Assessment of DPE LEP Making Guidelines (Attachment 3 to Councils Report)

Attachment B6a - Draft Planning Agreement (Attachment 9 (Part 1) of Councils Report)

Attachment B6b - Draft Planning Agreement (Attachment 9 (Part 2) of Councils Report)

Attachment B7 - PP Concept Plans - (Attachment 4 of Councils Report)

Attachment B8 - Willoughby DCP – Part L - Council's place based plans

Attachment B9 – Proposed LEP Maps

Attachment C - Willoughby Local Planning Panel Record of Advice - 14 November 2023

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Willoughby
PPA	Willoughby City Council
NAME	641-655A Pacific Highway, Chatswood (319 dwellings, 230 direct jobs estimate.)
NUMBER	PP-2022-822
LEP TO BE AMENDED	Willoughby Local Environmental Plan 2012
ADDRESS	641-655A pacific Highway, Chatswood
DESCRIPTION	SP12238 and SP57067
RECEIVED	29/02/2024
FILE NO.	IRF24/464
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal (**Attachment A1a**), prepared by Urbis on behalf of Global Capital seeks to amend the Willoughby LEP 2012 (LEP) for the land at 641-655A Pacific Highway, Chatswood to enable redevelopment of the site to accommodate a 27-storey mixed-use scheme comprising a total of 34,632m² gross floor area (GFA) on an amalgamated site.

This will include 5,774m² of non-residential floorspace across a 3-storey podium (1 storey facing the bowling club) and 28,860m² of residential floorspace facilitating 319 residential dwellings in two 22-storey residential towers above. Additional floors will be provided for plant, lift overrun and a residential amenity area.

Additionally, the proposal will provide 1,216m² for a ground level public right of way.

The planning proposal intends to:

- rezone from R3 Medium Density Residential to MU1 Mixed Use;
- increase the maximum height of buildings from 12m to 90m;
- increase the maximum floor space ratio (FSR) from 0.9:1 to 6:1; and
- identify the site as subject to:

- clause 6.8 Affordable housing and included on the Affordable Housing Map as 'Area 1' to provide 4% of accountable floor space to affordable housing;
- clause 6.23 Design excellence and included on the Special Provisions Area Map as 'Area 5'.

1.3 Explanation of provisions

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

The planning proposal seeks to amend the Willoughby LEP 2012 to rezone the amalgamated site to MU1 Mixed Use, apply a maximum height of buildings (HOB) to 90m, apply a maximum FSR of 6:1, apply a lot size and amend various clauses. The current and proposed controls are summarised in **Table 3**.

The planning proposal is accompanied by:

- a Site-Specific Development Control Plan (DCP) to guide future development on the site (**Attachment A5**); and
- a letter of offer for a Voluntary Planning Agreement (VPA) (**Attachment A6**) offering contributions for the benefit of the public.

It should be noted that at their meeting on 25 March 2023, Council supported an amendment to the DCP to include Part L – Place Based Plans to guide development on this site and the precinct along the Pacific Highway between Ellis Street and Gordon Street (**Attachment 8**).

This planning proposal for this site was submitted to Council on 11 March 2022 and was at an advanced stage. The site was removed and was not considered for change in the Comprehensive LEP Review planning proposal (the Comprehensive). The Comprehensive is discussed further in section 3.3.

The planning proposal is accompanied by various reports and diagrams (**Attachments A1 to A18**) indicating 3 podium levels with two 22-level residential towers above with communal open space at podium level and the rooftop.

The proposed concept build form is discussed in section 4.1.

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	R3 Medium Density Residential	MU1 Mixed Use
Maximum height of the building	12m	90m
Floor space ratio	0.9:1	6:1 (including 5:1 residential and 1:1 commercial/retail floorspace)
Minimum lot size	N/A	5,500m ²
Affordable Housing Contribution Rate	N/A	Clause 6.8 Affordable Housing ('Area 1' - 4%)

Special Provisions	<ul style="list-style-type: none"> • Clause 6.16 Minimum lot sizes for commercial and mixed use development in Chatswood CBD (Area 8); • Schedule 1 Additional permitted uses clause 26 Use of certain land at 655A Pacific Highway, Chatswood; • Schedule 1 Additional permitted uses clause 27 Use of certain land in Chatswood CBD for residential flat building and 'Area 8' (to require at least 17% of GFA will be used for non-residential use). 	<ul style="list-style-type: none"> • Clause 6.16 Minimum lot sizes for commercial and mixed use development in Chatswood CBD (to require a minimum lot size of 1,200m² for mixed use development); • Clause 6.23 Design excellence and identify the site as 'Area 5'; • Clause 6.25 Shop top housing in Zone MU1 (to require a minimum 1:1 non-residential FSR); • Schedule 1 Additional permitted uses clause 27 Use for residential flat building of certain land in Chatswood CBD and 'Area 8' (to require at least 17% of GFA will be used for non-residential use).
Active Street Frontages	N/A	Clause 6.7 Active Street Frontages to apply to Pacific Highway, Gordon Avenue and Hammond Lane
Number of dwellings	N/A	319 new dwellings
Number of jobs	N/A	230 jobs

1.4 Site description and surrounding area

The site is an irregular shaped block in the southern area of the expanded Chatswood CBD (**Figure 2**). The site consists of 2 amalgamated lots with a total area of approximately 5,774m² and known as 641-655 Pacific Highway, Chatswood and 655A Pacific Highway, Chatswood (**Attachment A2** and **Figure 3**).

The existing site contains two separate 3-storey brick residential flat buildings (RFB) with approximately 52 existing units with parking, accessed via Gordon Avenue and Hammond Lane. The site includes parts of Hammond Lane (**Figures 3** to **7**).

The lot legally known as SP57067 (**Figure 3**) was from a previous subdivision of the Chatswood Bowling Club site (DP861346). Lot SP57067 is subject to right-of-way, covenants and easements such as drainage and footways. The Chatswood Bowling Club has property rights over 41 parking spaces on this lot (**Figures 6** and **8**).

Tennis courts and croquet green immediately to the north of the Chatswood Bowling Club are identified as key public spaces in the Chatswood CBD Strategy.

The site does not contain any heritage items and is not in a Heritage Conservation Area (HCA). The site is located west of the Chatswood South HCA which also contains several individually listed heritage items of local significance (**Figure 12**).

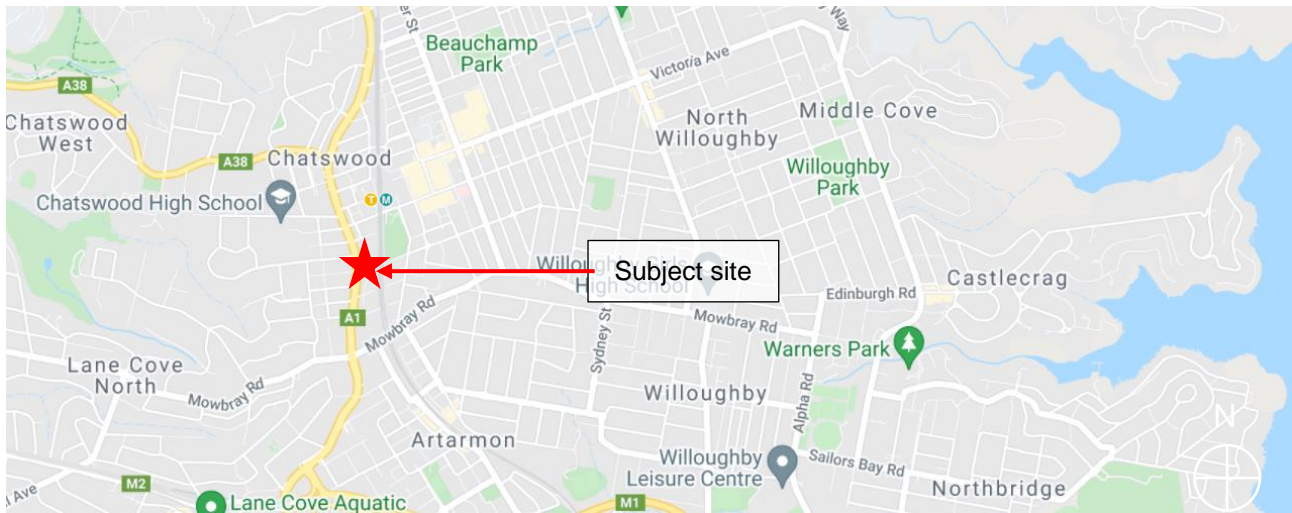


Figure 1: Locality map (source: Nearmap, overlay by the Department)



Figure 2: Site context map - the site is located in the south of the expanded Chatswood CBD (source: Nearmap, overlay by the Department)



Figure 3: Site – 2 lots (source: Nearmap, overlay by the Department)



Figure 4: Hammond Lane egress to the Pacific Highway looking east (source: Google Maps)



Figure 5: View of the existing site from Gordon Avenue looking north towards Hammond Lane (source: Google Maps)



Figure 6: Hammond Lane with the site at left and the Chatswood Bowling Club right looking north (source: Urbis)



Figure 7: Looking south-west from the Chatswood Bowling Club to the east boundary of the site (source: Architectus)

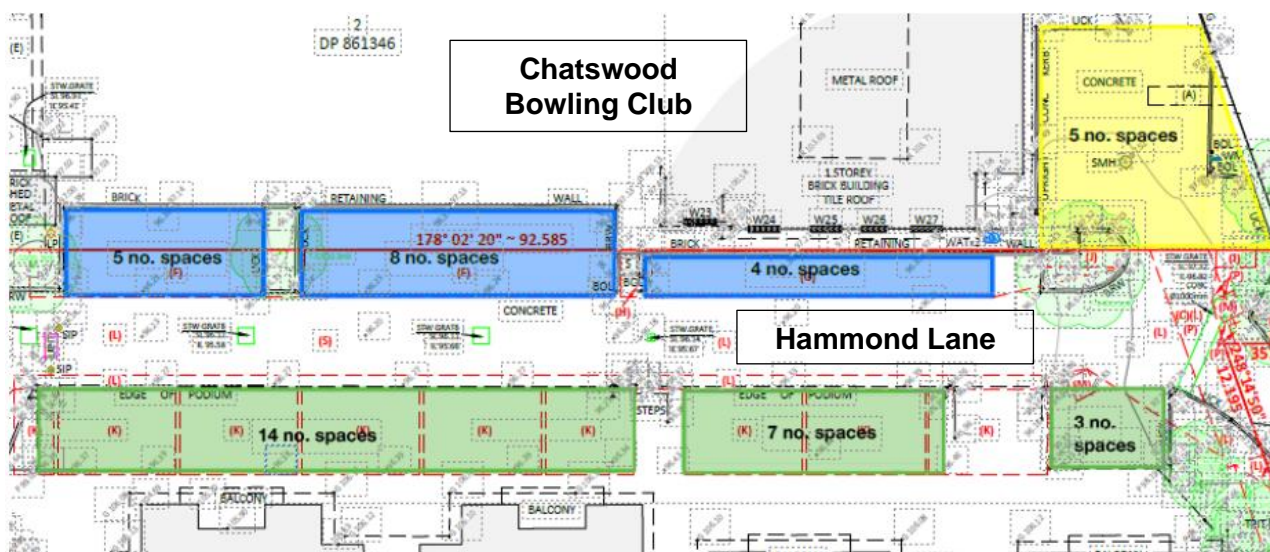


Figure 8: Chatswood Bowling Club has rights over 41 parking spaces wholly or partly on the site (also refer to Figure 6) (source: Urbis)

