

URBIS

PLANNING PROPOSAL (AMENDED)

641 – 655 and 655A Pacific
Highway, Chatswood

Prepared for
**ONE GC CHATSWOOD PTY LTD (RECEIVERS AND
MANAGERS APPOINTED)**
24 May 2024

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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CONTENTS

| | | |
|------------|--|------------|
| 1. | Introduction | 1 |
| 1.1. | Overview | 1 |
| 1.2. | Amendments to the Original Planning Proposal | 1 |
| 1.3. | Report Structure | 3 |
| 1.4. | Accompanying Documentation | 3 |
| 2. | Site & Surrounding Context | 4 |
| 2.1. | Site Description | 4 |
| 2.2. | Easements on Title | 5 |
| 2.3. | Deed of Agreement with Chatswood Bowling Club | 8 |
| 2.4. | Surrounding Locality | 10 |
| 2.5. | Wider Context | 11 |
| 2.6. | Surrounding Road, Rail, and Bus Network | 11 |
| 2.7. | Chatswood CBD Planning Proposals | 12 |
| 2.8. | Photographic Review | 13 |
| 3. | Pre-Lodgement Consultation | 14 |
| 3.1. | Pre-Lodgement Meeting | 14 |
| 3.2. | Response to Council RFI | 27 |
| 4. | Existing Statutory Planning Context | 35 |
| 4.1. | Willoughby Local Environmental Plan 2012 | 35 |
| 4.2. | Comprehensive Willoughby LEP 2012 Amendment | 39 |
| 4.3. | Draft Citywide Development Control Plan | 42 |
| 5. | Indicative Development Outcome | 43 |
| 5.1. | Objective of Planning Proposal | 43 |
| 5.2. | Updated Indicative Reference Design | 43 |
| 5.3. | Indicative Reference Design Principles | 45 |
| 5.4. | Building Massing and Key Design Elements | 45 |
| 5.5. | Landscaping and Public Domain | 49 |
| 5.6. | Site Access | 52 |
| 6. | Planning Proposal Assessment | 53 |
| 7. | Part 1 - Objectives and Intended Outcomes | 54 |
| 7.1. | Intended Outcomes | 54 |
| 7.2. | Intended Objectives | 54 |
| 8. | Part 2 - Explanation of Provisions | 55 |
| 8.1. | Land to which the Plan will Apply | 55 |
| 8.2. | Proposed LEP Amendments | 55 |
| 9. | Part 3 – Justification | 56 |
| 9.1. | Section A - Need for the Planning Proposal | 56 |
| 9.2. | Section B - Relationship to Strategic Planning Framework | 64 |
| 9.3. | Section C - Environmental, Social, and Economic Impacts | 78 |
| 9.4. | Section D - State and Commonwealth Interests | 94 |
| 10. | Part 4 – Maps | 95 |
| 11. | Part 5 – Community Consultation | 99 |
| 12. | Part 6 – Project Timeline | 100 |
| 13. | Conclusion | 101 |
| 14. | Disclaimer | 102 |

FIGURES

| | |
|--|----|
| Figure 1 Site Location | 4 |
| Figure 2 Surrounding Context | 10 |
| Figure 3 Site Photographs | 13 |
| Figure 4 LEP Zoning Map | 35 |
| Figure 5 LEP Height of Buildings Map | 36 |
| Figure 6 LEP Floor Space Ratio Map | 37 |
| Figure 7 LEP Heritage Map | 38 |
| Figure 8 Typical Basement Level Layout | 45 |
| Figure 9 Ground Floor Layout | 46 |
| Figure 10 Podium Level 01 | 47 |
| Figure 11 Podium Level 02 | 47 |
| Figure 12 Typical Residential Floor Plan | 48 |
| Figure 13 Rooftop (Level 25) | 48 |
| Figure 14 Public Domain and Ground Floor | 49 |
| Figure 15 Hammond Lane Share-Way | 50 |
| Figure 16 Podium Landscaping | 50 |
| Figure 17 Level 03 | 51 |
| Figure 18 Rooftop Gardens | 52 |
| Figure 19 Maximum Building Height | 79 |
| Figure 20 Tower Form Setbacks | 80 |
| Figure 21 Shadow Impacts | 84 |
| Figure 22 Visual Impact from Pacific Highway | 85 |
| Figure 23 View Two: Pacific Highway | 85 |
| Figure 24 View Three: Critchett Road | 86 |
| Figure 25 View Four: Sutherland Street | 87 |
| Figure 26 View Five: Chatswood Oval and Park | 87 |
| Figure 27 Proposed LEP Mapping Amendments – Land Use Zoning | 95 |
| Figure 28 Proposed LEP Mapping Amendments – FSR | 96 |
| Figure 29 Proposed LEP Mapping Amendments – Height of Buildings | 96 |
| Figure 30 Proposed LEP Mapping Amendment – Minimum Lot Size | 97 |
| Figure 31 Proposed LEP Mapping Amendment – Affordable Housing | 97 |
| Figure 32 Proposed LEP Mapping Amendment – Active Street Frontages | 98 |
| Figure 33 Proposed LEP Mapping Amendment – Special Provisions | 98 |

PICTURES

| | |
|--|----|
| Picture 1 Eastern boundary facing Bowling Club | 13 |
| Picture 2 Northern boundary from Pacific Highway | 13 |
| Picture 3 North-eastern corner | 13 |
| Picture 4 Hammond Lane access to Gordon Avenue | 13 |
| Picture 5 Chatswood Bowling Club | 13 |
| Picture 6 South-east corner of site | 13 |
| Picture 7 9am | 84 |

| | |
|---|----|
| Picture 8 11am..... | 84 |
| Picture 9 1pm..... | 84 |
| Picture 10 3pm..... | 84 |
| Picture 11 Existing View | 85 |
| Picture 12 Proposed View | 85 |
| Picture 13 Existing View | 85 |
| Picture 14 Proposed View | 85 |
| Picture 15 Existing View | 86 |
| Picture 16 Proposed View | 86 |
| Picture 17 Existing View | 87 |
| Picture 18 Proposed View | 87 |
| Picture 19 Existing View | 87 |
| Picture 20 Proposed View | 87 |
| Picture 21 Existing Land Zoning Map..... | 95 |
| Picture 22 Proposed Land Zoning Map..... | 95 |
| Picture 23 Existing FSR Map..... | 96 |
| Picture 24 Proposed FSR Map..... | 96 |
| Picture 25 Existing Height of Building Map..... | 96 |
| Picture 26 Proposed Height of Building Map..... | 96 |

TABLES

| | |
|--|-----|
| Table 1 Planning Proposal Documentation | 3 |
| Table 2 Site Description..... | 4 |
| Table 3 Strata Plan 12238 | 5 |
| Table 4 Strata Plan 57067 | 5 |
| Table 5 Obligations between the Proponent and Chatswood Bowling Club | 8 |
| Table 6 Chatswood CBD Planning Proposals | 12 |
| Table 7 Response to Council's Pre-Lodgement Meeting Minutes | 14 |
| Table 8 Response to Council's RFI (1 August 2023) | 32 |
| Table 9 Zone R3 Objectives and Permissibility | 35 |
| Table 10 Consistency with Comprehensive LEP Amendment..... | 40 |
| Table 11 Reference Design Parameters | 44 |
| Table 12 Consistency with the Willoughby LSPS..... | 56 |
| Table 13 Consistency with Chatswood CBD Strategy | 59 |
| Table 14 Assessment against LEP Making Guideline..... | 64 |
| Table 15 Assessment against Greater Sydney Region Plan | 65 |
| Table 16 Consistency with North District Plan | 69 |
| Table 17 Consistency with State Environmental Planning Policies | 71 |
| Table 18 Assessment against Section 9.1 Directions | 73 |
| Table 19 ADG Compliance Assessment | 82 |
| Table 20 Compliance with Solar Access Provisions | 83 |
| Table 21 Project Timeline..... | 100 |

1. INTRODUCTION

1.1. OVERVIEW

This report has been prepared by Urbis Ltd on behalf of One GC Chatswood Pty Ltd (Receivers and Managers Appointed) (**the Proponent**) to initiate a planning proposal request to Willoughby City Council (**Council**) to amend the Willoughby Local Environmental Plan 2012 (**LEP**) in relation to 641 – 655 and 655A Pacific Highway, Chatswood (**the site**).

The planning proposal seeks to amend the planning controls that apply to the site under the LEP as follows:

- Rezone the site from R3 Medium Density Residential to MU1 Mixed Use.
- Amend the maximum building height development standard from 12 metres to 90 metres.
- Amend the maximum floor space ratio (**FSR**) development standard from 0.9:1 to 6:1.
- Identify the site on the LEP Affordable Housing Map such that clause 6.8 (*Affordable housing*) applies. This clause requires development for the erection of residential accommodation to provide affordable housing dwellings (or payment of a monetary contribution to the consent authority) equivalent to 4% of the accountable total floor space (being the residential accommodation component).
- Identify the site on the LEP Special Provisions Area Map as “Area 5” such that clause 6.23 (*Design excellence at certain sites at Willoughby*) applies. This clause requires development involving the erection of a new building to deliver the highest standard of architectural, urban, and landscape design. For a building that is, or exceeds, 35 metres above ground level (existing), an architectural design competition is to be held in relation to the development.

The objective of the planning proposal is to amend the planning controls that apply to the site under the LEP to align with the vision, objectives, key elements, and built form parameters of the *Chatswood CBD Planning and Urban Design Strategy to 2036* (**Chatswood CBD Strategy**). The planning proposal also aligns with Council’s recent amendment to the LEP as gazetted on 30 June 2023 (**Comprehensive LEP amendment**).

The planning proposal is supported by an indicative reference design (as amended) which illustrates how the built form, land use distribution, car parking, and service access can be accommodated within a building envelope, subject to the planning control changes proposed by this planning proposal request.

The planning proposal request has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (**EP&A Act**) and Environmental Planning and Assessment Regulation 2021 (**Regulations**) and has regard to guidelines published by the NSW Department of Planning, Housing, and Infrastructure (**DPHI**) including the *Local Environmental Plan Making Guideline* (**LEP Making Guideline**) (August 2023).

The planning proposal exhibits strategic and site-specific merit, promotes the orderly, economic, and efficient use of land, and is consistent with the Chatswood CBD Strategy. Accordingly, it is recommended that Council resolves to support this request for a site-specific planning proposal, endorses the amendments to the LEP, and forwards this request to DPHI for Gateway Determination under section 3.33 of the EP&A Act.

1.2. AMENDMENTS TO THE ORIGINAL PLANNING PROPOSAL

Since the original submission of the planning proposal in March 2022, the Proponent has held ongoing consultation with Council and Transport for NSW (**TfNSW**) regarding the indicative reference design. The Proponent has received requests for additional information (**RFIs**) from Council and TfNSW, as follows:

- 2 June 2022 – Council request for additional information (RFI #1)
- 26 August 2022 – Council request for additional information (RFI #2)
- 28 November 2022 – Council request for additional information (RFI #3)
- 9 March 2023 – TfNSW advice outlining recommendations for the internal access arrangement
- 24 March 2023 – Council request for additional information (incorporating TfNSW advice) (RFI #4)
- 1 August 2023 – Council request for additional information (RFI #5)

1.2.1. Response Council's RFI #4 – 24 March 2023

Upon receipt of Council's RFI dated 24 March 2023, the Proponent undertook design revisions and updates to the indicative reference scheme. The below summarises amendments to the indicative reference scheme:

- Revised vehicle access arrangement comprising the following:
 - All traffic associated with the development site to enter and exit via Hammond Lane;
 - Entry to the proposed basement car park from the southern residential building;
 - Vehicles associated with the Chatswood Bowling Club to enter and exit the development site via Gordon Avenue (via Hammonds Lane);
 - Vehicles to enter and exit the Chatswood Bowling Club along Hammond Lane, with private basement car parking to be provided underneath the bowling green (subject to a future development approval);
 - Construction of a new turning bay at the northern end of Hammond Lane (within the subject site);
 - Closing off vehicle access to land to the north and Hammond Lane egress to Pacific Highway;
 - Establishment of a publicly accessible right of way pedestrian zone along Hammond Lane; and
 - Separated podium providing open trough site link connecting Pacific Highway and Hammond Lane.
- Revised landscaping and public domain design; and
- Relocation of the loading dock to the basement and removing the turn table.

The amended indicative reference design comprises a mixed-use residential development for:

- Basement car parking (providing car parking spaces, waste and plant areas, and a loading dock);
- Three-storey podium comprising:
 - Ground level: split podium to provide an east west through site link, non-residential floor space, vehicle access to basement, lobby entries, back-of-house areas, stairwells, and lift cores;
 - Level 01: non-residential floor space, communal open space, stairwells, and lift cores;
 - Level 02: non-residential floor space, stairwells, and lift cores;
- A 23-storey residential flat building (Tower 1) containing residential apartments (one-, two-, and three-bedroom units) at Levels 03 – 24 and residential amenity at Level 25;
- A 23-storey residential flat building (Tower 2) containing residential apartments (one-, two-, and three-bedroom units) at Levels 03 – 24 and residential amenity at Level 25; and
- Public domain works, including embellishment (and continuation) of Hammond Lane, perimeter landscaping, vehicular turning bay, and pedestrian right of way zone along Hammond Lane.

On 27 June 2023, the Proponent submitted a formal response to Council's RFI (dated 24 March 2023).

1.2.2. Response to Council's RFI #5 – 1 August 2023

This amended planning report and the supporting documentation provides a consolidated response to Council's latest RFI (dated 1 August 2023) in relation to the following matters:

1. Alignment with Willoughby Local Environmental Plan 2012 (Amendment 34) gazetted on 30 June 2023;
2. Alignment with the Willoughby Development Control Plan, which came into force 31 July 2023;
3. Updates to indicative concept design (Hammond Lane setbacks and consistency with landscape plans);
4. Consideration of car parking for the Chatswood Bowling Club;
5. Identification of ground level areas to be subject of rights of way; and
6. Public benefits letter of offer.

1.3. REPORT STRUCTURE

Pursuant to section 3.33 of the EP&A Act, this planning proposal is structured to provide the following:

- Overview of the site history, description of the site and its context;
- Outline of the statutory and strategic planning context;
- Description of the proposed vision and indicative concept;
- Description of the proposed amendment to the LEP and intended effects of the amendments;
- Statement of the objectives and intended outcomes of the proposal;
- Explanation of the provisions that are to be included in the LEP;
- Summary of the justification of the proposal, including an environmental assessment;
- Description of the community consultation process that would be expected to be undertaken before consideration is given to making of the planning instrument;
- Indicative project timeline; and
- Conclusion and justification.

1.4. ACCOMPANYING DOCUMENTATION

The planning proposal is accompanied by the following documentation.

Table 1 Planning Proposal Documentation

| Document | Consultant | Appendix |
|---------------------------------------|-------------------------------------|----------|
| Council Pre-Lodgement Meeting Minutes | - | A |
| Draft Site-Specific DCP | Urbis | B |
| Survey Plan | Survey Plus | C |
| Urban Design Report | Architectus | D |
| Public Domain and Landscape Drawings | Taylor Brammer Landscape Architects | E |
| Heritage Impact Statement | Urbis | F |
| Traffic Impact Assessment | The Transport Planning Partnership | G |
| Acoustic Report | Resonate Consultants | H |
| Tree Constraints Report | Naturally Trees | I |
| Pedestrian Wind Assessment | RWDI Australia Pty Ltd | J |
| LEP Mapping | Urbis | K |
| Certificates of Title | - | L |
| Contamination Report | JK Environments | M |
| Geotechnical Report | JK Environments | N |
| Planning Agreement Letter of Offer | Addisons | O |
| Employment Advice | Urbis | P |

2. SITE & SURROUNDING CONTEXT

2.1. SITE DESCRIPTION

The planning proposal relates to 641 – 655 and 655A Pacific Highway, Chatswood (**the site**).

The site is within the Chatswood Central Business District (**CBD**) of Willoughby City Local Government Area (**LGA**) and is approximately 5.2 km from North Sydney CBD and 9.5km from Sydney CBD.