North

On the Pacific Highway adjoining the site across Hammond Lane is a 2-storey resident flat building at 689 Pacific Highway with 2 single storey dwellings beyond at 691 and 695 Pacific Highway and a 2-storey residential flat build at 699 Pacific Highway. The Comprehensive LEP rezoned these sites to MU1 Mixed Use, increased the maximum HOB from 12m to 90m and increased the maximum FSR from 0.9:1 to 6:1.

The site at 691-699 Pacific Highway, Chatswood has a current unapproved development application (DA2023/166). This is for the demolition of the existing buildings and construction of a 27-storey residential flat building with 100 dwellings and basement parking (**Figure 3**).

East

To the east of the site is the Chatswood Bowling Club zoned RE2 Private Recreation consisting of 2 bowling greens and a single storey club house. The site east of Hammond Lane at 5-9 Gordon Avenue (**Figure 3**) was the subject of a previous planning proposal approved to rezone the site from R3 Medium Density Residential to MU1 Mixed Use, increase the maximum height of buildings from 12m to 90m and increase the maximum FSR from 0.9:1 to 6:1. This will facilitate the provision of approximately 103 new dwellings.

The site at 1-3 Gordon Avenue contains a three-storey residential flat building. The Comprehensive LEP rezoned this site to MU1 Mixed Use, increased the maximum HOB from 12m to 90m and increased the maximum FSR from 0.9:1 to 6:1. This site is adjacent to the North Shore rail corridor.

South

Across Gordon Avenue are sites at 613-627 Pacific Highway and 629-639 Pacific Highway were previously the subject of separate planning proposals approved to rezone the sites to MU1 Mixed Use, increase the maximum heights to 90m and increase the maximum FSR to 6:1. This increase will facilitate approximately 101 and 81 new residential dwellings respectively.

West

The western boundary of the site adjoins the SP2 Classified Road, the Pacific Highway. On the opposite side of the Pacific Highway is land zoned R3 Medium Density Residential with a permitted maximum building height of 12m and an FSR of 0.9:1.

The land on this part of the western side of the Pacific Highway is not in the expanded CBD boundary (**Figure 2**).

1.5 Mapping and LEP clauses

The planning proposal includes mapping showing the existing planning provisions on the site (**Figures 9 to 11**) and the proposed changes. **Figure 12** indicates the site relevant to the HCA.

The proposed maps (**Figures 13 to 16**) require amending to be consistent with **Table 3** and Council's maps (**Attachment B9**) prior to community consultation.

A gateway condition will be included to:

- remove any reference to B4 Mixed Use zone that was renamed to MU1 Mixed Use in the department's Employment Zone Reform and completed in the approved Comprehensive LEP on 30 June 2023;
- update the mapping:
 - the site to the south at 10 Gordon Avenue an 15-19 Nelson Street was rezoned to MU1 with a maximum height of 90m and a maximum FSR of 6:1;

- provide mapping consistent with Council's mapping (**Attachment B9**):
 - minimum Lot Size Map to show a lot size of 5,500m²;
 - affordable housing applies to all sites in the CBD. For example, the adjacent sites at 5-9 Gordon Avenue (Area 1 – 4%), 1-3 Gordon Avenue (Area 3 - 10%) and 689 and 691-699 Pacific Highway (Area 3 – 10%);
 - Active Street Frontages Map to show the Pacific Highway, Hammond Lane and Gordon Avenue as active street frontages;
 - Special Provisions Area map to include reference to clause 6.16 Minimum lot sizes for commercial and mixed use development in Chatswood CBD 'Area 8' to require a minimum lot size of 1,200m² for mixed use development; and
 - Schedule 1 clause 27 Use of certain land in Chatswood CBD and 'Area 8' so that the ground floor is used for non-residential purposes and provides at least 17% of GFA for non-residential uses.

Note that clause 6.25 Shop top housing in Zone MU1 to allow shop top housing if at least 17% of GFA is for non-residential uses applies to this site but is not mapped;

The site is subject to the following current mapping provisions (**Figures 9 to 12**) and the proposed mapping (**Figures 13 to 17**) as outlined in **Table 3**.

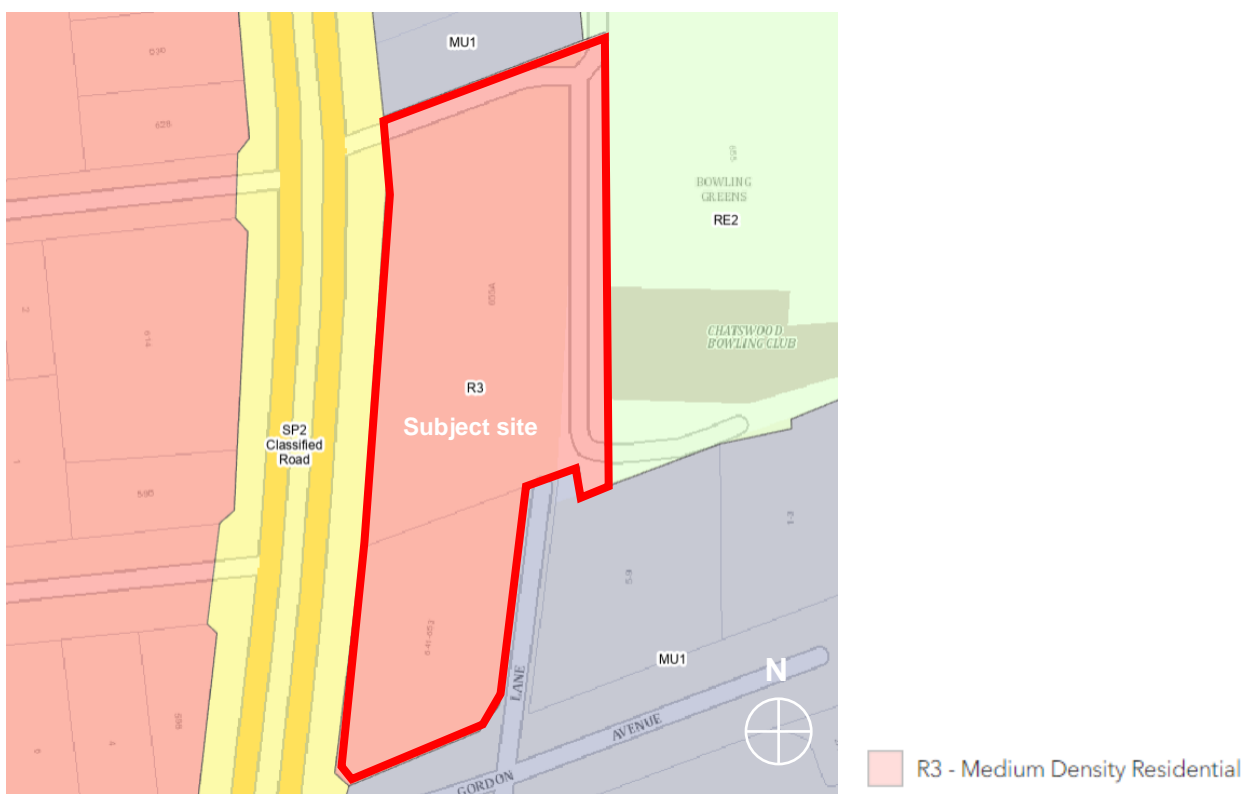


Figure 9: The current land zone is R3 Medium Density Residential (source: NSW Spatial Viewer)

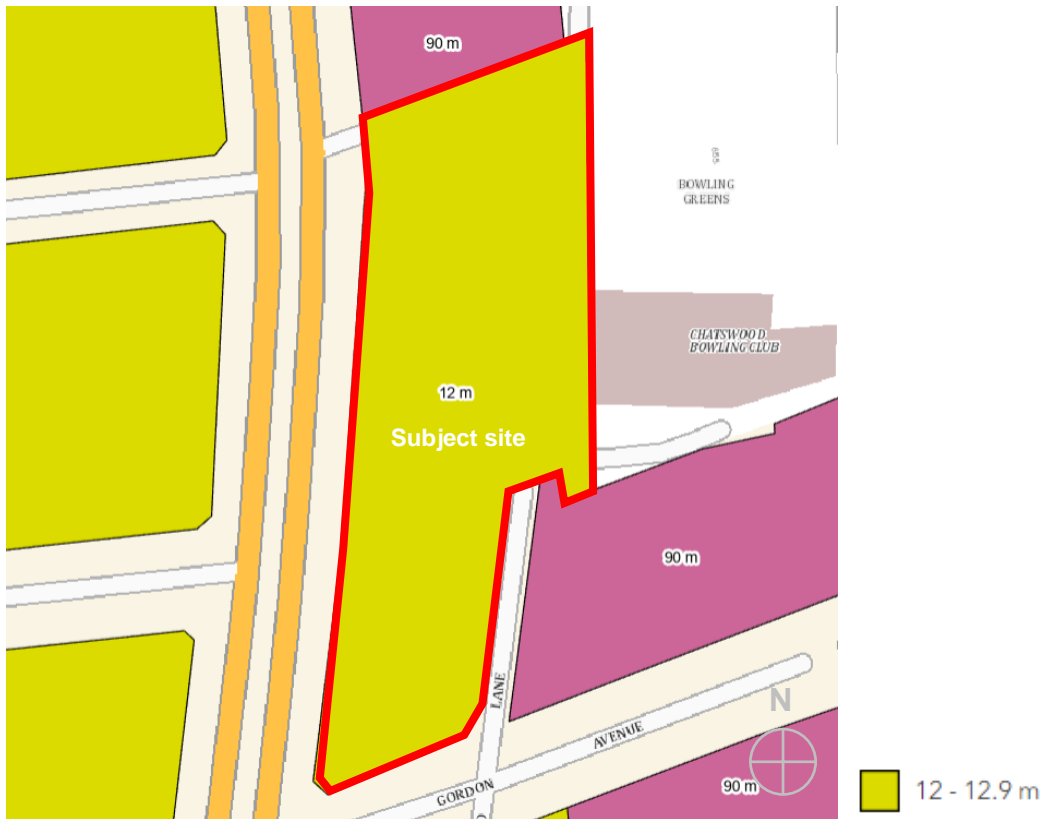


Figure 10: The current maximum height of buildings is 12m (source: NSW Spatial Viewer)

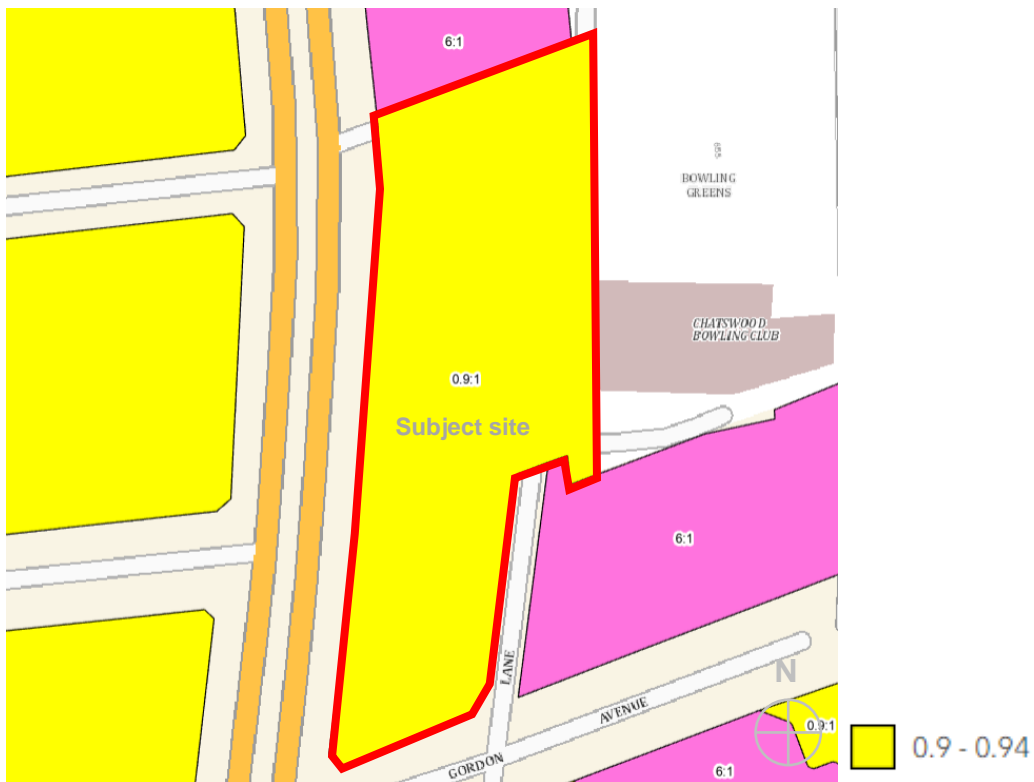


Figure 11: The current maximum FSR is 0.9:1 (source: NSW Spatial Viewer)

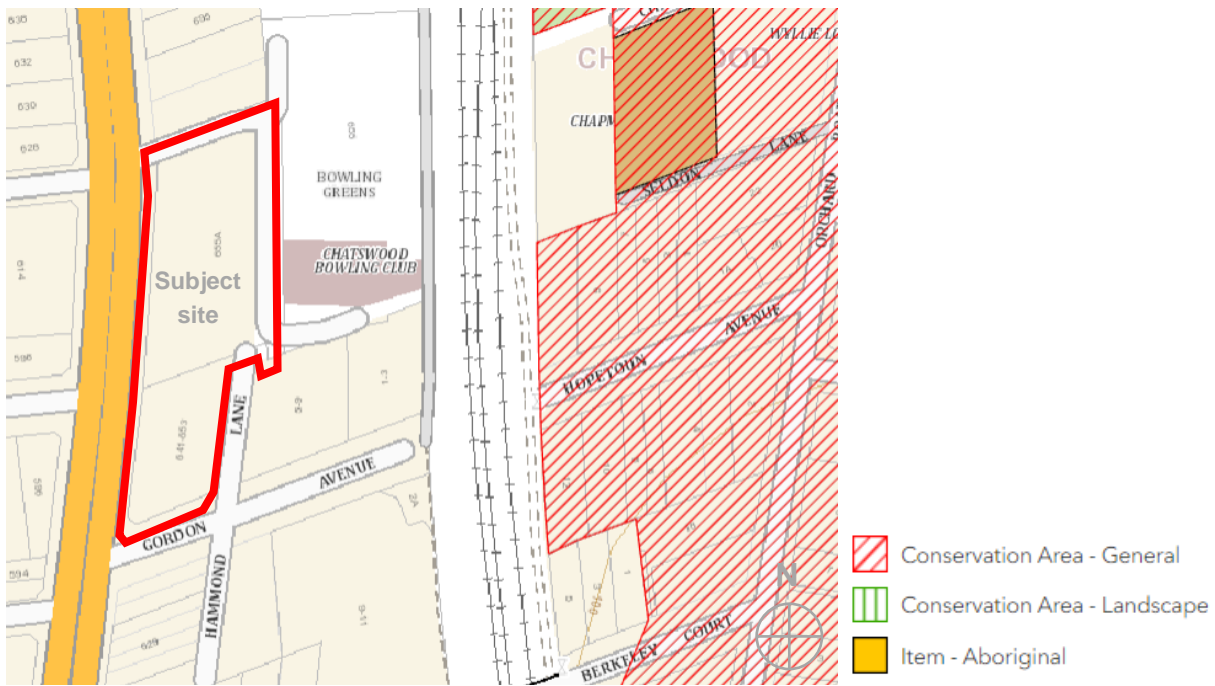


Figure 12: Current Heritage Map with the South Chatswood HCA and local heritage items to the east – no change proposed (source: NSW Spatial Viewer)

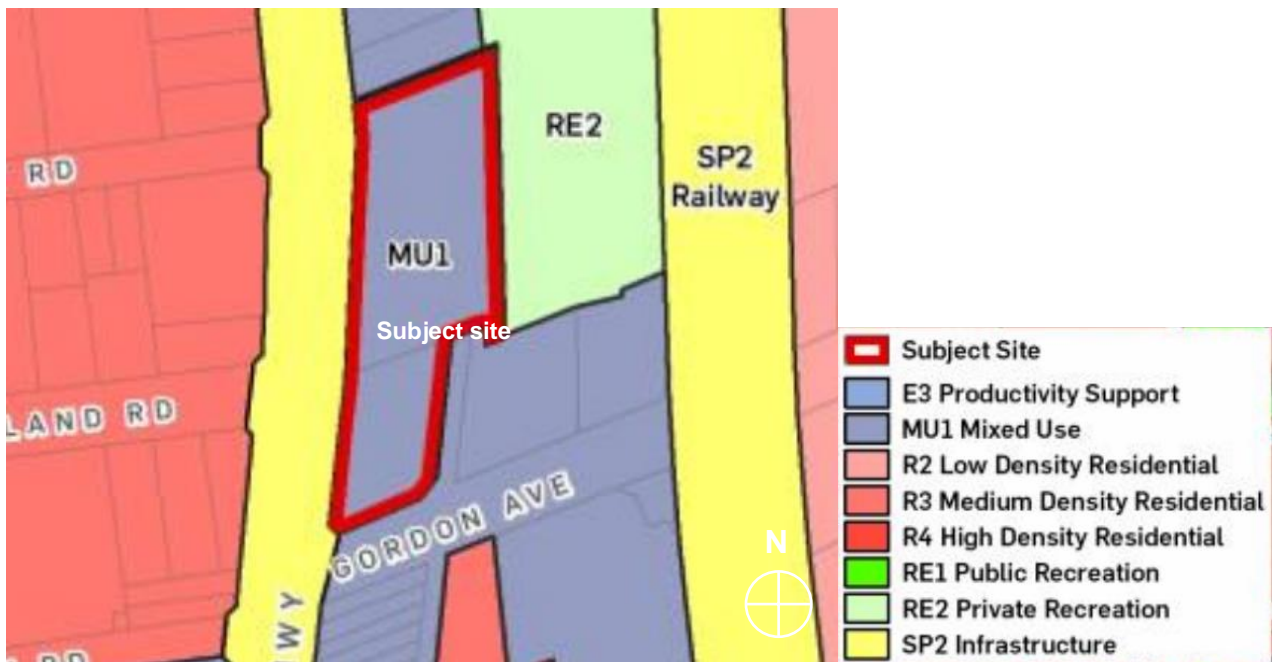


Figure 13: Proposed land zone map which will require updating as the site to the south at 10 Gordon Avenue and 15-19 Nelson Street was rezoned to MU1 Mixed Use (source: Urbis)



Figure 14: Proposed maximum height of buildings map indicating the maximum height of 90m which will require updating as the site to the south at 10 Gordon Avenue and 15-19 Nelson Street has a HOB of 90m (source: Urbis)