The site comprises two amalgamated allotments with a total area of 5,772 sqm (measured to site survey).

Table 2 Site Description

| Address | Legal Description | Area | Existing Improvements |
|---------------------------|-------------------|-----------|---|
| 641 – 655 Pacific Highway | Strata Plan 12238 | 1,570 sqm | <ul style="list-style-type: none"> Three-storey residential flat building (and basement). |
| 655A Pacific Highway | Strata Plan 57067 | 4,202 sqm | <ul style="list-style-type: none"> Three-storey residential flat building (and basement). Single-way concrete driveway (extension of Hammond Lane) with left-out exit onto Pacific Highway. The driveway provides 41 car parking spaces and access dedicated to the Chatswood Bowling Club. |

Figure 1 Site Location



Source: Urbis

The site presents the following frontages:

- **West-facing** (primary): to Pacific Highway (a State classified road and major north-south arterial link).
- **North facing** (side): to residential flat buildings and detached dwellings fronting Pacific Highway.
- **East-facing** (rear): to Hammond Lane (a 5.2 metre wide, single-way lane driveway) beyond which is the Chatswood Bowling Club and a four-storey residential flat building (at 5-9 Gordon Avenue).
- **South-facing** (side): to Gordon Avenue, beyond which is light industrial uses fronting Pacific Highway.

2.2. EASEMENTS ON TITLE

Strata Plan 12238 (641-655 Pacific Highway)

The Certificate of Title (at **Appendix L**) identifies the easements, rights, restrictions, and covenants that burden and benefit SP12238 (underlined by Lot 1 in DP590952). These are detailed in **Table 3**.

Table 3 Strata Plan 12238

| Strata Plan 12238 | | Detail |
|------------------------|----------|---|
| First Schedule | | |
| The Owners | | Strata Plan No. 12238 Address: Locked Bag 1919, St Leonards 1590 |
| Second Schedule | | |
| 1 | | Reservations and conditions in the Crown grant(s) |
| 2 | AM180220 | Consolidation of registered by-laws |

Strata Plan 57067 (655A Pacific Highway)

The Certificate of Title (at **Appendix L**) confirms the easements, rights, restrictions, and covenants that burden and benefit SP57067 (refer to **Table 4**). SP57067 is created by the subdivision of DP861346:

- Lot 1 in DP861346 – being 655A Pacific Highway (the land to which this planning proposal relates); and
- Lot 2 in DP861346 – being the Chatswood Bowling Club.

Table 4 Strata Plan 57067

| Strata Plan 57067 | | Detail |
|------------------------|---------|--|
| First Schedule | | |
| The Owners | | Strata Plan No. 57067 Address: Independent Unit Management, 227-229 George Street, Liverpool 2170 |
| Second Schedule | | |
| 1 | | Reservations and Conditions in the Crown grant(s) |
| 2 | J663187 | Covenant |
| 3 | J663188 | Covenant |

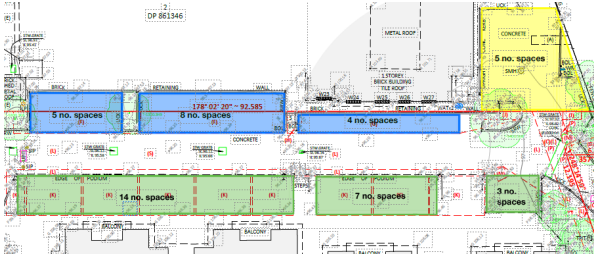
| Strata Plan 57067 | | Detail |
|-------------------|----------|--|
| 4 | J663185 | Covenant |
| 5 | J663185 | Easement for sewerage purposes 1.22 wide & variable affecting the part shown so burdened in the title diagram |
| 6 | S368659 | Right of carriageway appurtenant to the land above described affecting the land shown so burdened in DP861346 |
| 7 | DP861346 | Easement for services 1.0 wide affecting the part shown so burdened in the title diagram |
| 8 | DP861346 | Easement to drain water 3.5 & 2.0 wide appurtenant to the land above described |
| 9 | DP861346 | Easement for carparking 3.0 wide affecting the part shown so burdened in the title diagram [Denoted (H) on Strata Plan 57067 = indicative 13 parking spaces dedicated to the Chatswood Bowling Club] |
| 10 | DP861346 | Easement for carparking 2.5 wide affecting the part shown so burdened in the title diagram [Denoted (I) on Strata Plan 57067 = indicative 4 parking spaces dedicated to the Chatswood Bowling Club] |
| 11 | DP861346 | Right of footway 2.0 wide affecting the part shown so burdened in the title diagram |
| 12 | DP861346 | Easement for carparking 1.1 wide affecting the part shown so burdened in the title diagram |
| 13 | DP861346 | Easement for carparking 5.4 wide affecting the part shown so burdened in the title diagram [Denoted (E) on Strata Plan 57067 = indicative 24 parking spaces dedicated to the Chatswood Bowling Club] |
| 14 | DP861346 | Right of carriageway 3.5 & 5.8 wide & variable width affecting the part shown so burdened in the title diagram |
| 15 | DP861346 | Easement for support 1.5 wide affecting the part shown so burdened in the title diagram |
| 16 | DP861346 | Easement for signage variable width affecting the part shown so burdened in the title diagram |
| 17 | DP861346 | Restriction(s) on the use of land |
| 18 | 3817558 | Right of footway 1.5 wide appurtenant to the land above described affecting the land shown so burdened in DP268643 |
| 19 | DP268846 | Easement for drainage of water variable width limited in height to RL 100.35 (AHD) affecting the part(s) shown so burdened in DP268846 |
| 20 | DP268846 | Easement for services 2 wide affecting the part(s) shown so burdened in DP268846 |
| 21 | DP268846 | Easement for drainage of water 3 wide appurtenant to the land above described |

| Strata Plan 57067 | | Detail |
|-------------------|----------|---|
| 22 | DP268846 | Easement for drainage of water variable width limited in height to RL 98.2 (AHD) affecting the part shown so burdened in DP268846 |
| 23 | DP268846 | Positive covenant |
| 24 | AP664262 | Consolidation of registered by-laws |

2.3. DEED OF AGREEMENT WITH CHATSWOOD BOWLING CLUB

The Proponent has identified the principal obligations between themselves and the Chatswood Bowling Club. **Table 5** details these obligations and describes how they are addressed by the planning proposal.

Table 5 Obligations between the Proponent and Chatswood Bowling Club

| Obligation | | Planning Proposal Response |
|---------------------------------|---|---|
| Car Parking | | |
| General | <p>The Chatswood Bowling Club (CBC) has property rights over 41 car parking spaces, either partly or wholly within the subject site. These are illustrated in the diagram below.</p>  <p>The deed between the Proponent and CBC requires:</p> <ul style="list-style-type: none"> 17 of these spaces are to be maintained during construction (currently located on the eastern boundary of the site); and 18 of the remaining 24 spaces (on the western side of the Right of Way) are to be temporarily accommodated elsewhere during construction. <p>The deed between the Proponent and the CBC covers the obligations of both parties.</p> | <p>The revised indicative reference design provides a minimum of 41 car parking spaces in a basement car park under the Chatswood Bowling Club and at ground level. This provision replaces the 41 at grade car parking spaces to be removed to accommodate the upgrades to Hammond Lane.</p> <p>Vehicles will enter the Chatswood Bowling Club along Hammond Lane from Gordon Avenue, to the private basement car park (subject to approval pursuant to a future development application).</p> |
| Licenced car parks | These are the 24 car parking spaces located on the western side of the existing Right of Way. | Noted |
| Restored property rights | This obligation requires the restoration of 24 car parking spaces located on the western side of the existing right of way. With respect to the access and egress, these spaces must be restored in the current locations (or immediately proximate to the current locations) and to the current widths (as identified on the Survey Plan). The spaces must be restored to the same grades and at least the same size as the current spaces (at the Proponent's cost). The Proponent will ensure that these spaces do not attract any strata or other levies or expenses. | The revised indicative reference design provides a minimum of 41 car parking spaces in a basement car park under the Bowling Club and at ground level. The Chatswood Bowling Club has given the Proponent in-principle agreement to this arrangement. |
| Parking and access | <p>This obligation requires (during construction):</p> <ul style="list-style-type: none"> the preservation of a minimum 17 spaces (in the current location on the eastern boundary of the site); | A future detailed DA will be supported by an Alternate Access and Egress Traffic Management Plan to identify: |

| Obligation | | Planning Proposal Response |
|--|--|--|
| | <ul style="list-style-type: none"> the creation of a minimum of 16 spaces (plus 2 compromised spaces / access zones); and access to and egress from the Club Property. | <ul style="list-style-type: none"> the location and management of spaces to be maintained during construction and created temporarily; and access and egress arrangements to the Club during construction works. |
| Alternate access and egress Traffic Management Plan | This obligation requires the Proponent's traffic engineer to prepare an Alternate Access and Egress Traffic Management Plan (peer reviewed by the CBC's traffic engineer) to facilitate the safest and most efficient means of access to and egress from the CBC during construction and following works approved by Council. | The Proponent agrees to prepare an Alternate Access and Egress Traffic Management Plan to describe safe and efficient means of access to and egress from the Bowling Club during construction and following any development works approved by Council. |
| Amenity | | |
| Overshadowing | This obligation requires no additional and material overshadowing of any of the bowling greens between the hours of 9:00 am to 3.00pm. | The indicative reference design presents a chamfered building envelope above the podium in order to retain solar access to the Bowling Club until 3pm midwinter. |
| Wind | This obligation requires no significant or materially detrimental increase in the wind speed and pressure experienced on any bowling green by reason of the form of an approved development in accordance with AS 1170.2 or such standard as may apply from time to time. | A future DA will be supported by a detailed wind assessment to assess wind and pressure impacts to the Bowling Club as a consequence of the proposed development (in accordance with AS 1170.2 or such standard). The methodology for this assessment is described in the Wind Assessment (at Appendix J). |
| Artificial reflectivity of light | This obligation requires no significant or materially detrimental additional artificial reflectivity of light on any bowling green, or the CBC clubhouse caused by external treatment of any part of an approved development in accordance with Objective 4A-3 of the Apartment Design Guide or such standards as may apply from time to time. | A future DA will be supported by a reflectivity study to assess the potential impacts of artificial reflectivity of light to the Bowling Club as a consequence of the proposed development. |

2.4. SURROUNDING LOCALITY

2.4.1. Immediate Context

The site occupies a prominent location on the corner of the Pacific Highway and Gordon Avenue, within the southern part of the Chatswood CBD. The surrounding area is described as follows:

- **North:** To the north, the site adjoins a concrete driveway which extends from Hammond Lane and vehicle access from the Chatswood Bowling Club to Pacific Highway. The northern boundary interfaces land zoned R3 Medium Density Residential, characterised by four storey residential flat buildings and low density dwellings fronting Pacific Highway. Further north, land is zoned R4 High Density Residential. It is anticipated that this land will be rezoned to MU1 Mixed Use aligned with the Chatswood CBD Strategy.
- **East:** To the east, land is characterised by the Chatswood Bowling Club and existing residential flat buildings fronting Gordon Avenue. Further east of the site is the North Shore railway line.
- **South:** To the south, the site adjoins Gordon Avenue. This road provides left-in-left-out vehicle access to the Pacific Highway. To the south-east, land is zoned R3 Medium Density Residential zone, and characterised by four storey residential flat buildings and detached dwellings.
- **West:** Land to the west beyond the Pacific Highway is zoned R3 Medium Density Residential zone and is characterised by a diversity of residential flat apartments and low density detached dwellings.

The surrounding context is indicated in **Figure 2** below.

Figure 2 Surrounding Context



Source: Urbis

2.5. WIDER CONTEXT

The Chatswood CBD is generally characterised by a mix of commercial land uses, office premises, major retail facilities and high density residential land uses. The primary transport hub is the Chatswood Metro and Train Station, a modern rail and bus interchange which provides direct connections to the Sydney CBD and other strategic centres throughout Metropolitan Sydney. The commencement of the Metro City and Southwest link in 2024 (with a new platform at Chatswood Station) will increase public transport connectivity.

2.6. SURROUNDING ROAD, RAIL, AND BUS NETWORK

Rail Network

The site is approximately 500 metres (walking distance) south of Chatswood railway station. Trains connecting Chatswood station and the Sydney CBD provide a frequent and quick service. The train line also connects residents and workers to northern suburbs (including Hornsby) and Parramatta in the west.

Sydney Metro

Sydney Metro is Australia's largest public transport project, delivering 31 Metro stations between Rouse Hill in the north west and Bankston in the south west. The site is approximately 500 metres from the Chatswood Metro station. The Metro Station currently provides services to Macquarie Park and Epping. The Chatswood to Sydenham component of Sydney Metro City & Southwest will connect Chatswood to the Sydney CBD and beyond out to Sydenham. Early works for this component of the Metro service began in March 2017, with service operation set to commence in 2024. Trains will depart every 4 minutes, connecting Chatswood to the CBD in 10 minutes. The Metro will provide much needed infrastructure to revitalise the area, generate a night time economy, and increase connectivity to nearby strategic centres within the global economic arc.

Road Network

The site has a primary (west-facing) frontage to the Pacific Highway, which is a State classified road and a major traffic corridor. The Pacific Highway is a six-lane, two-way road which connects Sydney's north and north-western suburbs to North Sydney and links the Bradfield Highway and Cahill Expressway to the CBD.

Bus Services

Multiple high frequency bus routes run along the Pacific Highway. These provide services throughout the day and express services operating during peak periods and connect the site with the North Sydney CBD, Sydney CBD, Bondi Junction, Gladesville, Lane Cove, Chatswood, Ryde, Kingsford, and Botany.

2.7. CHATSWOOD CBD PLANNING PROPOSALS

A number of planning proposals have been submitted to rezone and amend development standards on land within the Chatswood CBD and extended CBD boundary to align with the Chatswood CBD Strategy. A summary of planning proposals in the immediate vicinity of the site is provided in **Table 6** below.

Table 6 Chatswood CBD Planning Proposals

| Address | Zoning | Height | FSR | Status |
|--|----------------------------|---|--|----------------------------|
| 629-639 Pacific Highway, Chatswood | Proposed: MU1 Mixed Use | Existing: 20m Proposed: 90m | Existing: 2.5:1 Proposed: 6:1 | Finalised 7 October 2022 |
| 753 Pacific Highway and 15 Ellis Street, Chatswood | Proposed: MU1 Mixed Use | Existing: 34m Proposed: 90m | Existing: 1.7:1 Proposed: 6:1 | Finalised 5 May 2022 |
| 5-9 Gordon Avenue, Chatswood | Proposed: MU1 Mixed Use | Existing: 12m Proposed: 90m | Existing: 0.9:1 Proposed: 6:1 | Finalised 25 March 2022 |
| 613-627 Pacific Highway, Chatswood | Proposed: MU1 Mixed Use | Existing: 20m Proposed: 90m | Existing: 2.5:1 Proposed: 6:1 and non-residential 1:1 | Finalised 25 March 2022 |
| 44-52 Anderson Street, Chatswood | Proposed: MU1 Mixed Use | Existing: 12m Proposed: Part 90m, part 53m | Existing: 0.9:1 Proposed: 5:1 | Finalised 2 August 2022 |
| 58 Anderson Street, Chatswood | Proposed: MU1 Mixed Use | Existing: 8.5m Proposed: 90m | Existing: 0.4:1 Proposed: 4:1 | Finalised 4 March 2022 |
| 871-877 Pacific Highway, Chatswood | Proposed: MU1 Mixed Use | Existing: 21m Proposed: 90m | Existing: 2.5:1 Proposed: 6:1 | Finalised 6 May 2022 |
| 65 Albert Avenue, Chatswood | n/a | Existing: 27m Proposed: RL 192.9 | Existing: 2.5:1 Proposed: 11.11:1 | Finalised 30 August 2021 |
| 9-11 Nelson Street, Chatswood | Proposed: MU1 Mixed Use | Existing: 12m Proposed: 90m | Existing: 0.9:1 Proposed: 6:1 | Finalised 11 November 2022 |

2.8. PHOTOGRAPHIC REVIEW

Figure 3 provides a photographic review of the site and the surrounding context.