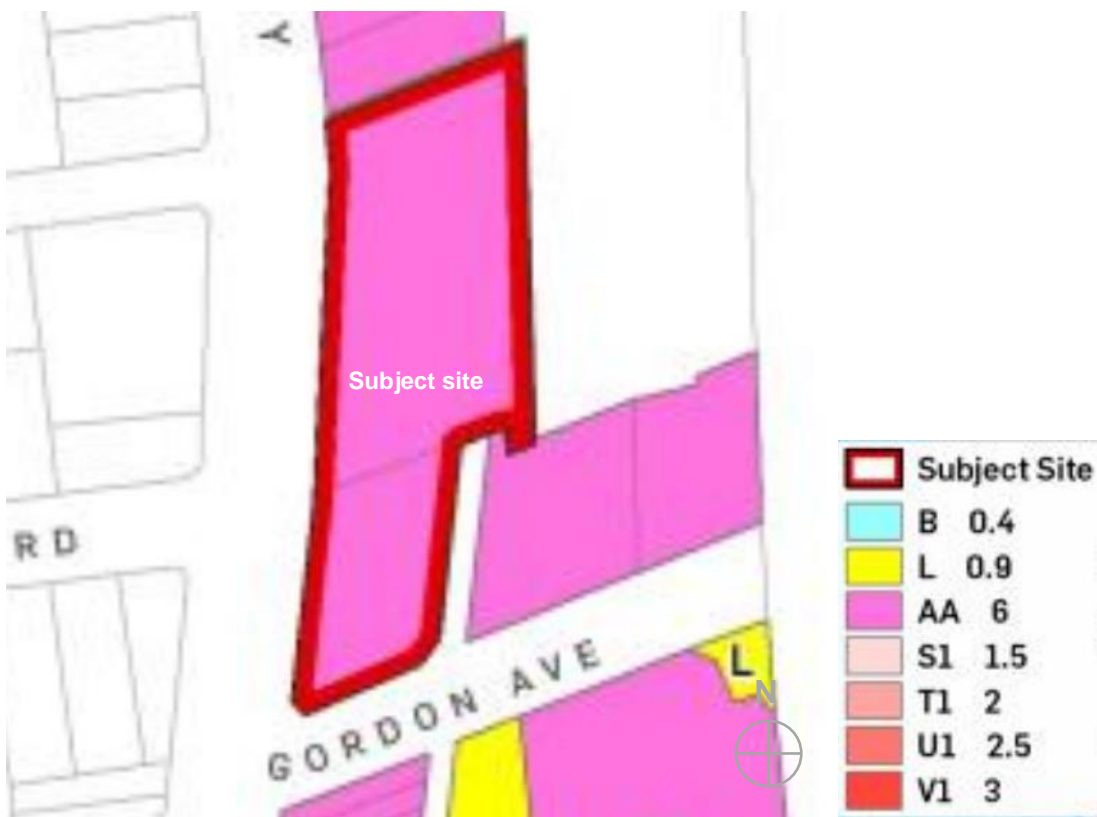


Figure 15: Proposed maximum FSR map indicating the maximum FSR of 6:1 which will require updating as the site to the south at 10 Gordon Avenue and 15-19 Nelson Street has a maximum FSR of 6:1 (source: Urbis)



Figure 16: Proposed Special Provisions Area map indicating the application of clause 6.23 Design excellence (source: Urbis).



Figure 17: Proposed Affordable Housing map which will require amending as the adjacent sites to the east are also subject to affordable housing contributions (source: Urbis).

2 Need for the planning proposal

The proposal is in the expanded Chatswood CBD boundary (**Figure 2**) and implements the recommendations in the Chatswood CBD Strategy, endorsed by Council on 26 June 2017 and the Department on 9 July 2020.

The original planning proposal was submitted to Council in March 2022. Council resolved to remove this planning proposal from the Comprehensive LEP at its meeting on 12 December 2022, and advised that the rezoning for the site would be progressed via a separate planning proposal. In the interim the site would retain the existing planning provisions.

The Comprehensive LEP commenced on 15 March 2023 and increased the affordable housing contribution rate to 10% in the Chatswood CBD. However, this planning proposal although at an advanced stage did not proceed due to further information requested by Council. This site was therefore ‘saved’ to apply a 4% affordable housing contribution rate.

The changes proposed in this planning proposal are consistent with the Comprehensive LEP which is discussed further in section 3.3.

3 Strategic assessment

3.1 Regional Plan

The Greater Sydney Region Plan – A Metropolis of Three Cities was released in March 2018 and provides a vision for the growth and development of Greater Sydney by instilling the idea of the 30-minute city where people live no further than 30 minutes from their jobs, education, health facilities, services and great places.

Chatswood is located within the Eastern Economic Corridor of the Eastern Harbour City and is identified as a strategic centre being a major commercial precinct.

The Greater Sydney Region Plan establishes a series of Directions to ensure planning proposals are consistent with the intended vision of Sydney.

Table 4 provides an assessment of the planning proposal against relevant objectives of the Greater Sydney Regional Plan.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
A City Supported by Infrastructure	<p>The proposed increase to the development controls will facilitate increased density that will leverage off existing and proposed public transport with connections to strategic centres such as Macquarie Park and the Sydney CBD.</p> <p>A draft VPA letter of offer (Attachment A6) submitted with the planning proposal indicates that Community Infrastructure Contribution (CIC) has been offered at the rate of \$765 per square metre.</p>
A City for People	<p>The site is within 500m walking distance of Chatswood interchange with train, Metro and bus services. The proposal will increase the ability to live and work in Chatswood and reduce the reliance on private vehicles.</p> <p>The non-residential uses such as café and specialty shops will activate the ground level increasing amenity and safety.</p>

Housing the City	<p>The concept development will facilitate the provision of high-density residential dwellings with a range of dwelling sizes (1, 2 & 3 bedroom) to meet the needs of the community in an area close to existing infrastructure and services including the Chatswood interchange.</p> <p>The proposal will contribute to achieving the housing supply targets by providing approximately 319 additional residential dwellings which is a significant increase to the existing residential dwellings on the site. An affordable housing component of 4% within the development will also create additional housing options in the Willoughby Local Government Area (LGA).</p>
A Well-Connected City	<p>The site is located within 500m from the Chatswood transport interchange which has been upgraded to now include the Sydney Metro. Chatswood is well-connected to the neighbouring strategic centres of Macquarie Park and St Leonards and Crows Nest. The location of the proposed concept development will maximise the use of public transport assets.</p>
Jobs and Skills for the City	<p>The planning proposal seeks to enable redevelopment to increase residential uses and will provide new commercial and retail floor space and employment.</p> <p>The site is close to existing employment opportunities and existing transport to other strategic centres such as Macquarie Park and the Sydney CBD.</p>

3.2 North District Plan

The site is within the North District. The North District Plan contains priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability as outlined in **Table 5**.

The department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

Table 5 North District Plan assessment

District Plan Priority	Justification
Infrastructure	
N1 Planning for a city supported by infrastructure	The planning proposal is consistent with this priority as it will leverage off the new Metro and other existing transport options at the Chatswood Interchange less than 500m north of the site.
N12 Delivering integrated land use and transport planning and a 30-minute city	This accessible transport provides minimal travel times to the Sydney CBD and the North Sydney CBD supporting the 30-minute city.
Liveability	
N5 Providing housing supply, choice and affordability with access to	The planning proposal will facilitate 319 new residential dwellings in a variety of sizes close to existing and proposed public transport to various strategic locations and beyond.

jobs, services and public transport	The proposal includes a 4% contribution of the GFA to Council for the purposes of affordable housing.
N6 Creating and renewing great places and local centres, and respecting the district's heritage	<p>The amendment to the planning controls in the Willoughby LEP 2012 will facilitate increased residential dwellings and enable people to live and work in close proximity to existing infrastructure, services and employment.</p> <p>Additional landscaping will enhance the streetscape and the through site link will increase amenity and pedestrian activity and safety.</p> <p>The redevelopment of the site is consistent with the future desired character of the extended Chatswood CBD.</p> <p>The site is separated by a street block and railway corridor from the nearest heritage conservation area, there will be no adverse heritage impact (Figure 12). Heritage consideration is discussed further in section 4.</p>

Productivity

N8 Eastern Economic Corridor is better connected and more competitive	Chatswood is well-connected to the neighbouring strategic centres of Macquarie Park, St Leonards and Crows Nest and the Sydney CBD.
N10 Growing investment, business opportunities and jobs in strategic centres	Enabling increased development in a location near the Chatswood Interchange will provide key employees with accommodation close to jobs and maximise the use of public transport assets reducing the need for additional infrastructure.

Sustainability

N19 Increasing urban tree canopy cover and delivering Green Grid connections	The concept includes landscaping at the ground, podium and rooftop levels and the existing trees will be retained along the Pacific Highway.
N21 Reducing carbon emissions and managing energy, water and waste	The location close to existing and new public transport and services will encourage active transport options and discourage the use of private vehicles.

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies.

3.3.1 Chatswood CBD Planning and Urban Design Strategy 2036

The Chatswood CBD Strategy represents Council's 20-year development and land use vision for the future of the Chatswood CBD. The Chatswood CBD Strategy has been designed to inform site specific planning proposals and to align Council's strategic planning work in regard to its Local Strategic Planning Statement (LSPS), Local Housing Strategy (LHS) and the Comprehensive LEP amendment with the actions and priorities of the North District Plan.

The Chatswood CBD Strategy includes a series of 'key elements' to guide the assessment of planning proposals and development such as zoning, minimum site area, provisions of affordable

housing, tower separation and sun access to key public spaces. The recommendations in the Chatswood CBD Strategy have now been incorporated in the LEP.

Council officers report and assessment (**Attachments B3 and B4**) indicates that the proposal is consistent with the key elements of the Chatswood CBD Strategy.

3.3.2 Willoughby Local Strategic Planning Statement (LSPS)

The Willoughby LSPS (10 February 2020) sets out the 20-year vision for land use in the LGA, the special character and values that are to be preserved and how change will be managed into the future.

Relevant to the subject site, the LSPS supports the delivery of the key elements of the Chatswood CBD Strategy which is the main driver for housing, jobs and investment in the Willoughby LGA.

An assessment of the concept development against the priorities in the LSPS is provided in **Table 6**.

Table 6 Consistency of the planning proposal against the LSPS priorities

Priority	Consistency
Priority 1 - Increasing housing diversity to cater to families, the aging population, diverse household types and key workers	The proposal can facilitate approximately 319 new residential units across a range of dwelling sizes (1, 2 & 3 bedroom) and will include 4% of affordable housing. This will support a growing population and cater to the changing needs of the community.
Priority 3 – Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features	The site is within 500m of the Chatswood Interchange, services and other infrastructure which will lessen the need for private vehicle use. The proposed through-site pedestrian link will facilitate pedestrian activity between the Pacific Highway, Hammond Lane and the Chatswood Bowling Club.
Priority 9 – Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor	<p>The proposal will provide additional floorspace for employment uses and residential accommodation surrounding the commercial core, aligning with the Chatswood CBD Strategy which aims to protect and expand the employment land within the Chatswood CBD.</p> <p>The proposal will facilitate high-density residential development in the MU1 Mixed Use zone on Chatswood CBD fringe with easy access to existing employment, services and transport options.</p>
Priority 14 – Increasing Willoughby's tree canopy coverage	The trees along the Pacific Highway will be retained. Deep soil zones are to be included on the site for large trees and additional landscaping is proposed at ground, podium and rooftop levels.

Priority 15 –
Improving the
efficiency of
Willoughby's built
environment

The site is in 'Area 5' on the Special Provisions Area Map. The design of the building will be the subject to clause 6.23 Design excellence in the LEP. The built form will need to address matters such as environmental impacts and sustainability.

3.3.3 Willoughby Local Housing Strategy (LHS)

Council's LHS (May 2020) targets 3 growth/focus areas for the delivery of its housing supply over the next 20 years. One of these growth/focus areas is the proposed expanded MU1 Mixed Use area of the Chatswood CBD as identified in the Chatswood CBD Strategy, which involves the subject site.

The proposal is consistent with Council's finalised LHS as it supports the delivery of the key elements in the Chatswood CBD Strategy and will provide approximately 319 additional residential dwellings.

3.3.4 Willoughby Comprehensive LEP Review

The Comprehensive LEP, which came into effect on 30 June 2023, revised the planning controls under the Willoughby LEP 2012 for the Willoughby LGA, including rezoning land, changing development standards, particularly in the Chatswood CBD and local centres and making other housekeeping amendments.

The planning proposal for 641-655A Pacific Highway, Chatswood was not included in the Comprehensive LEP as Council requested further traffic assessment and time to negotiate VPAs and site-specific DCPs. However, the changes now proposed for the site are consistent with the changes made in the Comprehensive as it intends to:

- rezone the site from R3 Medium Density Residential to MU1 Mixed Use;
- increase the maximum height of buildings from 12m to 90m;
- increase the maximum FSR from 0.9:1 to 6:1;
- include a minimum non-residential FSR equating to 17% of the total GFA permitted on the site; and
- require active street frontages.

The above changes to zoning, height and FSR controls are consistent with the comprehensive LEP and individual planning proposals.

The Comprehensive LEP increased the affordable housing contribution from 4% to 10% in certain areas of the LGA including the Chatswood CBD area. This site was 'saved' to be subject to 4% as the planning proposal was at an advanced stage before the commencement of the public exhibition of the Comprehensive LEP.

3.4 Local planning panel (LPP) recommendation

The Willoughby LPP provided advice on the matter on 14 November 2023 (**Attachment C**). The LPP supported the planning proposal be forwarded to the department for a Gateway determination with the following recommendations:

- the podiums should be consistent with the site-specific DCP to achieve design excellence;
- non-residential areas adjoining through site links and open areas should be designed for visual interest and pedestrian amenity;

- the design of the towers should consider articulation, overshadowing and achieve design excellence;
- all parking is to be provided on site, including for the Chatswood Bowling Club;
- the existing vehicular egress at 655A Pacific Highway is not to be used by the subject site;
- the blocking of vehicular internal access from Hammond Lane to the Pacific Highway should still allow for pedestrian access to through site links and open space. Barriers or gates should not be used.

3.5 Section 9.1 Ministerial Directions

An assessment of the planning proposal against the relevant 9.1 Ministerial Direction is outlined in **Table 7**.

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Biodiversity and Conservation		
3.2 Heritage Conservation	Yes	<p>There is no detrimental impact on any heritage items or the Chatswood South HCA.</p> <p>The heritage consideration is addressed further in section 4.</p>
Resilience and Hazards		
4.1 Flooding	Yes	<p>A preliminary flood impact assessment (Attachment A16) stated that the proposed building is clear of the overland flow path and therefore satisfies the requirements of this Direction.</p> <p>The flooding impact is addressed further in section 4.</p> <p>The planning proposal will require updating to address this Direction.</p>
4.4 Remediation of Contaminated Land	Yes	<p>A preliminary site investigation (PSI) (Attachment A9) found that the historical land use and primary areas of environment concern identified would not prevent the proposed development. However, the PSI recommended that a Detailed Site Investigation (DSI) be undertaken to confirm the presence and extent of contamination.</p> <p>The contamination impact is discussed further in section 4.</p> <p>The planning proposal is consistent with this Direction. However, the planning proposal will require updating to better address this Direction.</p>

Transport and Infrastructure

5.1 Integrating Land Use and Transport	Yes	<p>The planning proposal is supported by an amended Traffic Impact Assessment (TIA) (Attachment A7) that indicates the overall traffic and parking implications of the development are considered satisfactory.</p> <p>The site is within 500m walking distance of the Chatswood commercial core and interchange reducing the need for private vehicle use.</p> <p>The transport and parking impact is discussed further in section 4.</p>
5.3 Development Near Regulated Airports and Defence Airfields	Yes	<p>The maximum height of buildings in the Chatswood CBD is partially based on the airspace limits as outlined in Key Element 20 of the Chatswood CBD Strategy. The planning proposal seeks to increase the maximum HOB from 12m to a maximum height of 90m.</p> <p>The proposed development to a height of RL185.5 is similar to the approved increase to the planning controls on the sites to the south such as at 613-627 Pacific Highway, 629-639 Pacific Highway and 9-11 Nelson Street.</p> <p>The height sought in the planning proposal will not penetrate the PANS-OPS (Procedures for Air Navigation Services, Operations).</p> <p>However, consultation will be required with the relevant airport authorities and is included as a condition of the Gateway determination.</p> <p>The planning proposal is consistent with this Direction. However, the planning proposal will require updating to address this Direction.</p>

Housing

6.1 Residential Zones	Yes	<p>Under this Direction, a planning proposal must broaden housing choice, make efficient use of existing infrastructure, reduce consumption of land for housing on the urban fringe and be of good design.</p> <p>Rezoning the land from R3 Medium Density Residential to MU1 Mixed Use will retain residential uses and the increase to the planning controls will facilitate 319 new residential dwellings in an area close to public transport and services. The final design will be subject to a design review and will need to comply with the requirement in clause 6.23 Design excellence in the LEP.</p>
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Industry and Employment

7.1 Employment Zones	Yes	<p>The proposal is consistent with this direction as it will encourage employment growth.</p> <p>The site will be rezoned from R3 Medium Density Residential to MU1 Mixed Use and provide an additional 5,774m² of non-residential floorspace potentially available for employment purposes.</p>
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3.6 State environmental planning policies (SEPPs)

The planning proposal will require updating to address recently consolidated SEPPs and remove reference to the repealed SEPPs.

The planning proposal is consistent with all relevant consolidated SEPPs as discussed in the **Table 8**.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Housing) 2021	<i>This consolidated SEPP aims to deliver a sufficient supply of safe, diverse and affordable housing.</i>	Can be further assessed as part of a future DA.	<p>The planning proposal does not rely on this SEPP for the provisions for affordable housing. The Willoughby LEP mandates 4% affordable housing for 'Area 1'.</p> <p>Development applications (DAs) for all future residential development will need to comply with the targets established under BASIX.</p> <p>The provisions of SEPP 65 were consolidated into chapter 4 of this SEPP.</p> <p>The planning proposal will require updating to better address this SEPP.</p>
SEPP (Resilience and Hazards) 2021	This consolidated SEPP aims to manage risks and build resilience in the face of hazards.	Yes	<p>Of relevance in this SEPP is Chapter 4 Remediation of land.</p> <p>A PSI (Attachment A9) has been submitted with the planning proposal indicating that the land can be suitable for the intended use. However, recommended a Detailed Site Investigation (DSI) be undertaken.</p> <p>The SEPP refers to the DA stage of the development and further work (DSI) can be undertaken at that time.</p> <p>The contamination impact is discussed further in section 4.</p>

SEPP (Transport and Infrastructure) 2021	This consolidated SEPP aims to provide well-designed and located transport and infrastructure integrated with land use.	Yes	<p>The planning proposal was accompanied by an amended TIA (Attachment A7) that indicates that the development will not have a significant impact on the surrounding road network.</p> <p>Access and egress are to be provided via a widened Hammond Lane.</p> <p>Referral to TfNSW will be required prior to the construction phase due to the location on the classified road, the Pacific Highway and close locality of the rail corridor and is considered a traffic-generating development.</p> <p>An Acoustic Report (Attachment A11) provides recommendations for future development.</p> <p>The acoustic impact and the transport, traffic and parking impact is discussed further in section 4.</p>
SEPP 65 - Design Quality of Residential Apartment Development	The aim of this policy is to improve the design quality of residential apartment development in NSW.	Can be further assessed as part of a future DA.	<p>The proposal states that it has been designed with the principles of this SEPP and the Apartment Design Guide (ADG).</p> <p>The consistency can be further assessed as part of a future DA. However, the planning proposal will require updating as this SEPP has now been repealed and consolidated into SEPP (Housing) 2021.</p> <p>The built form is discussed further in section 4.</p>
SEPP (Building Sustainability Index: Basix) 2004	This SEPP aims to encourage sustainable residential development through establishing targets for thermal comfort, energy and water use.	Can be further assessed as part of a future DA.	<p>This SEPP has now been repealed and consolidated into chapter 2 of SEPP (Sustainable Buildings) 2022.</p> <p>The planning proposal will require updating to remove reference to this SEPP.</p>
SEPP (Sustainable Buildings) 2022	This policy commenced on 1 October 2023. This SEPP will introduce thermal performance measures, water and energy saving measures and emission reporting for all buildings.	Can be further assessed as part of a future DA.	<p>Any future development will need to comply with the provisions in this SEPP to deliver and continually monitor sustainability measures including energy and water usage and the emissions of any materials used in construction.</p> <p>It is recommended that the planning proposal be updated to address this SEPP.</p>

4 Site-specific assessment

4.1 Environmental

The site is within an established urban environment with no known critical habitats, threatened species or ecological communities. The following provides an assessment of the potential broader environmental impacts associated with the proposal.

4.1.1 Traffic Transport and Parking Impact

The Traffic and Parking Assessment Report (**Attachment A7**) provided an assessment on a concept development for 319 residential dwellings in 2 towers above a 3-level podium with 5,774m² of non-residential floorspace and 3 levels of basement carparking.

The site is adjacent to the state classified road, the Pacific Highway with Gordon Avenue to the south which is a no-through road. Hammond Lane provides one-way access to several residential dwellings and the Chatswood Bowling Club with an exit onto the Pacific Highway.