Figure 3 Site Photographs



Picture 1 Eastern boundary facing Bowling Club



Picture 2 Northern boundary from Pacific Highway



Picture 3 North-eastern corner



Picture 4 Hammond Lane access to Gordon Avenue



Picture 5 Chatswood Bowling Club

Source: Architectus



Picture 6 South-east corner of site

3. PRE-LODGE MENT CONSULTATION

3.1. PRE-LODGE MENT MEETING

On 21 January 2022, Urbis, on behalf of the applicant, submitted a pre-lodgement request to Council. The pre-lodgement package comprised:

- A scoping report prepared by Urbis; and
- Concept architectural plans prepared by Architectus.

The purpose of the submission was to provide Council officers with an opportunity to review the planning proposal and concept architectural scheme in advance of a formal pre-lodgement meeting and feedback.

On 2 February 2022, the applicant and representatives of the project team held a pre-lodgement (virtual) meeting with Council officers. The purpose of the meeting was for the applicant and project team to provide an overview of the intended objectives and outcomes of the planning proposal and to present the indicative concept design for a future building envelope and mixed-use residential development on the site.


On 18 February 2022, the applicant received Council's pre-lodgement meeting minutes (refer **Appendix A**). The minutes and feedback were generally positive and consistent with the discussions during the meeting.

Table 7 summarises the key issues identified in the pre-lodgement meeting minutes and provides a detailed response as to how the planning proposal and indicative reference scheme have addressed these matters.

Table 7 Response to Council's Pre-Lodgement Meeting Minutes

| Issue | Consideration and Officer Comments | Response |
|--|---|---|
| 1. Relationship to strategic planning framework | <p><i>The Planning Proposal will require justification with sufficient detail to demonstrate:</i></p> <ul style="list-style-type: none"> ▪ consistency with the Greater Sydney Region Plan and the North District Plan; ▪ consistency with local strategic planning documents - in particular the Local Strategic Planning Statement, the Chatswood CBD Planning and Urban Design Strategy (referred to in these notes as the CBD Strategy) and the Integrated Transport Strategy; ▪ consistency with directions from DPE in regards the CBD Strategy. | <p>Section 9 demonstrates the consistency and compliance of the planning proposal with the strategic planning framework, in particular:</p> <ul style="list-style-type: none"> ▪ Sydney Region Plan (Table 14); ▪ North District Plan (Table 15); ▪ Willoughby LSPS (Table 11); and ▪ Chatswood CBD Strategy (Table 12). |
| | <p><i>The strategic merit in exploring a mixed use development on this site is recognized.</i></p> <p><i>The site is located close to public transport.</i></p> <p><i>Any variations to the CBD Strategy requirements are not encouraged.</i></p> | <p>The proposal demonstrates strategic merit insofar as it is consistent with the aims, objectives, and planning priorities of the relevant strategic planning framework and does not seek variations to the CBD Strategy.</p> |
| 2. CBD boundary | <p><i>The site is located within the Chatswood CBD - in an expanded section of the CBD under the CBD Strategy.</i></p> | <p>Noted.</p> |

| Issue | Consideration and Officer Comments | Response |
|--|---|--|
| 3. Chatswood Bowling Club (CBC) | <p><i>All documentation involving the rights that the CBC has over the subject site is to be provided at Planning Proposal stage.</i></p> <p><i>The abovementioned rights of the CBC are to be listed in a table and individually addressed by the proponent in regards how they are approached in the Planning Proposal.</i></p> <p><i>Where relevant, proposed solutions regarding the CBC are to be clearly shown in the Concept plans (and cross referenced in the table).</i></p> <p><i>Particular issues for Council in regards the CBC:</i></p> <ul style="list-style-type: none"> ▪ <i>Existing and proposed pedestrian and vehicle access.</i> ▪ <i>Existing and proposed at grade parking, and overall parking.</i> ▪ <i>Any proposed improvements or benefits to the CBC as a result of the Planning Proposal.</i> ▪ <i>The balance on the subject site between landscaping and softening the interface with the CBC along that boundary and addressing the rights of the CBC.</i> | <p>Tables 3 and 4 identify the easements, rights, restrictions, and covenants that burden and benefit the two allotments.</p> <p>Table 4 identifies the easements, rights, restrictions, and covenants that affect the site as burdened by the Chatswood Bowling Club. Table 5 summarises the principal obligations between the Proponent and the Chatswood Bowling Club and details how the planning proposal addresses these obligations.</p> |
| 4. Land use | <p><i>The proposal shows a non-residential component of 1:1. This is consistent with the CBD Strategy in regards land use, where a minimum 1:1 commercial (or non-residential) component is required.</i></p> <p><i>The 1:1 floor space is to be clearly identified on plan.</i></p> <p><i>It is requested that ground level floor space be maximized in achieving the 1:1 commercial (or non-residential) component.</i></p> <p><i>It is noted that a 107 sqm residential component is proposed on Level 1 (between two fully non-residential levels) – please provide an explanation for this space on this level for Council’s consideration.</i></p> | <p>Future development will be subject to the provisions of clause 6.25 (<i>Shop top housing in Zone MU1</i>) and Schedule 1(27) (<i>Use of certain land in Chatswood CBD</i>) (“Area 8”) of the LEP. These clauses provide that development consent for the purposes of shop top housing on land in Zone MU1 Mixed Use must not be granted unless the consent authority is satisfied at least 17% of the GFA of the building will be used for non-residential purposes.</p> <p>The reference design provides 5,772 sqm non-residential floor space (GFA) at ground and podium levels (equating to 17% of the total GFA of the building).</p> <p>The 107 sqm residential component at Level 01 has been removed. Resolution as to the specific uses and their spatial allocation will be resolved at detailed design noting that the development will be subject to a competitive design excellence</p> |

| Issue | Consideration and Officer Comments | Response |
|-----------|---|---|
| | | competition which may present several alternatives as to the spatial allocation of these uses within the podium. |
| 5. Design | <i>The site is located towards the southern end of the Chatswood CBD (as extended under the CBD Strategy).</i> | Noted. |
| | <i>Council supports a transitional design approach regarding heights on this site and in regards to the surrounding context. It is noted that the concept plans refer to Tower 1 being 90m (RL 186.5m) and Tower 2 being 83.73m (RL 180.25m). This transitional approach to height on the site is supported – with particular regard to the higher tower being in the northern section of the site.</i> | <p>Consistent with the CBD Strategy, the planning proposal seeks a maximum building height control of 90 metres.</p> <p>The reference design presents two towers with a maximum height of 89.9 metres (as measured from existing ground level at RL96.65 to topmost element of lift overrun / plant at RL186.55). Any transition in height can be explored through the design excellence process.</p> |
| | <i>Council supports a design that minimizes overshadowing of the CBC bowling greens.</i> | <p>As identified in Table 5, there is an obligation between the Proponent and the Chatswood Bowling Club that requires no additional and material overshadowing of any of the bowling greens between the hours of 9:00 am to 3.00pm at mid-winter.</p> <p>As detailed in the Urban Design Report (at Appendix D), the reference design presents a chamfered building envelope above the podium to ensure that there is no overshadowing impacts to the Bowling Club before 3pm (mid-winter).</p>  |
| | <i>Council seeks a through site link – with particular regard to connecting Hammond Lane with the key public space in the CBD of ‘the tennis and croquet club.’ This is discussed further below under public realm.</i> | The reference design illustrates how the north-south through-site link can be activated along (and as a continuation of) Hammond Lane. It also illustrates how a through-site link may be provided at ground level from the Pacific Highway. |

| Issue | Consideration and Officer Comments | Response |
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| | | <p>These proposed links would enhance pedestrian connectivity and visual access between the Pacific Highway, Hammond Lane, and the Bowling Club.</p> <p>The design and access arrangements of the through-site links will be subject to detailed refinement at the subsequent Design Competition and DA.</p> |
| | <i>In regards the provision of a side setback to facilitate the widening of Hammond Lane, Council seeks provision of a footpath as well as landscaping prior to Podium. Widening of the lane to podium is not supported.</i> | The reference design illustrates how the ground level setback to the eastern boundary enables pedestrian access along Hammond Lane. This link enhances the through-site connection as envisaged by the Chatswood CBD Strategy. |
| | <i>Council seeks to clearly understand the relationship of the proposed development, via the concept plans, with the CBC.</i> | <p>Table 4 identifies the easements, rights, restrictions, and covenants that affect the site as burdened by the Bowling Club.</p> <p>Table 5 summarises the principal obligations between the Proponent and the Bowling Club and details how the planning proposal addresses these obligations.</p> |
| | <i>The podium / tower design, and surrounding site design, is to have regard to the through site link and relationship with the CBC.</i> | As detailed in the Urban Design Report, the reference design presents an urban design and podium / tower typology which incorporates a through-site link and responds to the site's relationship with the Chatswood Bowling Club. |
| | <p><i>An architectural design statement is to be provided at Planning Proposal stage – reflective of the comments in these Notes. Such a design statement is to explain, and where appropriate, assess:</i></p> <ul style="list-style-type: none"> ▪ <i>How the design addresses transition towards the southern boundary of the Chatswood CBD.</i> ▪ <i>How the design addresses the requested through site link and embellishment of public realm.</i> ▪ <i>How the design addresses Hammond Lane.</i> ▪ <i>How the design has regard to the South Chatswood Conservation Area (and any individual heritage items within) on the</i> | The Urban Design Report provides a detailed urban design analysis of the site and presents a reference design that demonstrates the proposed future distribution of land use, massing, building form, car parking, and service access and an overall building height and floor space ratio for the site. The concept has been developed with consideration for the key elements of the Chatswood CBD Strategy and other key requirements including the Housing SEPP and the ADG. |

| Issue | Consideration and Officer Comments | Response |
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| | <p><i>eastern side of the North Shore Rail Line within reasonable proximity.</i></p> <ul style="list-style-type: none"> ▪ <i>How the proposal makes a positive contribution to the Pacific Highway, through site link and extension of Hammond Lane.</i> ▪ <i>The appearance of each elevation in context.</i> ▪ <i>The design progression to final concept, with regard to the CBD Strategy.</i> | |
| 6. Height, scale, and form of development | <i>The redevelopment vision within the CBD Strategy is the starting point for the design of Planning Proposals able to be supported by Council.</i> | The objective of this planning proposal is to amend the planning controls that apply to the site to align with the objectives, key principles, and built form parameters of the Chatswood CBD Strategy. |
| | <i>The scale and form of new mixed use development should achieve the slender tower objective stipulated in the CBD Strategy.</i> | The reference design illustrates how the towers comply with the 700 sqm maximum floor plate GFA control that applies to residential towers. The proposal presents a scale and built form that achieves slender elements and minimises visual bulk and massing. Built form controls to achieve the slender tower objective are included within the site-specific DCP. |
| | <i>The maximum height and floor space contained in the CBD Strategy is not necessarily achievable on every site, and will depend on addressing site constraints, surrounding context and other aspects of the Strategy in addition to compliance with SEPP 65 and the Apartment Design Guidelines (ADG).</i> | <p>The planning proposal is supported by a reference design which demonstrates how a future development would achieve compliance with key design principles and design criteria of the Housing SEPP and Apartment Design Guidelines (ADG).</p> <p>Compliance is summarised in Table 18.</p> |
| | <i>The requested height permitted should include lift over runs and any other structures at roof level such as roof features and structures required to facilitate roof top communal recreation areas (which are both encouraged).</i> | The site-specific DCP contains a provision that the maximum building height (90 metres) is to include all structures located at roof level, including lift over runs and any other architectural features. |
| | <i>A floor plate size of 679 m2 for Tower 1 and 574m2 for Tower 2 is in accordance with the maximum requirement in the MU1 zone under Key Element 16. However note that Council will assess these towers – in particular proposed Tower 1 – having regard to the slender tower objective. A floor plate of 700m2 is a maximum</i> | The scale and form of the reference design responds to the CBD Strategy principle to achieve slender elements that minimise visual bulk by providing floor plates below the floor plate controls (being 700 sqm GFA maximum for residential towers above podium height). |

| Issue | Consideration and Officer Comments | Response |
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| | <i>under the CBD Strategy, and a lower floor plate size may be a more appropriate response. The expectation is that floor plate size responds to the particular circumstances of a site. A reduction in floor plate size for Tower 1 should be considered.</i> | <p>The proposed floor plates for Tower 1 and Tower 2 do not exceed 700 sqm. Massing is reduced by pleating the façades in the middle of each tower to form four slender vertical expressions. Curved edges at the corners soften the built form and massing and enhance the slender form of towers.</p> <p>Built form and massing will be subject to detailed urban design consideration as part of a future Design Competition and detailed DA. Slender tower forms to reduce perceived visual bulk can be achieved through articulation, design elements, and appropriate tower setbacks. Controls to ensure this objective can be achieved have been included within the SSDCP.</p> |
| | <i>Architectural solutions to minimize elevation width and mass are encouraged.</i> | <p>The podium design and deep tower setbacks minimise the scale of the indicative reference design. The reference design illustrates how the towers are designed as slender elements which minimise visual bulk and massing. Controls requiring these architectural solutions will be included within the site-specific DCP.</p> |
| | <i>Height on plans is requested to be shown in RLs, metres and storeys.</i> | <p>The indicative concept plans identify height of buildings in RLs, metres, and storeys.</p> |
| 7. Setbacks and street wall heights | <p><i>In regards CBD Strategy Key Element 27, the subject site is located within the Pacific Highway frontage precinct and Mixed Use Frontage with Commercial Ground Floor precinct.</i></p> <p><i>The minimum setback and street wall heights in these precincts are the starting point for design and are standard requirements for Planning Proposals seeking to utilize the CBD Strategy.</i></p> <p><i>Note: In regards the Pacific Highway frontage, it wraps around the corner with Gordon Avenue. The Pacific Highway / Gordon Avenue corner is to be addressed under the Pacific Highway frontage precinct requirements.</i></p> | <p>In accordance with Key Element 27, the site-specific DCP identifies the following setback and street wall height controls.</p> <p><u>Pacific Highway frontage</u></p> <ul style="list-style-type: none"> Minimum 4 metre setback at ground level from front boundary. Maximum 7 metre street wall height. Minimum 6 metre setback above street wall to tower. <p><u>Gordon Avenue Frontage</u></p> <ul style="list-style-type: none"> 6-14 metre street wall height at front boundary. Minimum 3 metre setback above street wall to tower. <p>The reference design complies with the minimum setback and street wall height</p> |

| Issue | Consideration and Officer Comments | Response |
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| | | controls, including the Pacific Highway frontage controls which apply to the corner interface with Gordon Avenue. |
| | <i>Council will seek satisfaction of minimum setbacks under the CBD Strategy and ADG, at all levels. Intrusions into minimum setbacks under the CBD Strategy are discouraged and are unlikely to be supported. Additional setbacks are encouraged where most beneficial to the final outcome.</i> | <p>The site-specific DCP establishes setback and street wall height controls consistent with the CBD Strategy. Building separation to neighbouring residential buildings is to be in accordance with the ADG.</p> <p>The reference design reference design illustrates how a future building may comply with the setback and street wall height controls in the site-specific DCP and building separation provisions of the ADG.</p> |
| | <i>Street wall heights are to be in accordance with the CBD Strategy. Particular attention is drawn to a 7m (two storey) street wall presentation to the Pacific Highway.</i> | The site-specific DCP establishes street wall height controls that are consistent with the CBD Strategy. The reference design illustrates compliance with these controls. |
| | <i>Suitable setbacks and street wall heights should be provided to the through site link and extension of Hammond Lane - to encourage a sympathetic relationship between public realm and the redevelopment. A stepped approach to the Podium levels facing the through site link to allow for elevated landscaping would be supported.</i> | <p>The CBD Strategy does not identify any specific setback or street wall height controls that apply to the through-site link or extension of Hammond Lane. However, the reference design presents setbacks and building separation in accordance with the ADG (refer to Section 9.3.2).</p> <p>Setbacks and street wall heights to the through site link and extension of Hammond Lane will be subject to urban design refinement as part of a future Design Competition and detailed DA.</p> |
| | <i>With setbacks of 3m or more to boundaries, deep soil planting for trees is to be provided. This will impact basement design as basements should not intrude into setback areas.</i> | The site-specific DCP contains a control that building setbacks shall contribute to deep soil areas, landscaping, and open space at street level. This provision and location of deep soil planting areas will be subject to detailed design development as part of a Design Competition and DA. |
| | <i>Consistency with CBD Strategy Key Elements 27, 28 and 29 are requested to be shown on plans.</i> | Indicative plans contained in the Urban Design Report illustrate the consistency of the reference design with Key Elements 27, 28, and 29 of the CBD Strategy. |
| 8. Public realm | <i>Council seeks a meaningful response in the concept plans to CBD Strategy Key Element 24.</i> | The Urban Design Report (at Appendix D) and Landscape Strategy (at Appendix E) |

| Issue | Consideration and Officer Comments | Response |
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| | | <p>describe the public realm / landscape vision and landscape design principles.</p> <p>The overall landscape approach for the site is to integrate the public domain and street level link with the surrounding public environment to create an invigorated landscaped pedestrian and CBD precinct.</p> |
| | <p><i>Council considers the through site link and extension of Hammond Lane as an important consideration in regards any redevelopment of the subject site.</i></p> <p><i>The through site link should be provided with demonstrated separation from internal vehicle movements.</i></p> <p><i>Council seeks an enhancement of public realm on the subject site as part of the through site link and extension of Hammond Lane.</i></p> | <p>The reference design accommodates a north-south publicly accessibly pedestrian through-site link along the eastern boundary of the site (as a continuation of Hammond Lane). Consistent with the principles of the CBD Strategy, this link will be open air 24 hours and is envisaged as an active and attractive public space. Provisions to ensure this design outcome are included in the site-specific DCP.</p> |
| | <p><i>In regards Planning Proposals located within the Chatswood CBD on the eastern side of the Pacific Highway, Council seeks a 3m shared path (which excludes utilities and any other obstruction).</i></p> <ul style="list-style-type: none"> ▪ <i>After the 1.5m grass verge, and 3m shared path along the Pacific Highway (which excludes utilities and any other obstruction), the remainder of the 4m front setback should be characterized by tree planting in accordance with the CBD Strategy.</i> ▪ <i>Any planting / landscaping is not to interrupt use of the shared path.</i> ▪ <i>The proponent is requested to integrate the shared path into the design process and make it a feature of the proposal.</i> ▪ <i>The ground floor plan and any future landscape plan, should reflect the above envisaged shared path for the Pacific Highway – with all dimensions shown.</i> ▪ <i>Note. this Pacific Highway setback is not considered the location for open air seating in association with cafe / restaurants.</i> | <p>The site-specific DCP sets out controls and objectives for the proposed unobstructed shared pedestrian and cycle path along the eastern side of the Pacific Highway. The SSDCP identifies the dimensions as:</p> <ul style="list-style-type: none"> ▪ 1.5m wide landscape / grass verge; ▪ 3m shared pedestrian and cycle path (clear of utilities and obstructions). <p>It is expected that the apportionment of the 3 metre path will be equal between Council land and private developer's land.</p> <p>The reference design presents a 4 metre setback at ground level from the Pacific Highway. This is capable of integration with Council's proposed shared pedestrian and cycleway and provides opportunities to enhance public amenity through tree and landscape plantings.</p> |
| | <p><i>In accordance with Key Element 24, public realm is to be accompanied by public rights of</i></p> | <p>The site-specific DCP is accompanied by consent from the Proponent to establish</p> |

| Issue | Consideration and Officer Comments | Response |
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| | <p><i>way to achieve a permanent public benefit. To this end, a plan should be provided showing all public rights of way proposed over the site, with the Planning Proposal.</i></p> | <p>and register a public right of way or similar instrument on title of the relevant ownership entity. The exact areas to be dedicated and retained as public open space will be subject to a condition of consent(s) to a future DA approval.</p> |
| <p>9. Affordable housing</p> | <p><i>A minimum of 4% affordable housing should be provided throughout the development (rather than together) in accordance with Council's existing LEP and DCP requirements.</i></p> <p><i>Council requires commitment to CBD Strategy Key Element 14 at Planning Proposal stage – with this affordable housing being within the residential floor space proposed.</i></p> <p><i>Any additional affordable housing contribution is encouraged as part of an offer to enter a VPA.</i></p> | <p>The planning proposal will identify the site on the LEP Affordable Housing Map such that the provisions of clause 6.8 applies.</p> <p>The clause requires development to provide affordable housing equivalent to 4% of the accountable total floor space (being the residential accommodation component of the development).</p> |
| <p>10. Landscaping</p> | <p><i>The CBD Strategy seeks to balance redevelopment with greening the Chatswood CBD, particularly in the MU1 zone.</i></p> <p><i>Any Planning Proposal should demonstrate a minimum 20% of the site area provided as soft landscaping in accordance with the CBD Strategy. This should be shown on plan and maximized at Ground Level. Green areas on upper levels, and green walls, in particular facing public areas such as Pacific Highway, Gordon Avenue, Hammond Lane, the through site link and Chatswood Bowling Club are also supported.</i></p> | <p>The landscape design strategy responds to the principle to 'green' the CBD. It includes substantial landscaping and planting at the ground plane and at podium and rooftop levels to increase the presence of vegetation. The landscape concept is capable of achieving permeability and delivering a 'green' ground plane and publicly accessible open space.</p> <p>The landscape design envisages native plantings and ecological values bound with the use of native Turpentine trees. This approach complements an integrated landscaped urban domain with a range of high-quality environments, including the podium level (with perimeter greening), residential apartments (incorporating landscape planters) and roof top levels (with extensive greening and amenities).</p> <p>The location, configuration, and nature of the soft landscaping treatment will be developed as part of a subsequent Design Competition and detailed DA.</p> <p>The site-specific DCP contains a provision that requires a minimum 20% of the site area to be provided as soft landscaping.</p> |
| | <p><i>As noted above, deep soil planting for trees is to be provided for setbacks 3m or greater (this</i></p> | <p>The site-specific DCP contains a control that building setbacks shall contribute to</p> |

| Issue | Consideration and Officer Comments | Response |
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| | <i>includes the Pacific Highway setback). Suitable planting is to be provided in deep soil areas.</i> | deep soil areas, landscaping, and open space at street level. The provision and location of deep soil planting areas will be subject to detailed design development as part of a Design Competition and DA. |
| | <i>Green roofs are to be provided on roofs up to 30m.</i> | Consistent with the CBD Strategy, the site-specific DCP contains a control that requires green roofs on roofs up to 30m. |
| | <i>Trees outside of the subject site are to be retained and undamaged.</i> | The reference design demonstrates that a future development in accordance with the proposed controls will result in the removal of any trees outside the subject site. It is anticipated that a future detailed design is capable of retaining existing trees outside of the site. |
| | <i>Landscaping is encouraged along the boundary with the CBC.</i> | The reference design illustrates how extensive landscaping and public realm improvements along Hammond Lane and the eastern boundary to the Bowling Club can be provided. Specifically, Hammond Lane is envisaged as a share way, utilising high quality stone paving and creating a unified ground plane to accommodate pedestrian and vehicular needs. The share way is envisaged as a landscaped promenade, with opportunities to incorporate a network of planters, raingardens, and multi-directional social seating. The proposal is capable of achieving a high quality urban environment along the boundary to the Bowling Club. |
| | <i>Landscape concept plans are required at Planning Proposal stage to indicate consistency with Key Elements 25 and 26 (with calculations provided).</i> | The Landscape Strategy (at Appendix E) includes indicative landscape plans that illustrate how with Key Elements 25 and 26 of the CBD Strategy can be incorporated into the future development. |
| 11. Access and parking | <i>All loading and unloading must be accommodated within the site.</i> | The site-specific DCP contains a control that requires all loading and unloading to be accommodated within the site. |
| | <i>Under the CBD Strategy Council seeks to rationalize and minimize vehicle access points to a site seeking to utilize the uplift available in the CBD Strategy. An explanation is requested</i> | The site-specific DCP contains controls and performance criteria that requires future development to minimise the number of vehicular access points. |

| Issue | Consideration and Officer Comments | Response |
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| | <i>regarding why maintaining two access points is appropriate in this instance.</i> | The reference design provides a single vehicle access point to the site. |
| | <i>Key Element 35 a) seeks for loading and servicing (minimum MRV) to be provided within basement levels.</i> | The site-specific DCP includes performance criteria that encourages loading and servicing to be located within basement areas unless an alternative design solution is capable of delivering a superior site planning outcome. |
| | <i>Vehicles including trucks accessing the site should be able to enter and leave in a forward direction. A physical solution is sought.</i> | Performance criteria in the site-specific DCP requires all vehicles to enter and exit the site in a forward direction. The reference design illustrates how this performance criteria can be achieved. |
| | <i>The only car parking at ground level supported by Council would be that allocated to the CBC – this would be assessed further on assessment of Planning Proposal.</i> | The site-specific DCP contains a control that restricts car parking at ground level only to those car parking spaces dedicated to the Bowling Club. |
| | <i>A reduced car parking provision would be favoured (not including the Chatswood Bowling Club). Car parking rates under consideration for the Chatswood CBD have been provided.</i> | The site-specific DCP contains a control that requires car parking provision to be provided in accordance with the DCP. The reference design illustrates how car parking spaces can be provided within the basement. As assessed in the Traffic Impact Assessment (at Appendix G), this parking provision is compliant with the applicable rates in the current DCP. |
| | <i>The proposal should include car share space(s) provision.</i> | The site-specific DCP contains a control that requires future development to include provision for car share space(s) and electric vehicles (EVs) charging stations |
| | <i>Provision of bicycle parking and end-of-trip facilities at least as per Council's existing controls in Chapter C4 of Willoughby DCP is encouraged.</i> | The site-specific DCP contains a control that requires bicycle parking and end-of-trip facilities to be provided in accordance with the rates provided in the existing DCP. |
| | <i>The development should maximize the opportunities provided by the location of the site within close proximity to the Frank Channon Walk and the shared path for Pacific Highway.</i> | The reference design presents a ground level through-site which provides pedestrian connectivity and visual access between Pacific Highway, Hammond Lane, and the Bowling Club. This link is capable of achieving improved pedestrian access between the Pacific Highway and Frank |

| Issue | Consideration and Officer Comments | Response |
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| | | Channon Walk. Opportunities for the through-site link can explored in detail as part of Design Competition and future DA. |
| 12. Floor space at ground level | <p><i>In accordance with Key Element 33, Council seeks to locate service functions such as loading and garbage in basement levels and maximize ground level floor space. It is requested this be designed accordingly.</i></p> <p><i>Relocation of service functions to basement provides opportunities to increase landscaping and CBC parking at ground level. Parking is discussed further below under Traffic.</i></p> | The reference design illustrates how activation at ground level can be maximised, particularly towards the new through-site link created along the eastern boundary. The reference design illustrates how loading can be accommodated at ground level. This is due to the narrow site width with active areas to east and west. It is considered that the ramps will cause a poorer outcome for the ground level activation than loading at grade. The impact of parking has been minimised. |
| 13. Substation | <i>The presence of any substation on any boundary is to be minimized. The CBD Strategy requires such services to be integrated into the building.</i> | The site-specific DCP contains a control that requires substations to be integrated within buildings, not within streets, open spaces, or setbacks, and not facing key active street frontages. Substation designs must ensure residents are protected from Electro Magnetic Radiation emissions. |
| 14. Design excellence | <i>Council seeks commitment to Key Elements 8, 9, and 10 at Planning Proposal stage, in particular that a Design Excellence Competition.</i> | <p>The planning proposal requests the site be included within "Area 5" on the Special Provisions Area Map such that clause 6.23 (<i>Design excellence at certain sites at Willoughby</i>) applies. This clause requires development involving the erection of a new building to deliver the highest standard of architectural, urban, and landscape design. An Architectural Design Competition is to be held for development involving a building exceeding 35 metres.</p> <p>Future development will be subject to an Architectural Design Competition to be undertaken in accordance with Council's <i>Guidelines for Design Excellence Review and Competitions</i>.</p> |
| 15. Street activation | <i>Street activation is encouraged to Pacific Highway and Gordon Avenue.</i> | The reference design provides residential lobby areas and non-residential tenancies at ground level to maximise the active frontages to Pacific Highway. |

| Issue | Consideration and Officer Comments | Response |
|---------------------------------|--|---|
| 16. Contamination issues | <i>The Planning Proposal will need to identify any contamination issues and proposed treatment.</i> | The planning proposal will be supported by a Preliminary Contamination Report. |
| 17. Public art | <p><i>A public art contribution will be required. In most cases this is to be put into a consolidated council public art fund, with locations and works to be identified by Council.</i></p> <p><i>Council seeks commitment to public art in the Planning Proposal.</i></p> | The site-specific DCP includes a control requiring development in the CBD to contribute public art in accordance with Council's Public Art Policy. Opportunities for public art will be explored within the Design Competition and the future DA. |
| 18. VPA | <i>Council encourages a voluntary planning agreement towards costs associated with providing infrastructure works within the Chatswood CBD, such as involving public domain, streetscape, recreation and parks – all to be determined by Council in line with a community infrastructure contributions schedule.</i> | <p>The planning proposal is accompanied by a Letter of Offer confirming the intention to progress a Voluntary Planning Agreement (VPA) in accordance with Council's Policy.</p> <p>Refer to Appendix O.</p> |
| 19. Draft DCP controls | <i>Draft DCP controls based on the CBD Strategy 35 Key Elements are a standard requirement of Council for Planning Proposals in the Chatswood CBD seeking to utilize the CBD Strategy.</i> | The planning proposal is supported by a site-specific DCP which establishes performance criteria and urban design controls to align with the vision, objectives, 35 Key Elements, and built form parameters of the CBD Strategy. |

3.2. RESPONSE TO COUNCIL RFI

Since the original submission of the planning proposal in March 2022, the Proponent has held ongoing consultation with Council and Transport for NSW (TfNSW) regarding the indicative reference design. The Proponent has received requests for additional information (RFIs) from Council and TfNSW, as follows:

- 2 June 2022 – Council request for additional information (RFI #1)
- 26 August 2022 – Council request for additional information (RFI #2)
- 28 November 2022 – Council request for additional information (RFI #3)
- 9 March 2023 – TfNSW advice outlining recommendations for the internal access arrangement
- 24 March 2023 – Council request for additional information (incorporating TfNSW comments)
- 1 August 2023 – Council request for additional information (RFI #4)

3.2.1. Response to Council's RFI – 24 March 2023

In response to Council's RFI of 24 March 2023, the Proponent undertook design revisions and updates the indicative reference scheme. The following summarises the amendments made in response to the RFI.