The report states that Chatswood station is located about 550m walking distance (7 mins) north from the subject site and Artarmon station is about 1km walking distance (14 mins) south. Pedestrian footpaths are available along both sides of the roads surrounding the subject site.

The Frank Channon Walk, which is a shared path at the end of Gordon Avenue provides cycle links and a pedestrian walkway along the railway corridor from Nelson Street to Chatswood Park and Chatswood train station via Albert Street.

Traffic

Access and egress will be via a widened Hammond Lane from Gordon Avenue with a left in/left out from Pacific Highway. However, the right-of-way to the Pacific Highway to the north via Hammond Lane will be retained for the potential future use for the sites at 689-699 Pacific Highway, Chatswood and will not be for the use of the subject site.

Council has updated their DCP to include Part L – place based plans (**Attachment B8** and **Figure 29**) to guide access and egress to development along the Pacific Highway between Ellis Street and Gordon Avenue.

The assessment estimates that the proposal is expected to generate 147 vehicle trips in the AM peak and 151 vehicle trips in the PM peak (**Table 9**). Most of the trips are expected to come from the office and retail areas of the development.

The report states that it is anticipated that the traffic generated by the proposed development would have a minor impact to the surrounding road network.

There are 7 approved mixed use planning proposals in close proximity to the site. The cumulative impact of these proposed developments and the subject site is in **Table 9**.

Table 9 Cumulative traffic generation exiting to the Pacific Highway

Site	Trip Generation		Vehicle Access
	AM Peak Hour	PM Peak Hour	
5-9 Gordon Avenue	36	26	Hammond Avenue
613-627 Pacific Highway	9	7	Hammond Avenue
629-639 Pacific Highway	27	23	Hammond Avenue
10 Gordon Avenue, 15-19 Nelson Street	55	39	Hammond Avenue
3 Ellis Street	5	4	Ellis Street
9-11 Nelson Street	145	145	Nelson Street
753 Pacific Highway and 15 Ellis Street	12	10	Crisp Lane
641-655A Pacific Highway	147	151	Hammond Avenue
Total	436	405	

One loading bay is proposed within the basement car park to accommodate an 8.8m Medium Rigid Vehicle (MRV). No more than 2 MRV vehicles per day is expected to the site. A Loading Dock Management Plan would be provided at the DA stage and a loading dock manager to schedule deliveries to avoid any queuing into the road network.

Parking

It should be noted that the Willoughby DCP 2023 was adopted on 31 July 2023 with revised parking rates for new developments and includes maximum and minimum parking rates. Minimum rates are used to ensure that developments provide more than zero parking spaces. Maximum rates ensure parking is not oversupplied and enforced in centres where traffic congestion is an issue and public and active transport modes are highly accessible.

It is proposed that 5,774m² of non-residential floorspace across a 3-storey podium (1 storey facing the bowling club) and 28,860m² of residential floorspace will be provided. As the subject site is near accessible public transport in the Chatswood CBD, maximum parking rates would be 0.5 space per studio and 1, 2, 3 or more bedroom units; 1 visitor space per 7 dwellings. The maximum parking rates in the DCP for non-residential floorspace is 1 space per 200m² for offices and 1 space per 150m² for showrooms and outdoor area (bulky goods).

The 41 at-grade car spaces for the Chatswood Bowling Club will be reinstated via a separate basement car park (located directly under the bowling green) and at ground level. It is estimated that the proposal will provide approximately 310 car spaces, including the spaces for the Chatswood Bowling Club. The final number of parking spaces can be determined at the detailed design phase.

4.1.2 Overshadowing Impact

The revised planning proposal and Urban Design Report and the Amended Indicative Concept Scheme provides shadow diagrams of the proposed concept (**Figures 18 to 20**) **Attachment A17**

contains a list of properties that will be impacted by overshadowing resulting from the reference scheme.

These documents state that the concept has been designed and orientated to minimise solar impacts to the Chatswood Bowling Club and greens, South Chatswood HCA and residential properties on the western side of the Pacific Highway.

It is recommended that shadow diagrams be provided to show the cumulative overshadowing from the approved amendments to the LEP for the nearby sites to the south at 613-627 Pacific Highway, 629-639 Pacific Highway, 10 Gordon Avenue and 15-19 Nelson Street and 9-11 Nelson Street, Chatswood and 5-9 Gordon Avenue to the east.

All of these sites have been approved to increase the planning provisions similar to this site including a maximum height of 90m.



Figure 18: Shadow diagram 9am, 21 June (source: Architectus)

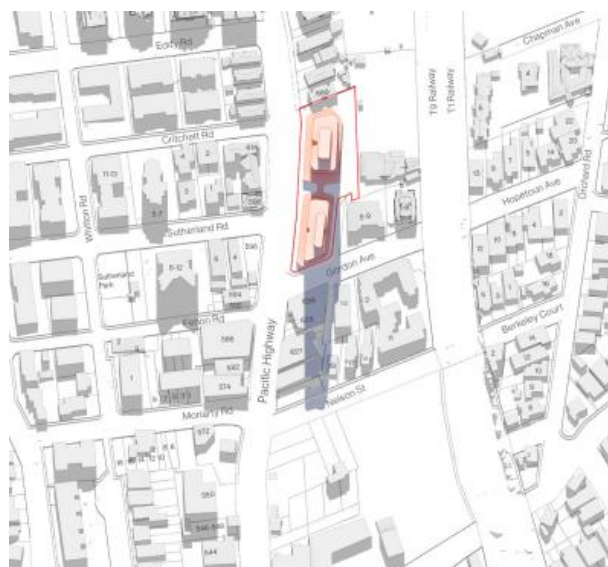


Figure 19: Shadow diagram 12pm, 21 June (source: Architectus)



Figure 20: Shadow diagram 3pm, 21 June (source: Architectus)

Legend

- Proposed development
- Existing context shadows
- Additional shadow from proposed development

4.1.3 Flood Impact

Localised flooding in the CBD was an issue raised in the finalisation of the Comprehensive LEP. An independent report identified that basement carpark flooding may result in evacuation issues for proposed developments in the MU1 zone.

Council is currently undertaking a Floodplain Risk Management Study and Plan (FRMS&P) for the catchment, which may provide overland flow mapping and further flood information for Chatswood CBD.

A preliminary flood report (**Attachment A16**) dated 9 February 2024 was submitted responding to the overland flow issues identified by Council's engineers.

The site is indicated as being in the Scotts Creek catchment. The report states that the flood modelling has shown that the flow paths are mostly contained within Hammond Lane and Pacific Highway and are not significantly impacted by the proposed building footprint.

Based on the results of this preliminary assessment, the proposed building is clear of the overland flow path and therefore satisfies Council's requirement.

Further detailed flooding assessment can be carried out as part of a future DA with detailed plans.

4.1.4 Heritage Impact

A Heritage Impact Statement (HIS) (**Attachment A8**) dated 11 March 2022 was submitted with the planning proposal.

The report confirms that the subject site does not contain any locally listed heritage items, and that there will be no adverse impact on the heritage significance of the Chatswood South HCA or any local heritage items.

The proposal is supported from a heritage perspective as:

- the buildings on the subject site do not maintain a visual relationship with the Chatswood South HCA or local heritage items in the vicinity; and
- the site is appropriate for intensification of development as the railway line and Chatswood Bowling Club provide substantial physical separation from the Chatswood South HCA.

4.1.5 Contamination Impact

A PSI dated 18 March 2022 (**Attachment A9**) submitted with the planning proposal provides a preliminary assessment of site contamination.

The proposed development includes demolition of the existing residential apartment buildings and construction of two mixed use towers comprising of retail/commercial landuse in the ground floor and residential landuse on the upper floors. Tower 1 in the northern part of the site will be 22 storeys high and Tower 2 in the southern part of the site will also be 22 storeys high. Basement carparking is proposed with 3 levels within an excavation of approximately 12m below ground level.

The scope of the work includes a review of the background and history of the site, a site walkover and preparation of a conceptual site model.

The report states that the historical land uses and primary areas of environmental concern identified would not prevent the proposed development. Parts of the site appear to have undergone cut and/or fill works to account for the slope and to accommodate the existing development. The report recommends a Detailed (Stage 2) Site Investigation (DSI) be undertaken as part of any future development application stage with soil and groundwater sampling to further investigate if the site is suitable for the proposed development, or whether remediation is required.

A hazardous building materials (HAZMAT) survey should also be undertaken prior to demolition of the buildings. An asbestos clearance certificate should be obtained as asbestos lining along the bowling greens could have been used in a former use of this land.

4.1.6 Acoustic Impact

The Acoustic Report (**Attachment A11**) dated 11 March 2022, provides a high-level assessment of issues that can be considered and further assessed as part of a future DA.

SEPP (Transport and Infrastructure) 2021 specifies that developments with a frontage to a classified road must include measures to minimise potential traffic noise or vehicle emissions arising from the classified road. The North Shore rail corridor is 70m to the east of the site.

Ground-borne noise and vibrations are unlikely to have an adverse impact on the amenity of the residential apartments. However, based on surveys conducted for similar development along the Pacific Highway, road traffic noise may travel up the façade of the building and it is likely mechanical ventilation will be required.

To comply with internal sound level targets for airborne noise it could be possible that the windows remain closed on noise affected facades. The following mitigation measures could be used:

- single laminated glazing systems;
- a 'winter garden' type strategy for the low-rise portion (or entire of the tower); and
- deep void double glazed systems.

Modelling should be undertaken at the detailed design phase for material selection and ventilation strategy. Mechanical service noise emissions could be controlled with the appropriate barriers and locating the services appropriately. This can be further determined at a later stage of the development of the site.

4.1.7 Wind Impact

A Pedestrian Wind Assessment (**Attachment A12**) dated 10 March 2022 was submitted with the planning proposal. The report provided an assessment of the pedestrian wind conditions expected on and around the proposed development, based on the existing surrounding low-rise developments.

The report states that wind conditions are not expected to exceed the safety criterion. **Figure 21** indicates the possible wind conditions at ground level. Design measures can be implemented to further increase amenity such as:

- the use of curved corners, canopies and landscaping features at ground level;
- canopy and trellis structures, screens and landscaping at the podium level;
- screens and louvres specially to corner private balconies; and
- high screening, centralised canopies and vegetation to the rooftop level.

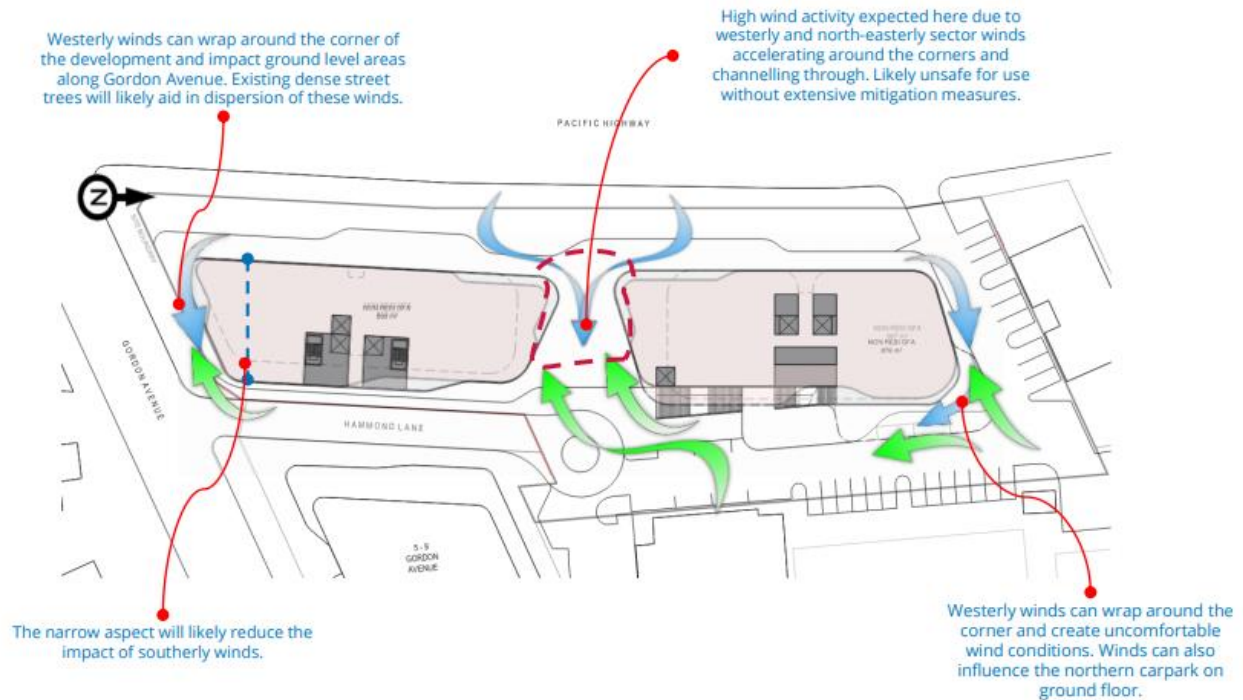


Figure 21: Ground level wind conditions expected as a result of the concept (source: RWDI)

4.1.8 Built Form and Visual Impact

The planning proposal is to amend the LEP to increase the height and FSR compatible with the future desired character of the expanded Chatswood CBD (**Figures 22 to 26**).

The concept shows 2 slender towers with a total height of 27 storeys each. This total includes one 3-storey podium and each tower above having 22 storeys of residential, 1 storey for lift overrun and 1 storey for residential amenity. The podium will be broken by a 12m through-site link, reducing the bulk and scale when viewed from the Pacific Highway (**Figure 21**). The separation between the towers will be approximately 24m complying with the Apartment Design Guide (ADG) and 18m from the neighbouring approved site at 5-9 Gordon Avenue.

The concept will be subject to a future design competition under clause 6.23 of the LEP which aims to deliver a high standard of architectural, landscape and sustainable design.

The planning proposal was accompanied by a site-specific DCP (**Attachment A5**) to guide development on the site.



Figure 22: North-south section from the Pacific Highway (source: Architectus)

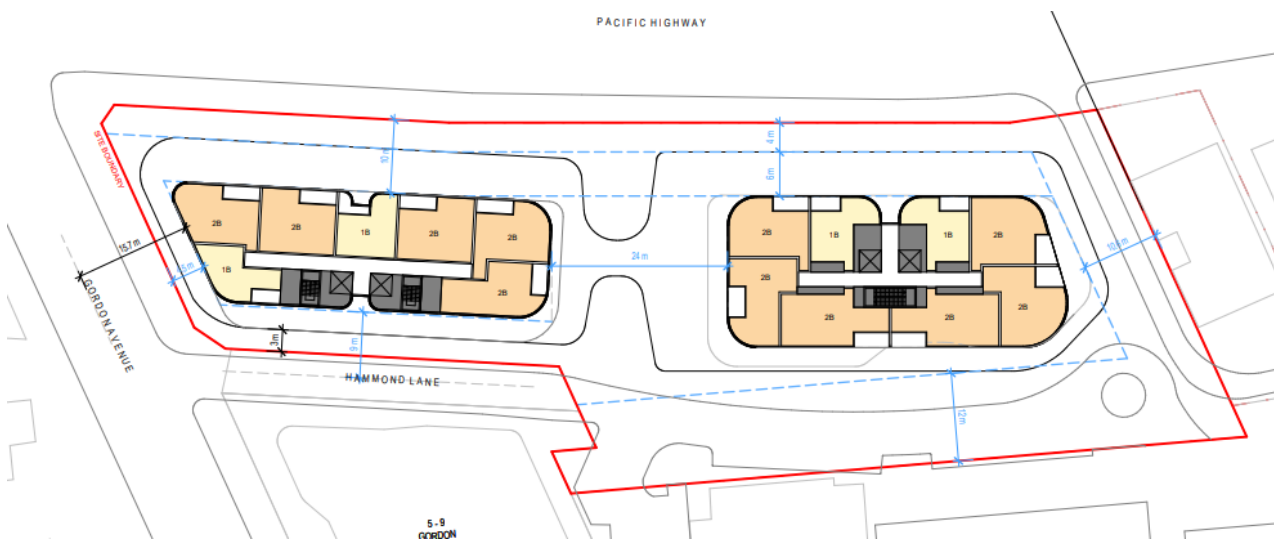


Figure 23: Plan view showing setbacks that comply with the requirements in the Chatswood CBD Strategy (source: Architectus)

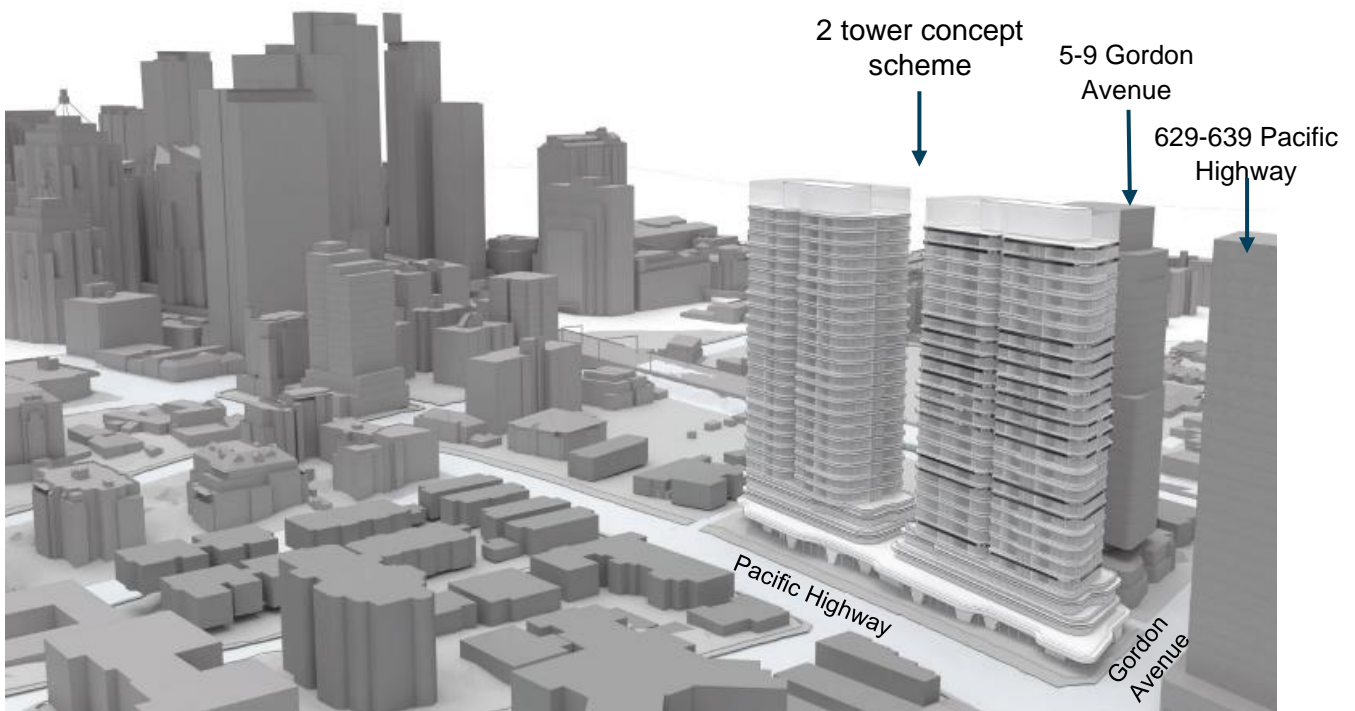


Figure 24: Birdseye view of the concept, looking north-east (source: Architectus)



Figure 25: View of the concept, looking north along the Pacific Highway (source: Architectus)



Figure 26: View of the concept, looking south along the Pacific Highway including the concept of the sites at 629-639 Pacific Highway and 613-627 Pacific Highway further south (source: Architectus)

4.2 Social and economic

The concept design shows that the development can deliver 319 residential apartments comprising of one, two and three bedrooms close to public transport options and services.

New retail and other services at ground level would contribute to the activation of the area.