| Council RFI Comment | | Response |
|---------------------|--|---|
| 1. | <p><u>Vehicle access for 641-655A Pacific Highway</u></p> <p>Consistent with the options Transport for NSW indicated were able to be considered, Council officers support an internal access arrangement where:</p> <p>i. As originally proposed in the Planning Proposal, all traffic related to Highway 641-655A Pacific enters and exits the site via Hammond Lane. It is requested that an appropriate physical solution be provided preventing vehicles progressing further into the site, sympathetic with the objective of encouraging a pedestrian and bicycle through site link, minimising traffic and preventing usage by traffic related and unrelated to 641-655A Pacific Highway. It is understood that details are covered at development application stage, however the point is made that the physical solution of blocking traffic should not conflict with encouraging public pedestrian and cycle access to the through site link. In this regard hydraulic bollards may be preferred to a boom gate.</p> | <p>A revised vehicle access arrangement has been prepared in response to Council's RFI. The revised vehicle access arrangements are summarised as:</p> <ul style="list-style-type: none"> ▪ All traffic associated with the development site to enter and exit via Hammond Lane; ▪ Entry to the proposed basement car park from the southern residential building; ▪ Vehicles associated with the Chatswood Bowling Club to enter and exit the development site via Gordon Avenue (via Hammonds Lane); ▪ Vehicles to enter and exit the Chatswood Bowling Club along Hammond Lane, with private basement car parking to be provided underneath the bowling green (subject to a future development approval) and ground level parking spaces to service the Club; ▪ Construction of a new turning bay at the northern end of Hammond Lane; ▪ Closing off vehicle access to land to the north and Hammond Lane egress to Pacific Highway; ▪ Maintain and dedicate to Council the Hammond Lane egress on to Pacific Highway to provide future vehicle access for land to the north; and ▪ Establishment of a publicly accessible right of way pedestrian zone along Hammond Lane. <p>The revised vehicle access arrangements are detailed in the indicative reference scheme plans</p> |

| Council RFI Comment | Response |
|---|--|
| | (at Appendix D) and assessed in the Addendum to the Traffic Impact Statement (at Appendix G). |
| <p>2. <u>Existing 655A Pacific Highway vehicle left exit point onto Pacific Highway</u></p> <p>Consistent with the options Transport for NSW indicated were able to be considered, Council officers support the retention of the Pacific Highway access point over 655A Pacific Highway as follows:</p> <p>i. The Pacific Highway exit point located on 655A Pacific Highway remains open subject to all traffic related to 689-699 Pacific Highway being able to exit onto the internal access located on 655A Pacific Highway, and then left exit to the Pacific Highway. It is requested that this potential access be at an appropriate point to provide safe access to the Pacific Highway, and minimise unnecessary presence on the internal access located on 655A Pacific Highway. This would be consistent with Council's vision for the through site link. Any easements or legal entitlements are requested should be incorporated into an acceptable redesign. Under this arrangement, Council is prepared to support the Chatswood Bowling Club utilising this access for left exit to the Pacific Highway - provided an appropriate solution is presented in regards vehicle access from Hammond Lane. Note Point 1) i. above.</p> | <p>The revised vehicle access arrangement proposes to close off vehicle egress to the Pacific Highway egress from residents of the development site and members of the Chatswood Bowling Club. The Bowling Club has given in-principle agreement to the Proponent for this vehicle arrangement.</p> <p>As per Council's directions, the Hammond Lane egress on to Pacific Highway will be dedicated to Council to provide future vehicle access to residents of 689-699 Pacific Highway and pedestrian / bicycle access to the public.</p> <p>This arrangement is detailed further in the Proponent's VPA Letter of Offer to Council.</p> |
| <p>3. <u>Ground level car parking for the Chatswood Bowling Club</u></p> <p>Council is prepared to consider some of the car spaces allocated to the Chatswood Bowling Club at ground level. This should be done in a manner consistent with Council's vision for the through site link and contribute to traffic calming.</p> | <p>The revised indicative reference design provides a minimum of 41 car parking spaces in a basement car park under the Chatswood Bowling Club and at ground level. This provision replaces the 41 at grade car parking spaces to be removed to accommodate the upgrades to Hammond Lane. 6 of the 41 parking spaces to be reinstated are currently proposed to be included on Hammond Lane. Vehicles will enter the Chatswood Bowling Club along Hammond Lane from Gordon Avenue, to the private basement car park (subject to a future development approval).</p> <p>This design approach facilitates traffic calming and the pedestrianisation of Hammond Lane.</p> |
| <p>4. <u>Form of Podium</u></p> | <p>The revised scheme provides a separated podium with a 12m through site link in between Tower 1 and 2, providing an east west connection. This</p> |

| Council RFI Comment | Response |
|---|--|
| <p>The combined site has a frontage to the Pacific Highway of approximately 135m.</p> <p>In terms of the envisioned built form under the Chatswood CBD Planning and Urban Design Strategy 2036, a separated podium (with meaningful width) is sought rather than one continuous podium. A continuous podium wall is not consistent with the Council vision for the Pacific Highway and this interface location opposite land on the western side of the Pacific Highway not part of the Chatswood CBD.</p> <p>It is requested that the meaningful ground level space created be utilised for landscaping and public realm opportunities</p> | <p>design solution decreases the perceived building bulk and scale to Pacific Highway and improves pedestrian permeability through the site.</p> <p>The podium footprint has expanded to the east to maintain the minimum non-residential GFA, as a result of splitting the podium.</p> <p>The updated Landscape Plans (at Appendix E) detail the proposed landscaping and public domain outcome for the through site link.</p> |
| <p>5. <u>Maximisation of floor space at ground level within two podiums</u></p> <p>This point was raised in the Pre-Planning Proposal Notes. CBD Strategy Key Element 33 states:</p> <p><i>“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”</i></p> <p>It is considered that on a site of this size, with the width available, it is possible to achieve loading for both towers within the basement. Ground level access ramps to the basement are a necessity which can be supported.</p> | <p>As requested by Council, the revised scheme has relocated the loading dock and waste room/ plant to the basement car park. The site specific DCP has been amended to reflect these changes.</p> |
| <p>6. <u>Loading and unloading, garbage rooms and services provision</u></p> <p>As previously raised in the Pre-Planning Proposal Notes, in accordance with Key Element 35 of the CBD Strategy, loading and unloading on this site (both residential and commercial) is expected to be provided within the basement (not at ground Level).</p> <p>In addition, a comprehensive physical solution is considered both reasonable and appropriate (not a vehicle turn table). Council seeks the optimum outcome envisaged in the CBD Strategy on this important site within the Chatswood CBD. It is considered loading provision within the basement</p> | <p>The revised scheme relocates the loading dock and waste room/ plant to the basement car park.</p> <p>Additionally, the revised scheme has adopted an alternative solution to a vehicle turn table, whereby an appropriately sized a swept path is provided to enable service vehicles to access the basement levels. This is assessed in the Addendum to the Traffic Impact Assessment (Appendix G).</p> |

| Council RFI Comment | Response |
|--|--|
| <p>is able to be accommodated due to the size of the site and is a reasonable expectation of Council.</p> <p>It is requested that any loading, garbage rooms and services provision at ground level be removed and relocated to basement level and involve physical solutions.</p> | |
| <p>7. <u>Basement</u></p> <p>Council seeks to understand how the proposed development will satisfactorily accommodate the requested uplift and associated servicing activity on the site. Within the basement, it is requested the following be clearly shown:</p> <ul style="list-style-type: none"> ▪ How loading/unloading is to be managed for each building, with cars and services vehicles kept separate as much as possible. ▪ Location of loading area/s for each building, as well as minimum Medium Rigid Vehicle turning circles. ▪ Garbage room/s and other services for each building. <p>It is requested the basement plans be amended accordingly.</p> | <p>The revised basement layout includes the loading dock and waste and plant rooms. The indicative reference design plans have been updated to show the separated loading areas and garbage rooms.</p> <p>This is assessed in the Addendum to the Traffic Impact Assessment (Appendix G).</p> |
| <p>8. <u>Maximisation of possibilities at ground level for landscaping</u></p> <p>It is further considered reasonable to request a comprehensive review of ground level parking for all involved parties on this large site (including the Chatswood Bowling Club).</p> <p>For any Planning Proposal seeking uplift from the CBD Strategy, Council seeks for car parking to be located in the basement levels – subject to Point 3 On-grade car parking for the Chatswood Bowling Club above.</p> <p>Landscaping at ground level is the positive and expected outcome of this request, and is expected below.</p> | <p>The revised indicative reference design provides a minimum of 41 car parking spaces in a basement car park under the Bowling Club and at ground level. This provision replaces most of the 41 at grade car parking spaces to be removed to facilitate the upgrades to Hammond Lane. Vehicles will enter the Bowling Club along Hammond Lane from Gordon Avenue, to the private basement car park (subject to a future development approval). This design approach facilitates traffic calming and the pedestrianisation of Hammond Lane.</p> <p>The revised Landscape Plans (at Appendix E) show an improved public domain outcome along the eastern boundary to the Bowling Club.</p> |
| <p>9. <u>Landscape plans</u></p> <p>An important objective of the CBD Strategy is redevelopment being accompanied by a greening of the Chatswood CBD.</p> | <p>The relocation of the at-grade car parking spaces to the Bowling Club basement provides an opportunity to improve the landscaping and public domain outcome along the eastern boundary interface to the Bowling Club and Hammond Lane.</p> |

| Council RFI Comment | | Response |
|---------------------|---|--|
| | Paving along the eastern boundary with the Chatswood Bowling Club is to be reviewed, with landscaping maximised in a manner consistent with this letter. | |
| 10. | <p><u>Public Realm</u></p> <p>In regards the provision of public realm on this site, Council is seeking to balance the height and density uplift by achieving public rights of way over a section of the site for the purposes of public realm embellishment. It is requested that the plans be amended in this regard to clearly show ROW location and dimensions.</p> <p>Provision of public realm is also addressed below in Point 8 Public Benefit Offer</p> | <p>The indicative reference scheme has been amended to indicate a potential public right of way zone at ground level along Hammond Lane.</p> <p>The site specific DCP includes the following control:</p> <p><i>“The development is to incorporate publicly accessible open space via a through-site link from the Pacific Highway to the Chatswood Bowling Club or similar to achieve a permanent public benefit.”</i></p> |
| 11. | <p><u>Public Benefit Offer</u></p> <p>Please provide a Letter of Offer in line with Council's Voluntary Planning Agreement Policy</p> | A revised Letter of Offer to Council, in line with Council's Voluntary Planning Agreement Policy accompanies this planning proposal. |
| 12. | <p><u>Site specific Development Control Plan provisions</u></p> <p>It is requested that the site specific draft DCP provisions be updated to reflect this Attachment 1 and should be consistent with the most recent examples endorsed by Council.</p> <p>Public access via public rights of way is to be clearly outlined in the draft DCP.</p> | <p>The site-specific DCP (at Appendix B) has been amended to reflect the changes and is consistent with recent examples endorsed by Council.</p> <p>Section 13.1.17 in Part L (Place Based Plans) of Council's DCP provides guidelines for land at 641-653, 655A, 689, 691-693, 695, 699, 701-705 and 745 Pacific Highway Chatswood (which includes the subject site). The site-specific DCP (Appendix B) is consistent with the aims and objectives of Section 13.1.17 and the relevant performance criteria and controls in relation to precinct amalgamation, links, and traffic and transport.</p> |

3.2.2. Response to Council's RFI – 1 August 2023

This amended planning report and the supporting documentation provides a consolidated response to Council's latest RFI (dated 1 August 2023). **Table 8** summarises the response to Council's RFI.

Table 8 Response to Council's RFI (1 August 2023)

| Council RFI Comment | Response |
|---|--|
| <p>1 <u>Willoughby Local Environmental Plan 2012</u></p> <p>The Amendment Planning Proposal was lodged on 27 June 2023.</p> <p>Where relevant, it is requested that documentation be updated to incorporate Willoughby Local Environmental Plan 2012, Amendment 34, made and notified on 30 June 2023.</p> | <p>The planning proposal and this planning report have been amended to align with the recent amendments to the Willoughby Local Environmental Plan 2012 (Amendment 34) which was gazetted on 30 June 2023. This is detailed in Section 4.2 of this report.</p> |
| <p>2 <u>Willoughby Development Control Plan</u></p> <p>Where relevant, the Planning Proposal should be updated to incorporate Willoughby Development Control Plan, which came into force 31 July 2023. Particular attention is drawn to car parking rates.</p> <p>The Planning Report and Traffic Impact Assessment should be updated to show a car parking provision based on the updated WDCP car parking rates.</p> | <p>The planning proposal and the site-specific DCP (at Appendix B) have been updated to align with the new Willoughby Development Control Plan which was adopted on 31 July 2023.</p> <p>Section 13.1.17 in Part L (Place Based Plans) of Council's DCP provides guidelines for land at 641-653, 655A, 689, 691-693, 695, 699, 701-705 and 745 Pacific Highway Chatswood (which includes the subject site). The site-specific DCP (Appendix B) is consistent with the aims and objectives of Section 13.1.17 and the relevant performance criteria and controls in relation to precinct amalgamation, links, and traffic and transport.</p> <p>The Traffic Impact Assessment (at Appendix G) has been updated to assess the proposed car parking provision against the new DCP rates.</p> |
| <p>3 <u>Concept Plans</u></p> <p>a) Setbacks to Hammond Lane</p> <p>A ground level setback of 3m is sought on the Hammond Lane frontage (all within the site boundary) consistent with the vision for Hammond Lane and the provision of a through site link separated from vehicle movement.</p> <p>This setback should be shown on the ground level concept plan and ground level concept landscape plan.</p> | <p>The amended indicative reference design drawings (at Appendix D) identify a 3m ground level setback along the Hammond Lane frontage. This provides a pedestrian through-site link separated from vehicle movement.</p> <p>The amended landscape plans (at Appendix E) are consistent with the amended ground level plan.</p> |
| <p>b) Difference between concept plans and landscape plans</p> | <p>The indicative reference design drawings (at Appendix D) and concept</p> |

| Council RFI Comment | Response |
|---|---|
| <p>Council is supportive of the landscaping shown in the concept landscape plans.</p> <p>There are differences between the concept plans and landscape plans. Floor space is shown on concept plans where landscaping is shown in the landscape plans. Consistency between the two sets of plans are sought.</p> <p>Particular attention is drawn to the Concept plan sections, and concept plan podium level one, two and roof top.</p> | <p>landscape drawings (at Appendix E) have been updated to be consistent.</p> |
| <p>Please update the concept plans to show landscaping as requested in 3a) and b) and review floor space figures to confirm the floor space proposed.</p> | <p>The indicative reference design drawings (at Appendix D) identify the indicative total GFA proposed.</p> |
| <p>c) Dimensions on plans</p> <p>All setbacks, at ground and tower levels, are to be clearly dimensioned on all plans.</p> | <p>Setbacks and dimensions are identified in the indicative reference design drawings (at Appendix D) and concept landscape drawings (at Appendix E).</p> |
| <p>4 <u>Car parking for Chatswood Bowling Club</u></p> <p>The documentation refers to:</p> <p>a) The majority of car spaces being located underneath a bowling green located on the Chatswood Bowling Club site – to be a separate future development application.</p> <p>b) Some car spaces being at grade on the 655A Pacific Highway site (located adjacent the eastern boundary with the Chatswood Bowling Club).</p> <p>Council supports the majority of car parking associated with the Chatswood Bowling Club being within a basement level. Concern is raised with the solution being under the Chatswood Bowling Club green as no development application has been lodged to this effect.</p> <p>It is suggested at Planning Proposal stage, that all basement parking for the Chatswood Bowling Club be provided on the subject Planning Proposal site.</p> <p>If parking under a bowling green is to be pursued, then this should involve a development application concurrent with the development application on the Planning Proposal site.</p> <p>A plan is also to be provided clearly showing the number of car spaces at ground level.</p> | <p>The vehicle access arrangements for the Bowling Club have been designed in response to Council's RFI (dated 24 March 2023). Vehicles associated with the Bowling Club will enter and exit along Hammond Lane, with private basement car parking provided underneath the bowling green. The exact design and configuration of the basement car park will be subject to a future development approval.</p> |
| <p>5 <u>Identification of ground level areas to be subject of rights of way</u></p> <p>For the purposes of clarity in regards the ground level, and in particular the area extending from Hammond Lane along the eastern boundary to the northern site boundary and boundary with the Pacific Highway, please identify on a plan the areas:</p> | <p>The indicative reference design drawings (at Appendix D) identify areas of the site which are proposed to be subject to rights of way. Specifically:</p> |

| Council RFI Comment | Response |
|--|--|
| <ul style="list-style-type: none"> • To be subject of a public right of way. • To be subject of a right of way benefitting the Chatswood Bowling Club. • To be subject of a right of way benefitting the neighbouring property to the north at 689-699 Pacific Highway. | <ul style="list-style-type: none"> ▪ Pacific Highway egress from Hammond Lane (207 sqm); ▪ Pedestrian north-south link along Hammond Lane (402 sqm); ▪ Extension of Hammond Lane to provide vehicle access to the Bowling Club (820 sqm). |
| <p>6 <u>Public Benefit Offer</u></p> <p>In regards a public benefit offer, the Council letter dated 24 March 2023 stated:</p> <p><i>“Please provide a Letter of Offer in line with Council’s Voluntary Planning Agreement Policy.”</i></p> <p>The Planning Report (Amended) states:</p> <p>“A revised Letter of Offer to Council, in line with Council’s Voluntary Planning Agreement Policy accompanies this planning proposal.”</p> <p>A Letter of Offer does not appear to have been submitted with the Amended Planning Proposal.</p> <p>It is understood from subsequent correspondence (email dated 25 July 2023) that a Letter of Offer is being prepared.</p> <p>It is requested that the Letter of Offer be consistent with Council Community Infrastructure Contributions (CIC) Policy and be provided at your earliest convenience, as it is required for the progression of the Planning Proposal to the Willoughby Local Planning Panel and a Council Meeting.</p> | <p>The planning proposal is accompanied by a revised VPA Letter of Offer prepared by Addisons (at Appendix O) prepared in accordance with Council’s Voluntary Planning Agreement Policy.</p> <p>The Letter of Offer describes the nature, extent, and specifications of the contributions offered by the VPA and the time and manner by which the contributions will be made. The contributions relate to the following:</p> <ol style="list-style-type: none"> 1. Construction of 2 metre pedestrian north-south thru-site link footpath; 2. Easement for public access; 3. Easement for egress (4.5m) to Pacific Highway; and 4. Monetary contribution (community infrastructure contribution). |

4. EXISTING STATUTORY PLANNING CONTEXT

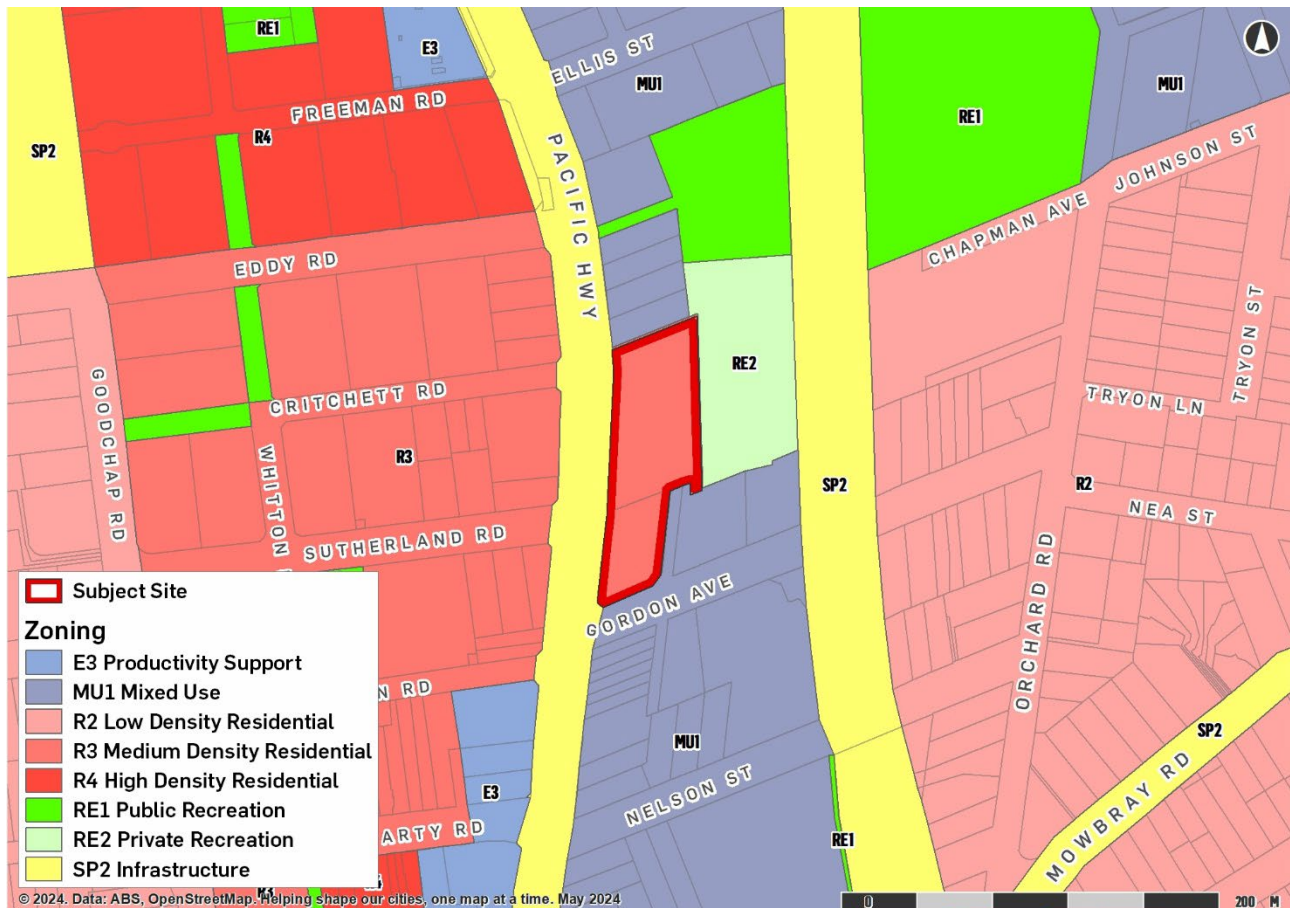
4.1. WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012

Willoughby Local Environmental Plan 2012 (**LEP**) is the principal Environmental Planning Instrument which applies to the Willoughby Local Government Area.

4.1.1. Land Use Zoning

The site is zoned R3 Medium Density Residential (refer **Figure 4**).

Figure 4 LEP Zoning Map



Source: Urbis

4.1.2. Objectives and Permissibility

Table 9 identifies the objectives of Zone R3 Medium Density Residential and permissible land uses.

Table 9 Zone R3 Objectives and Permissibility

| Zone R3 | |
|------------|--|
| Objectives | <ul style="list-style-type: none"> To provide for the housing needs of the community within a medium density residential environment. To provide a variety of housing types within a medium density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. |

| | |
|----------------------------------|--|
| Zone R3 | |
| | <ul style="list-style-type: none"> To accommodate development that is compatible with the scale and character of the surrounding residential development. To allow for increased residential density in accessible locations, while minimising the potential for adverse impacts of such increased density on the efficiency and safety of the road network. To encourage innovative design in providing a comfortable and sustainable living environment that also has regard to solar access, privacy, noise, views, vehicular access, parking and landscaping. |
| Permitted without consent | <i>Nil</i> |
| Permitted with consent | <i>Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Group homes; Home businesses; Home occupations; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Seniors housing; Tank-based aquaculture</i> |
| Prohibited | <i>Pond-based aquaculture; Any other development not specified in item 2 or 3</i> |

4.1.3. Height of Buildings

The site is subject to 12 metre maximum building height control (refer **Figure 5**).

Figure 5 LEP Height of Buildings Map



Source: Urbis

4.1.4. Floor Space Ratio

The site is subject to a maximum floor space ratio (FSR) control of 0.9:1 (refer **Figure 6**).

Figure 6 LEP Floor Space Ratio Map



Source: Urbis

4.1.5. Heritage Conservation

The site is not identified as a heritage item nor located within a heritage conservation area (see **Figure 7**).

Figure 7 LEP Heritage Map



Source: Urbis

The site is approximately 100 metres west of the South Chatswood Heritage Conservation Area.

4.2. COMPREHENSIVE WILLOUGHBY LEP 2012 AMENDMENT

Council has recently completed a comprehensive LGA-wide review and amendment to the Willoughby LEP 2012. This process was undertaken in accordance with the provisions of the EP&A Act which require all local authorities to review their LEPs periodically to reflect changing circumstances.

The below summarises the comprehensive LGA-wide review and LEP amendment process.

- On 14 December 2020, Council endorsed a planning proposal to amend the statutory planning controls of the LEP (**Comprehensive LEP amendment**). The planning proposal translated the recommendations of the *Chatswood CBD Planning and Urban Design Strategy 2036 (Chatswood CBD Strategy)* adopted in September 2020. The implementation of the Chatswood CBD Strategy into the amended LEP established a unified statutory planning framework to strengthen the role of Chatswood as a metropolitan Strategic Centre and facilitate employment and population growth over the next twenty years.
- The Comprehensive LEP amendment was prepared to give effect to the vision and objectives of the Greater Sydney Region Plan, the North District Plan, and a number of other strategic local planning studies and investigations. These local planning studies and investigations include (**our emphasis**):
 - Willoughby Local Strategic Planning Statement;
 - Willoughby Local Centres Strategy;
 - **Chatswood CBD Planning and Urban Design Strategy 2036**;
 - Willoughby Industrial Lands Strategy;
 - St Leonards Crows Nest 2036 Plan;
 - Willoughby Housing Strategy; and
 - Willoughby Integrated Transport Strategy.
- In broad terms, the Comprehensive LEP amendment proposed the following changes to the LEP:
 - Rezone and increase the building height and FSR planning controls for land within the strategic and local centres (including the Chatswood CBD and expanded area);
 - Increase floor space ratio controls for certain amalgamated sites in the industrial areas of Artarmon and East Chatswood and adjust uses that are permissible and not permissible in the industrial zones;
 - Increase the affordable housing requirement for sites benefitting from upzoning from 4% to 10%;
 - Housekeeping amendments to address anomalies and corrections of errors; and
 - LEP improvements to enable efficiency, readability, and application of statutory planning provisions.
- An amendment to the endorsed planning proposal was resubmitted to DPHI in October 2021. On 24 December 2021, DPHI issued a Gateway determination that the Comprehensive LEP amendment should proceed subject to conditions and specific updates and amendments to the planning proposal.
- At an Ordinary Council Meeting on 12 December 2022, Council resolved to endorse the Comprehensive LEP amendment and submit to DPHI for finalisation. **Note.** At this Meeting, Council was resolved that a provision would be included for maintaining the affordable housing contribution at 4% for site-specific planning proposals lodged before the making of the LEP. This applies to the subject planning proposal.
- The draft Comprehensive LEP amendment was submitted to DPHI for finalisation and gazettal on 22 February 2023. **It must be noted that Council excised the subject site from the Comprehensive amendment for the reason that amendments to the planning controls were being progressed under its own planning proposal pathway.**
- The Comprehensive LEP amendment was gazetted by DPHI on 30 June 2023.

Whilst the subject site-specific planning proposal was submitted prior to the commencement of the public exhibition of the Comprehensive LEP amendment, it is aligned and consistent with relevant changes made in the Willoughby LEP 2012 (Amendment No 34) as gazetted on 30 June 2023. This is detailed in **Table 10**.

Table 10 Consistency with Comprehensive LEP Amendment

| Comprehensive LEP | Amendment / Clause | Planning Proposal Consistency |
|---|---|--|
| Land Use Zoning | Rezone land in the expanded Chatswood CBD boundary area to MU1 Mixed Use. | Yes. The planning proposal rezones the site from R3 Medium Density Residential to MU1 Mixed Use (consistent with the CBD Strategy). |
| Clause 4.3 Height of buildings | Amend the height of building control applying to the site to 90 metres. | Yes. The planning proposal amends the maximum building height development standard to 90 metres (consistent with the CBD Strategy). |
| Clause 4.4 Floor space ratio | Amend the FSR control applying to the site to 6:1. | Yes. The planning proposal amends the maximum floor space ratio development standard to 6:1 (consistent with the CBD Strategy). |
| Clause 6.15 Sun access | New clause that prevents development consent being granted to development on land in Zone E2 Commercial Centre or Zone MU1 Mixed Use that results in additional overshadowing on certain identified land. | Yes. The reference scheme protects the adjoining Bowling Club from additional overshadowing until 3pm mid-winter. Shadow impacts are assessed in Section 9.3.4 . |
| Clause 6.3 Urban heat | New clause to ensure new development incorporates effective design and ongoing operation to (a) reduce and remove urban heating from the environment, and (b) protect community health and wellbeing. | Yes. A future detailed DA will incorporate measures to reduce and remove urban heat and encourage natural and manmade solutions for sustainable principles in design and the inclusion of green infrastructure. |
| Clause 6.7 Active street frontages | New clause to promote uses that attract pedestrian traffic along ground floor street frontages (including Zone MU1 Mixed Use). Development consent must not be granted to the erection of a building, or a change of use of a building, unless the consent authority is satisfied that the building will have an active street frontage. | Yes. The reference design provides non-residential tenancies at the ground level of the primary street frontage (Pacific Highway). |
| Clause 6.25 Shop top housing at certain sites at Chatswood | New clause that applies to certain land in Zone MU1 in the Chatswood CBD. Development consent for the purposes of shop top housing must not be granted unless the consent authority is satisfied at least 17% of the building's gross floor area will be used for non-residential purposes. | Yes. The reference design provides 5,774 sqm non-residential GFA at ground and podium levels (17% of the total FSR across the site). The clause requires the non-residential floor space to be a minimum 17% of the maximum GFA. |

| Comprehensive LEP | Amendment / Clause | Planning Proposal Consistency |
|--|--|---|
| <p>Clause 6.8</p> <p>Affordable housing</p> | <p>Increase the affordable housing requirement from 4% to 7% and 10% of floorspace for certain land the Chatswood CBD.</p> | <p>Yes. As discussed with Council, the planning proposal will provide affordable housing equivalent to 4% of the accountable total floor space (being the residential accommodation component of the development). This is consistent with clause 6.8.</p> <p>At the Council Meeting on 12 December 2012, it was resolved that a provision would be included in the LEP for maintaining the affordable housing contribution at 4% for site-specific planning proposals lodged before the making of the LEP. This applies to the subject planning proposal which was lodged in March 2022 prior to the making of the LEP.</p> |
| <p>Clause 6.23</p> <p>Design excellence at certain sites at Willoughby</p> | <p>New Design Excellence Map to apply to land within the Chatswood CBD.</p> <p>Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</p> | <p>Yes. The planning proposal identifies the site within “Area 5” on the LEP Special Provisions Area Map such that clause 6.23 (<i>Design excellence at certain sites at Willoughby</i>) applies. This requires development to deliver the highest standard of architectural, urban, and landscape design and exhibit design excellence.</p> <p>A subsequent Architectural Design Competition will be undertaken in accordance with Council’s Guidelines for Design Excellence Review and Competitions.</p> |

4.3. DRAFT CITYWIDE DEVELOPMENT CONTROL PLAN

4.3.1. Consistency with New Development Control Plan

Council's Comprehensive LEP amendment was accompanied by a new citywide Development Control Plan (DCP). The new DCP was adopted on 31 July 2023 and supports the objectives and planning provisions of the amended LEP and provides detailed design guidelines and controls for new development within the LGA.

The subject planning proposal is accompanied by a draft site-specific DCP which establishes site-specific performance criteria, detailed site planning and urban design controls and technical provisions in relation to:

- Built form and height of building;
- Street frontage heights and setbacks;
- Building exterior;
- Amenity;
- Links, open space, and landscaping;
- Active street frontages;
- Traffic and transport;
- Waste, and loading;
- Public art; and
- Building sustainability.

A future detailed DA at the site will be subject to a compliance assessment against the provisions and controls of the site-specific DCP and the new citywide DCP adopted on 31 July 2023 (to the extent relevant).

4.3.2. Consistency with Part L (Place Based Plans)

Section 13.1.17 in Part L (Place Based Plans) of the DCP provides guidelines for land at 641-653, 655A, 689, 691-693, 695, 699, 701-705 and 745 Pacific Highway Chatswood (which includes the subject site). The site-specific DCP (**Appendix B**) is consistent with the aims and objectives of Section 13.1.17 and the relevant performance criteria and controls relating to precinct amalgamation, links, and traffic and transport.