Table 10 provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	<p>The planning proposal states that it will create positive social effects. The proposal will facilitate 319 new residential dwellings and contribute to the renewal of a strategically located site.</p> <p>The non-residential floorspace at ground level with landscaping will contribute to and encourage pedestrian activity.</p> <p>A variety of sizes of apartments will cater to a diversity of demographics and 4% of the accountable residential GFA will be dedicated to affordable housing.</p> <p>Council has updated their DCP to include Part L – Place Based Plans (Attachment B8). This includes a 'precinct' (Figure 27) which aims to facilitate pedestrian and cycle through site links to minimise traffic impacts.</p>
Economic	<p>The future development of the site will create employment during construction. The proposal will support 5,774m² of non-residential floorspace (commercial/retail/services) and provide additional employment and job diversity.</p>

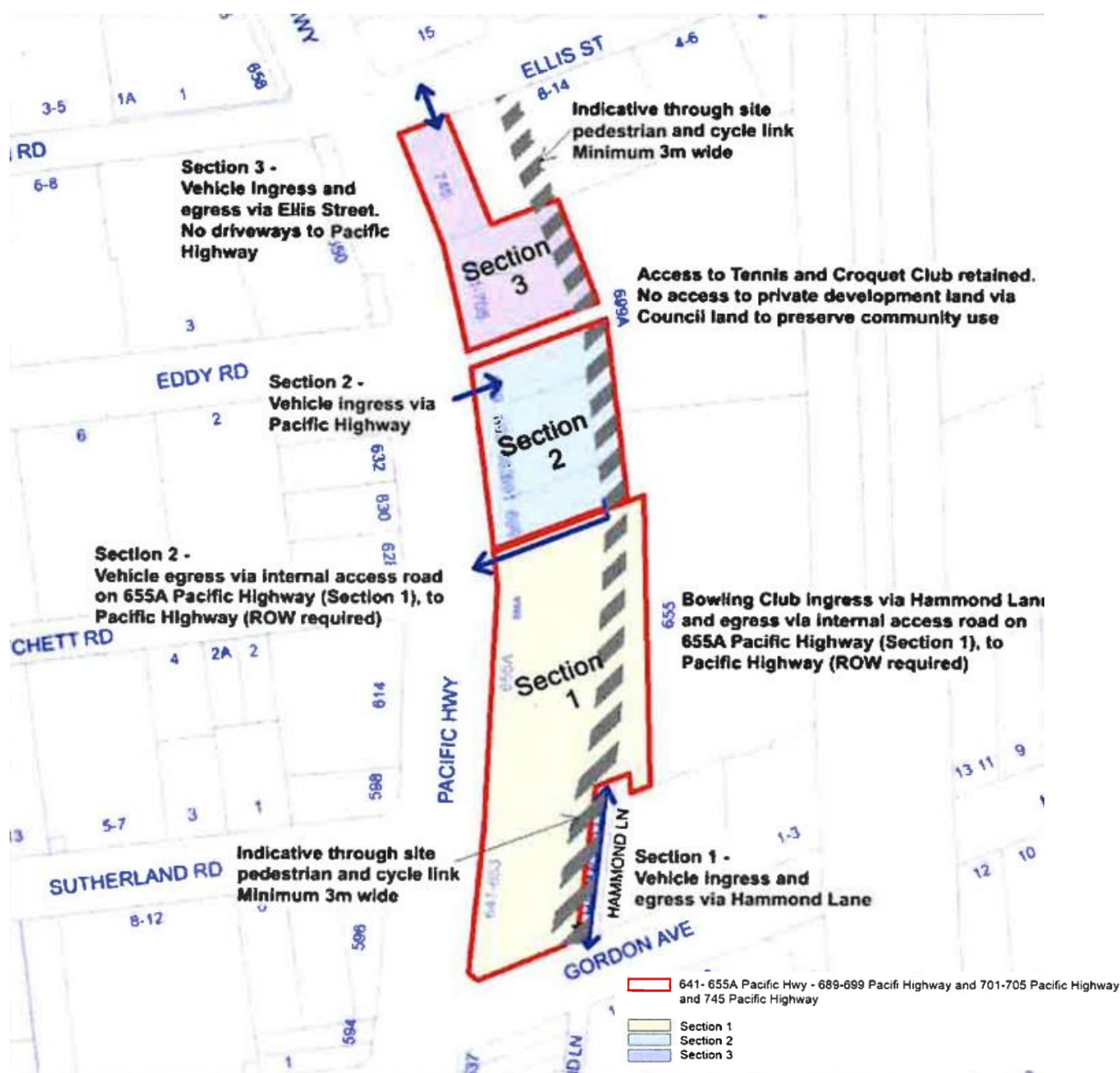


Figure 27: Precinct plan (source: Council)

4.3 Infrastructure

Table 11 provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
Public transport	The site is in accessible location well-connected to proposed and existing road and rail infrastructure. This includes the Pacific Highway, heavy rail, Metro and bus

	<p>services at the Chatswood Interchange approximately 500m north with links to other strategic centres and beyond.</p> <p>Bus services run along the Pacific Highway, with services to North Sydney, Manly and the Sydney CBD.</p> <p>The metro rail is proposed to be completed in 2024 with connections from Rouse Hill to Bankstown.</p> <p>No further public transport infrastructure will be required to support the proposed increase in development on the site.</p>
Utilities	<p>The site is within an established urban area with all services available for connection and/or extension to the proposed development.</p> <p>Further assessment of the site can be undertaken as part of a future DA. However, a Gateway condition will be included to refer the planning proposal to the relevant utility providers for comment.</p>
VPA	<p>A VPA letter of offer (Attachment A6) submitted with the planning proposal indicates that Community Infrastructure Contribution (CIC) has been offered at the rate of \$765m²Community Infrastructure can include streetscape improvements such as footpath widening, lighting, embellishment works to open space and drainage and stormwater management.</p> <p>Council has provided draft VPAs (Attachment B6) which includes the dedication of easements and a monetary contribution.</p> <p>The VPA is in addition to any local s7.11 and s7.12 contributions</p>

5 Consultation

5.1 Community

The planning proposal provides a community consultation period of 28 days.

A period of **20** working days is considered appropriate and will be a condition of the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW;
- Transport for NSW (Sydney Metro);
- Ausgrid;
- Sydney Water Corporation;
- NSW Department of Education including Schools Infrastructure NSW;
- NSW Health;
- Sydney Airport Corporation Limited (SACL);
- Airservices Australia; and

- Department of Transport, Infrastructure, Regional Development and Communications (DTIRDC).

6 Timeframe

The planning proposal provides an indicative project timeline with an anticipated completion date for the LEP amendment by August 2024.

The department's *LEP Plan Making Guideline* (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as standard.

The Department recommends a time frame of **9 months** to ensure it is completed in line with its commitment to reduce processing times and with regard to the benchmark timeframes.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the site/planning proposal is consistent with the relevant local and State strategic plans the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- it is generally consistent with the Local Housing Strategy, Local Strategic Planning Statement, Chatswood CBD Strategy and the approved Willoughby Comprehensive LEP Review planning proposal;
- it is generally consistent with the actions of the North District Plan by facilitating additional residential dwellings and commercial/retail floorspace, maximising public transport patronage and promoting employment growth in an accessible location;
- the increase in development controls is consistent with the desired character of this area of Chatswood and provides public benefits in a draft VPA.

Based on the assessment outlined in this report, the proposal must be updated before consultation to include an updated timeline based on the issuing of the Gateway determination.

The proponent's draft VPA (**Attachment A6**) and Council's amendment to the DCP (**Attachments B8**) should be exhibited concurrently with the planning proposal.

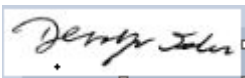
9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - indicate the number of expected additional dwellings and jobs that will be facilitated by the increase to the planning provisions;
 - provide shadow diagrams indicating the cumulative shadow impact to the proposal and the other approved planning proposals in the vicinity;

- refer to the new translated zones consistent with the department's Employment Zone Reform throughout the planning proposal and proposed mapping, For example, the B4 Mixed Use zone is now MU1 Mixed Use, B5 Business Development is now E2 Productivity Support. The site was R3 not B3;
 - refer to 'Area 5' on the Special Provisions Area (SPA) map as referring to Clause 6.23 Design excellence instead of 'Area 12';
 - indicate that the site will be subject to:
 - Schedule 1 (27) Use of certain land in Chatswood CBD 'Area 8' to permit development of residential flat buildings provided that the ground floor is used for non-residential purposes and provide at least 17% of GFA for non-residential uses;
 - Clause 6.25 Shop top housing in zone MU1 'Area 8'; and
 - Clause 6.16 Minimum lot sizes for commercial and mixed use development in Chatswood CBD
 - provide the following proposed mapping:
 - minimum Lot Size Map to show a lot size of 5,500m²;
 - updated mapping consistent with previously approved planning proposals. For example, all surrounding sites have affordable housing contribution rates applied and the site at 10 Gordon Avenue and 15-19 Nelson Street has been approved to rezone the land and increase the planning provisions;
 - Active Street Frontages Map to show the Pacific Highway, Hammond Lane and Gordon Avenue as active street frontages;
 - existing Special Provisions Area map to include reference to clause 6.16 Minimum lot sizes for commercial and mixed use development in Chatswood CBD 'Area 8' to require a minimum lot size of 1,200m² for mixed use development.
 - delivering integrated land use and transport planning and a 30-minute city should be revised to N12 consistent with the North District Plan not N2;
 - update the Ministerial Directions to provide an adequate consistency against:
 - address 4.1 Flooding;
 - address 4.4 Remediation of contaminated land; and
 - address 5.3 Development Near Regulated Airports and Defence Airfields;
 - provide an updated consistency against the following SEPPs:
 - SEPP (Housing) 2021 and remove reference to SEPP No 65 Design Quality of Residential Apartment Development; and
 - SEPP (Sustainable Buildings) 2022 and remove reference to SEPP (Building Sustainability Index: Basix) 2004.
 - provide an updated timeline based on the date of the Gateway determination.
2. It is recommended that Council's Part L – Place Based Plans in the Willoughby Development Control Plan be referenced in the planning proposal and exhibited with the planning proposal.
 3. Consultation is required with the following public authorities:
 - Transport for NSW;
 - Transport for NSW (Sydney Metro);
 - Ausgrid;
 - Sydney Water Corporation;
 - NSW Department of Education including Schools Infrastructure NSW;
 - NSW Health;

- Sydney Airport Corporation Limited (SACL);
 - Airservices Australia; and
 - Department of Transport, Infrastructure, Regional Development and Communications (DTIRDC).
4. The planning proposal should be made available for community consultation for a minimum of **20** working days.
 5. The planning proposal must be exhibited **3 months** from the date of the Gateway determination.
 6. The planning proposal must be reported to council for a final recommendation **6 months** from the date of the Gateway determination.
 7. The timeframe for completing the LEP is to be **9 months** from the date of the Gateway determination.



5/4/24

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