5. INDICATIVE DEVELOPMENT OUTCOME

5.1. OBJECTIVE OF PLANNING PROPOSAL

The overarching intent of the planning proposal request is to unlock the significant potential of a strategically located landholding within the Chatswood CBD. The planning proposal would facilitate future high-quality mixed use residential development at a location earmarked for significant density uplift.

The intended outcome of the planning proposal is to amend the Willoughby LEP 2012 as follows:

- Rezone the site from R3 Medium Density Residential to MU1 Mixed Use.
- Amend the maximum building height development standard from 12 metres to 90 metres.
- Amend the maximum floor space ratio (**FSR**) development standard from 0.9:1 to 6:1.
- Identify the site on the LEP Affordable Housing Map such that clause 6.8 (*Affordable housing*) applies. This clause requires development for the erection of residential accommodation to provide affordable housing dwellings (or payment of a monetary contribution to the consent authority) equivalent to 4% of the accountable total floor space (being the residential accommodation component).
- Identify the site on the LEP Lot Size Map as being subject to a minimum lot size of 5,550 sqm.
- Identify the site on the LEP Special Provisions Area Map as “Area 5” such that clause 6.23 (*Design excellence at certain sites at Willoughby*) applies. This clause requires development involving the erection of a new building to deliver the highest standard of architectural, urban, and landscape design. For a building that is, or exceeds, 35 metres above ground level (existing), an architectural design competition is to be held in relation to the development.

5.2. UPDATED INDICATIVE REFERENCE DESIGN

The planning proposal is supported by an indicative reference design prepared by Architectus (at **Appendix D**). This demonstrates how an indicative land use mix and building envelope for a future development can be provided in accordance with the new planning controls and built form parameters of the site-specific DCP.

The reference design envisions a mixed-use development comprising basement car parking, a three-storey non-residential podium, and two residential apartment buildings within slender tower forms.

Key numeric details of the concept reference proposal are provided in **Table 10** below.

Table 11 Reference Design Parameters

| Component | Indicative Development Outcome |
|---------------------|---|
| Land Use | <p>The indicative mixed-use development comprises residential accommodation and non-residential land uses.</p> <p>[Specific non-residential land uses will be confirmed at the DA stage]</p> |
| Building Height | <p>The reference design illustrates a maximum building height of 89.9 metres (measured from the existing ground level at RL 96.65 to the highest parapet at RL186.55).</p> |
| Storeys | <p>The reference design provides two 26-storey buildings (Ground Level to Level 25).</p> |
| Gross Floor Area | <p>The indicative gross floor area (GFA) comprises the following GFA across the podium and two tower arrangement:</p> <ul style="list-style-type: none"> Non-residential GFA: 5,772 sqm Residential GFA: 28,860 sqm Total GFA: 34,632 sqm |
| Floor Space Ratio | <p>Measured against the site area of 5,772 sqm, the reference design demonstrates that the FSR which can be achieved is:</p> <ul style="list-style-type: none"> Residential: 5:1 Non-residential: 1:1 |
| Apartment Mix | <p>The reference design illustrates how it achieves a mix of residential apartments, comprising:</p> <ul style="list-style-type: none"> 25% one-bedroom apartments; 62% two-bedroom apartments; and 13% three-bedroom apartments. <p>The reference design indicates that approximately 319 dwellings can be delivered.</p> |
| Communal Open Space | <p>The reference design illustrates how communal open space can be arranged spatially at Level 01 (podium rooftop) and Level 25 (tower roof tops).</p> |
| Deep Soil Zone | <p>The reference design would allow for a total 496 sqm deep soil area (8.6% of site area)</p> |
| Car Parking | <p>The reference design illustrates that three (3) levels basement car parking can be provided to accommodate approximately 310 car parking spaces.</p> |

5.3. INDICATIVE REFERENCE DESIGN PRINCIPLES

The reference design responds to the proposed controls and the site's strategic opportunities and the surrounding evolving urban character of the Chatswood CBD.

Key guiding principles that inform and underpin the indicative reference design are:

- Urban renewal of a prominent corner location;
- Economic activation and employment generation associated with the non-residential land uses;
- High amenity residential accommodation;
- Tower separation and equitable view sharing;
- Solar access to adjoining land uses (in particular the Chatswood Bowling Club);
- Pedestrian access and connectivity (including the extension of Hammond Lane through-site link); and
- Public domain activation along Pacific Highway.

These key principles demonstrate the clear strategic and site-specific merits of the planning proposal.

5.4. BUILDING MASSING AND KEY DESIGN ELEMENTS

The updated reference design demonstrates the following building massing and key design elements.

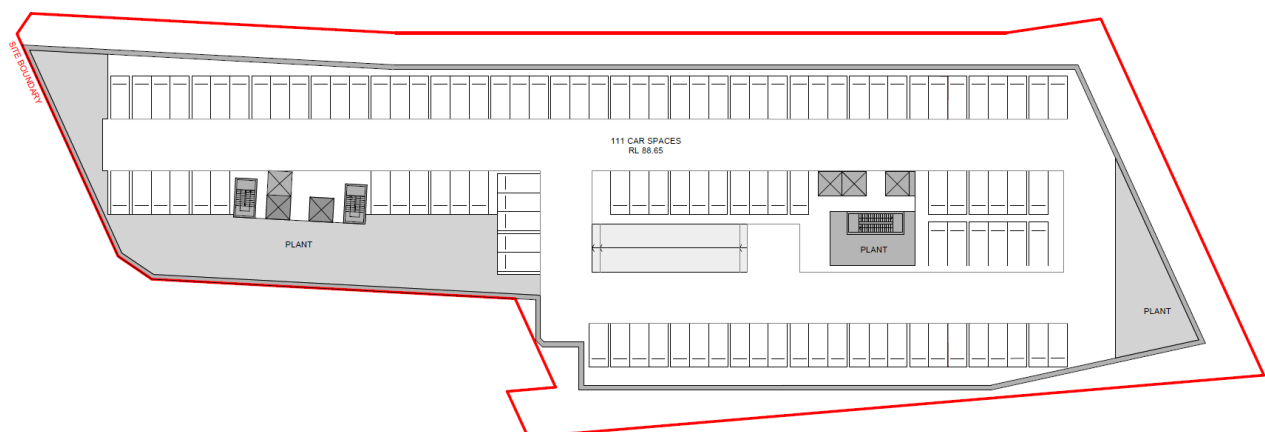
5.4.1. Basement Levels

The reference design provides three basement levels that provide the following:

- Residential parking spaces (including visitor spaces and accessible spaces);
- Non-residential parking spaces (including accessible spaces);
- Loading dock with a swept path that allows for service vehicle accessibility;
- Waste and plant rooms to service the development; and
- Two circulation spaces for each tower including lift cores to each.

Figure 8 demonstrates the indicative typical basement level layout.

Figure 8 Typical Basement Level Layout



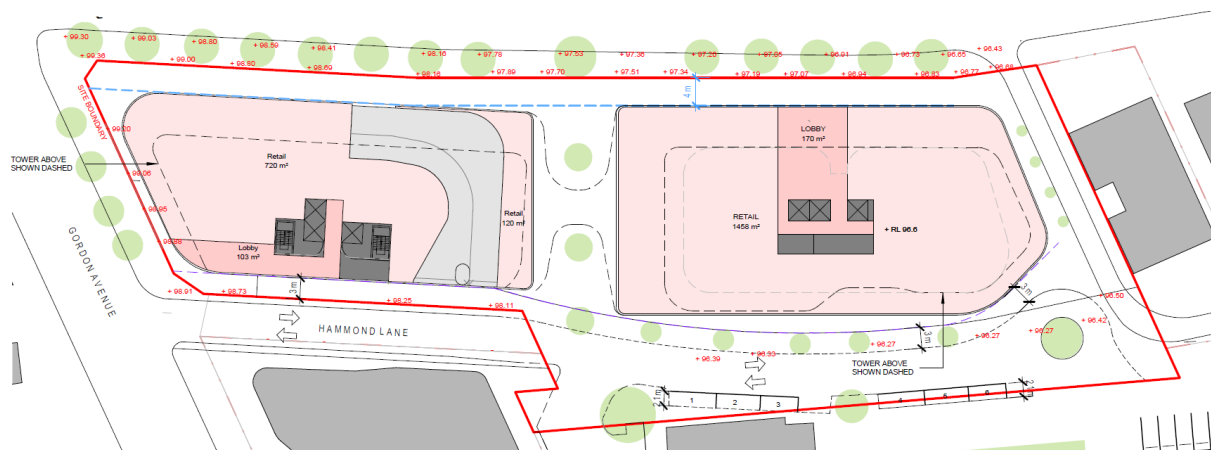
Source: Architectus

5.4.2. Ground Level

The ground floor (+ mezzanine) of the indicative reference design comprises:

- Non-residential floor space (2,298 sqm) – with specific land uses to be confirmed at a future DA stage.
- Open through site link with landscaping to provide an east west connection from Pacific Highway to Hammond Lane.
- Residential lobby entries from Pacific Highway, Hammond Lane, and the through-site link.
- Vehicle access to the basement car park from Hammond Lane including a swept path to facilitate service vehicles accessing the loading dock in the basement.
- Pedestrian right of way pedestrian zone along north Hammond Lane.
- Turning bay at the northern part of Hammond Lane (with access to the future Bowling Club parking).
- Circulation spaces including lift cores that service the residential and non-residential land uses.
- Pedestrian access to ground floor tenancies off Pacific Highway, Gordon Avenue, and Hammond Lane.

Figure 9 Ground Floor Layout



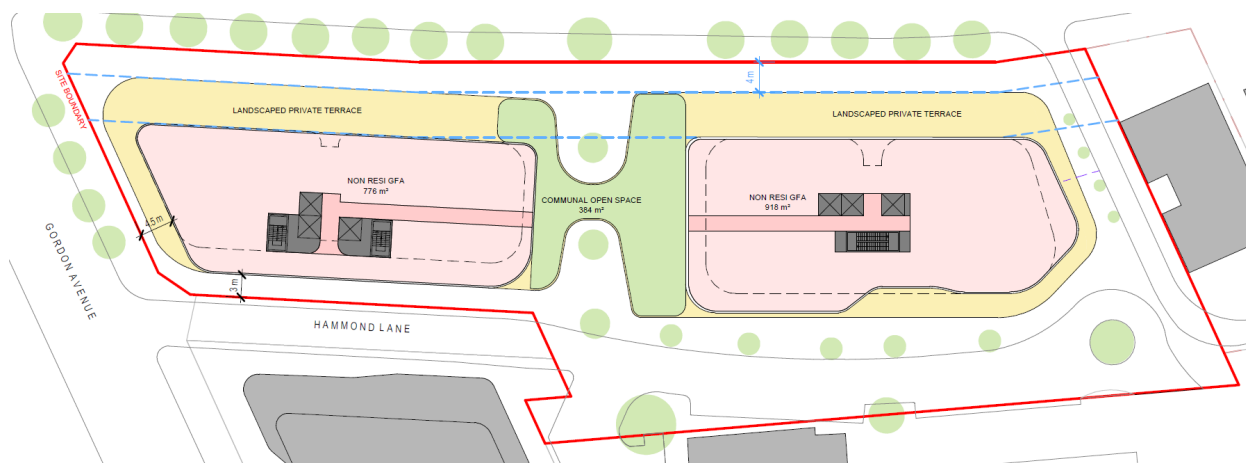
Source: Architectus

5.4.3. Podium (Level 01)

Podium Level 01 of the reference design comprises:

- Non-residential floor space (1,694 sqm) – with specific land uses to be confirmed at a future DA stage.
- Circulation spaces including lift cores that service the residential and non-residential land uses.
- Communal open space between the towers and within a west-facing terrace.

Figure 10 Podium Level 01



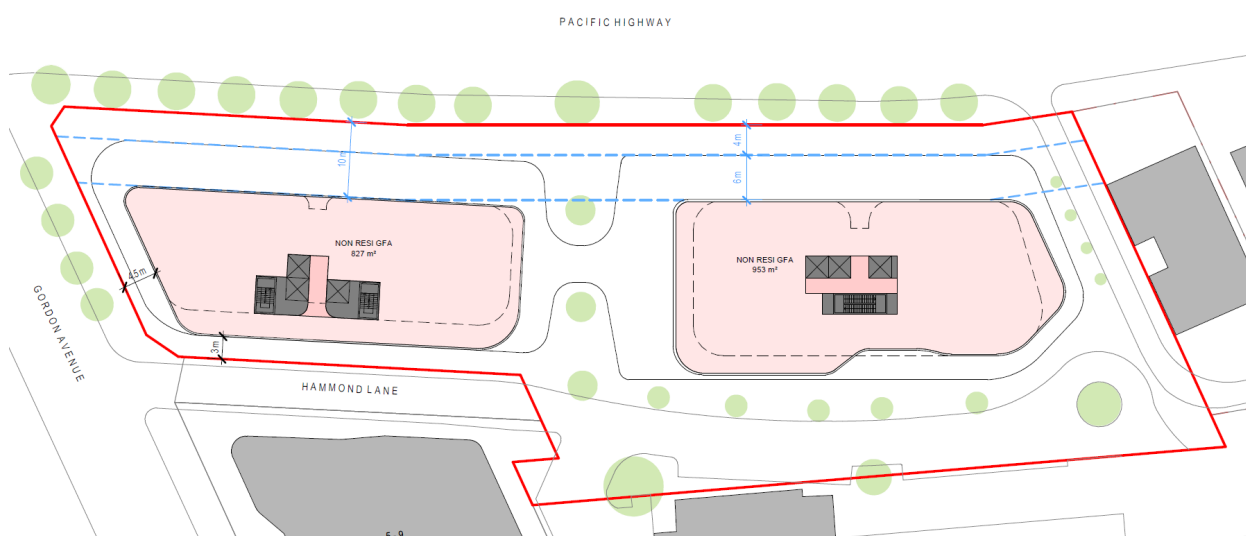
Source: Architectus

5.4.4. Podium (Level 02)

Podium Level 02 of the reference design comprises:

- Non-residential floor space (1,780 sqm) – with specific land uses to be confirmed at a future DA stage.
- Circulation spaces including lift cores that service the residential and non-residential land uses.

Figure 11 Podium Level 02



Source: Architectus

5.4.5. Residential Towers (Level 03 – Level 24)

The indicative reference design presents two 22-storey residential buildings (referred to as Tower 1 and Tower 2) with a maximum building height of 89.9 metres (as measured from the existing ground level at RL 96.65 to the top most parapet at RL 165.55).

The two residential towers have a combined indicative residential floor space of 28,860 sqm.

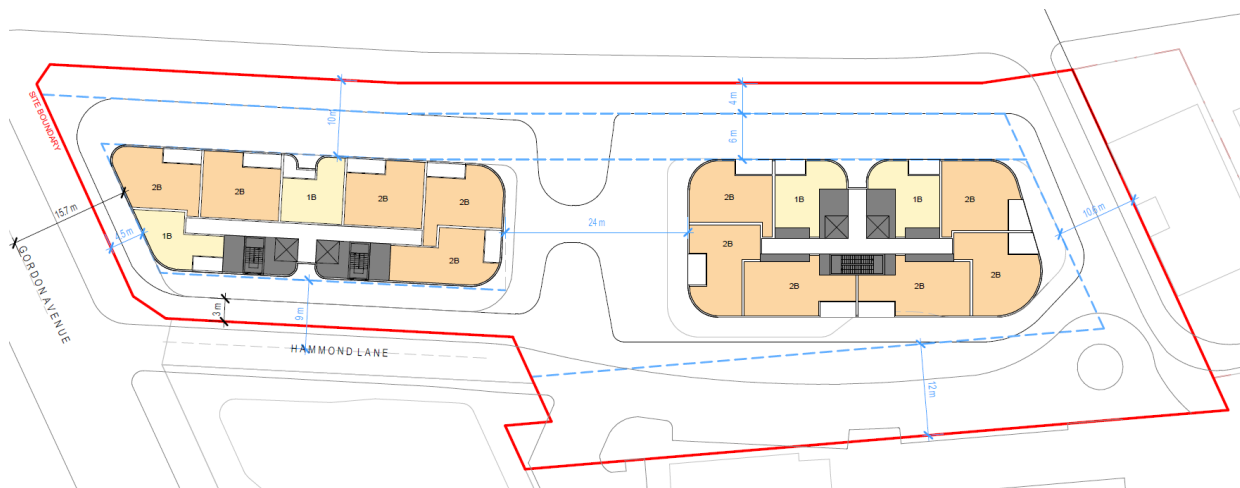
The indicative proposal achieves a mix of residential apartments, comprising:

- 25% one-bedroom apartments;
- 62% two-bedroom apartments; and
- 13% three-bedroom apartments.

The reference design indicates that approximately 319 new dwellings can be delivered on the site.

Figure 12 indicates the typical floor plan for the residential towers.

Figure 12 Typical Residential Floor Plan

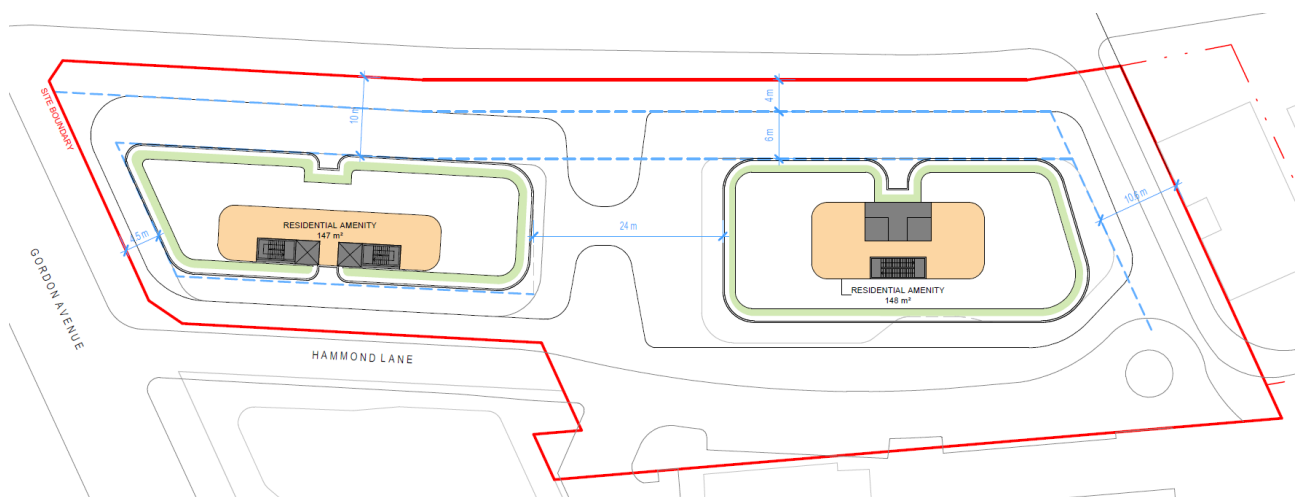


Source: Architectus

5.4.6. Rooftop (Level 25)

The reference design provides a rooftop level (Level 25) across both towers at communal open space for the benefit of residents. The rooftop levels provide a total 295 sqm of residential GFA.

Figure 13 Rooftop (Level 25)



Source: Architectus

5.5. LANDSCAPING AND PUBLIC DOMAIN

The reference design incorporates an integrated landscaping and public domain strategy prepared by Taylor Brammer, as detailed in the updated Landscape Report (at **Appendix E**).

Key design principles of the indicative are:

Public Domain and Ground Floor

Key design principles and features of the public domain and ground level landscape strategy are:

- Meandering path through broad canopy native trees with seating opportunities;
- Through site link with active frontages to building;
- Stop sign / notice at entrance to Hammond Lane (off Gordon Avenue) and after entrance to basement noting 'no through site access' (access will be maintained strictly for Bowling Club guests);
- Banded paving to pedestrian areas and share way;
- Permeable paving to car parking;
- Information sandstone furniture; and
- Pedestrian and cycle share way.

Figure 14 Public Domain and Ground Floor



Source: Taylor Brammer

Figure 15 Hammond Lane Share-Way



Source: Taylor Brammer

Podium Level 01 Landscaping

Key design principles and features of the podium Level 01 landscape strategy are:

- Communal break out space with seating and dining facilities;
- Timber arbour over to provide shade and amenity;
- Enclosed seating nooks to building; and
- Planting to cascade over building edge.

Figure 16 Podium Landscaping



Source: Taylor Brammer

Level 02 and 03

Key design principles and features of the level 2 and 3 landscape strategy are:

- Small tree and layered planting to cascade over building edge (Level 2 and 3);
- Resident garden with dining facilities and pergola over (Level 3); and
- Seating nooks (Level 3).

Figure 17 Level 03



Source: Taylor Brammer

Rooftop Gardens

Key design principles and features of the rooftop garden landscape strategy are:

- Lap pool to building edge with pavilion and sunbeds adjacent;
- Break out space with pergolas and dining facilities;
- Productive gardening opportunities;
- Outdoor cinema with communal lounge;
- Seating nooks to building edge;
- Planting to cascade over building edge; and
- Green roof.

Figure 18 Rooftop Gardens



Source: Taylor Brammer

5.6. SITE ACCESS

The proposed site access arrangements have been revised to reflect Council's RFI (dated 24 March 2023).

The revised vehicle site access arrangement comprising the following:

- All traffic associated with the development site to enter and exit via Hammond Lane;
- Entry to the proposed basement car park from the southern residential building;
- Vehicles associated with the Chatswood Bowling Club to enter and exit the development site via Gordon Avenue (via Hammonds Lane);
- Private basement car parking to be provided underneath the bowling green and at ground level (subject to a future development approval);
- Construction of a new turning bay at the northern end of Hammond Lane (within the subject site);
- Closing off vehicle access to land to the north and Hammond Lane egress to Pacific Highway; and
- Establishment of a publicly accessible right of way pedestrian zone along Hammond Lane.

Two pedestrian access points into each of the towers will be provided to the north of Tower 1 and the south of Tower 2 via the shared space between the two towers, providing access to the residential lobby. Pedestrian access to the non-residential land uses at ground floor will be from Pacific Highway, Gordon Avenue, and Hammond Lane. Detailed access arrangements will be resolved at a future DA stage.

6. PLANNING PROPOSAL ASSESSMENT

The planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) and the *Local Environmental Plan Making Guideline (LEP Making Guideline)* published by NSW Department of Planning, Housing, and Industry (**DPHI**) in August 2023.

Accordingly, the planning proposal is assessed in the following parts:

- **Part 1** – A statement of the objectives and intended outcomes.
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – The justification of strategic and site-specific merit.
- **Part 4** – Mapping.
- **Part 5** – Details of community consultation that is to be undertaken for the planning proposal.
- **Part 6** – Project timeline.

Discussion for each of the above parts is outlined in the following sections.

7. PART 1 - OBJECTIVES AND INTENDED OUTCOMES

7.1. INTENDED OUTCOMES

The intended outcome of the planning proposal is to request an amendment to the land use zoning and planning controls that apply to the site under the Willoughby LEP 2012. The proposed rezoning and planning control changes will unlock the significant potential of this strategically located site and facilitate a new mixed use residential development. Future development will be contextually appropriate and consistent with the vision, objectives, key elements, and site-specific built form parameters of the Chatswood CBD Strategy.

The intended outcomes of the planning proposal are:

- To realise the development potential of this strategically located site and in turn support the evolution of the Chatswood CBD and contribute to the rejuvenation of the wider Willoughby LGA.
- To provide a compatible mix of land uses that contribute to creating a vibrant and active community, including potential for high amenity residential accommodation and employment generating land uses.
- To contribute to the housing dwelling supply needed to achieve the dwelling targets for the North district.
- To provide 4% of the total accountable residential floor space as affordable housing within proximity to public transport and employment opportunities.
- To provide public domain improvements at ground floor that responds to the interface to the Chatswood Bowling Club and improves pedestrian connectivity from Pacific Highway to Hammond Lane.

7.2. INTENDED OBJECTIVES

The intended objective of the planning proposal is to amend the LEP and establish a new site-specific DCP that will enable renewal of the site to accommodate new mixed use residential development.

The intended objectives of the planning proposal are to amend the LEP as follows:

- Rezone the site from R3 Medium Density Residential to MU1 Mixed Use.
- Amend the maximum building height development standard from 12 metres to 90 metres.
- Amend the maximum floor space ratio (**FSR**) development standard from 0.9:1 to 6:1.
- Apply a minimum lot size of 5,500 sqm.
- Identify the site on the LEP Affordable Housing Map such that clause 6.8 (*Affordable housing*) applies. This clause requires development for the erection of residential accommodation to provide affordable housing dwellings (or payment of a monetary contribution to the consent authority) equivalent to 4% of the accountable total floor space (being the residential accommodation component).
- Identify the site as subject to the provisions of clause 6.25 (*Shop top housing in Zone MU1*). This clause requires that development consent for the purposes of shop top housing on land in Zone MU1 Mixed Use must not be granted unless the consent authority is satisfied at least 17% of the gross floor area of the building will be used for non-residential purposes.
- Identify the site on the LEP Special Provisions Area Map as 'Area 8' such that clause 6.16 (*Minimum lot sizes for commercial and mixed-use development in Chatswood CBD*) applies. The clause provides a minimum lot size for development for the purposes of mixed-use development in Zone MU1 Mixed Use.
- Identify the site on the LEP Special Provisions Area Map as "Area 5" such that clause 6.23 (*Design excellence at certain sites at Willoughby*) applies. This clause requires development involving the erection of a new building to deliver the highest standard of architectural, urban, and landscape design. For a building that is, or exceeds, 35 metres above ground level (existing), an architectural design competition is to be held in relation to the development.
- Identify the site as subject to Schedule 1 (27) (*Use of certain land in Chatswood CBD*). This clause applies to land zoned MU1 Mixed Use and identified as "Area 8" on the Special Provisions Area Map and provides that development for the purposes of residential flat buildings is permitted with development consent if the ground floor is used for non-residential purposes only and at least 17% of the gross floor area of the building will be used for non-residential purposes.

8. PART 2 - EXPLANATION OF PROVISIONS

8.1. LAND TO WHICH THE PLAN WILL APPLY

The land that is proposed to be included in the LEP amendment is located at 641 – 655 and 655A Pacific Highway, Chatswood. The legal property description of the site is SP57067 and SP12238.

8.2. PROPOSED LEP AMENDMENTS

This section is to be read in conjunction with **Section 9** of this report, which contains the proposed amended LEP maps for the land use zoning and development standards and controls.

Land Use Zoning

It is proposed to amend the land use zoning from R3 Medium Density Residential to MU1 Mixed Use.

This outcome can be achieved by amending the LEP Land Use Zoning map (refer to **Appendix K**).

Building Height

It is proposed that a 90 metres maximum height of building development standard be applied to the site.

This outcome can be achieved by amending the LEP Height of Building map (refer to **Appendix K**).

Floor Space Ratio

It is proposed that a maximum floor space ratio (**FSR**) development standard of 6:1 be applied to the site.

This outcome can be achieved by amending the LEP FSR map (refer to **Appendix K**).

Affordable Housing

It is proposed that a future detailed development proposal provides affordable housing equivalent to 4% of the accountable total floor space (being the residential accommodation component of the development).

This outcome can be achieved by identifying the site as Area 1 on the LEP Affordable Housing Map such that clause 6.8 (*Affordable housing*) applies to the site.

Design Excellence

It is proposed that a future detailed development proposal achieves the highest standard of architectural, urban, and landscape design and to exhibit design excellence.

This outcome can be achieved by identifying the site as “Area 5” on the LEP Special Provisions Area Map such that clause 6.23 (*Design excellence at certain sites at Willoughby*) applies to the site.

Shop Top Housing

It is proposed that a future detailed development proposal will provide at least 17% of the gross floor area of the building for non-residential purposes.

This outcome can be achieved by identifying the site as subject to clause 6.25 and Schedule 1(27) (*Use of certain land in Chatswood CBD*) (“Area 8”). These provide that development consent for the purposes of shop top housing in Zone MU1 Mixed Use must not be granted unless the consent authority is satisfied that at least 17% of the gross floor area of the building will be used for non-residential purposes.

Minimum Lot Sizes for Commercial and Mixed Use Development in Chatswood CBD

It is proposed that the site is subject to a minimum lot size of 5,500 sqm.

This outcome can be achieved by applying a minimum lot size control to the site under clause 6.16.

9. PART 3 – JUSTIFICATION

9.1. SECTION A - NEED FOR THE PLANNING PROPOSAL

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The planning proposal is a result of the following local strategic planning statement and strategic plans:

- Willoughby Local Strategic Planning Statement; and
- Chatswood Planning and Urban Design Strategy 2036.

Willoughby Local Strategic Planning Statement

Local Strategic Planning Statements (**LSPS**) are a layer of strategic planning legislated by the EP&A Act and introduced in March 2018. The LSPS is intended to provide more certainty about future land use intentions of a local government area. A local authority must consider its LSPS as part of the LEP making process.

Council adopted the Willoughby Local Strategic Planning Statement (**LSPS**) in March 2020. The LSPS identifies a 20-year vision with planning priorities and actions for strategic land-use planning in Willoughby.

The LSPS gives effect to the Greater Sydney Region Plan and the North District Plan, being the NSW Government’s strategic land-use plans for Greater Sydney and the North District respectively. These plans establish a vision for Greater Sydney to be a metropolis of three cities, with Willoughby City an important part of the Eastern Economic Corridor within the Eastern Harbour City. The LSPS is to be used to inform future amendments to the Willoughby Local Environmental Plan 2012 and the Development Control Plan.

The LSPS is underpinned by the following vision for 2036:

“Willoughby is a City of Diversity: diverse landscapes, people and businesses. We recognise the past while creating new liveable places, strong communities and homes for the future. Our skyline’s silhouette dramatically outlines the transition from modern apartment towers to medium density apartments and houses that span a variety of eras and designs. It is easy to get around our city. Public transport options, connected walkways and cycle paths help minimise the impact of cars on our roads and provide us with healthier choices. Our vibrant economy continues to grow and diversify. Food and music are signatures of our hubs. Many choose to live and work here, able to meet all their needs within a short walk.”

The LSPS identifies directions, planning priorities, and actions. The framework for the LSPS is the 10 directions embedded in the Greater Sydney Region Plan and North District Plan which aim to make Sydney more liveable, productive, sustainable, and align infrastructure with growth.

Table 12 details the consistency of the planning proposal with the LSPS themes and planning priorities.

Table 12 Consistency with the Willoughby LSPS

| Planning Priorities | Consistency |
|--|--|
| Theme 1: A Liveable City | |
| Housing for the City | |
| <i>P 1. Increasing housing diversity to cater to families, the aging population, diverse household types and key workers</i> | The planning proposal contributes to urban renewal by providing high quality residential accommodation within close proximity to jobs, services, and amenities. Future development will deliver a range of housing types and sizes that cater to the Willoughby community to ensure housing diversity. The typology of the apartments (one, two-, and three-bedroom units) will increase |

| Planning Priorities | Consistency |
|---|--|
| | <p>housing diversity in an appropriate place to respond to demand for household types, tenures, price points, and demographics.</p> <p>The reference design indicates that approximately new 319 dwellings can be delivered on the site.</p> |
| <i>P 2. Increasing the supply of affordable housing</i> | <p>The planning proposal identifies the site on the LEP Affordable Housing Map such that clause 6.8 (<i>Affordable housing</i>) will apply to future development.</p> <p>In accordance with the provisions of clause 6.8, a future development proposal on the site for the erection of residential accommodation will be required to provide affordable housing dwellings (or payment of a monetary contribution to the consent authority) equivalent to 4% of the accountable total floor space (being the residential accommodation component).</p> |
| A City for People | |
| <i>P 3. Enhancing walking and cycling connections, Willoughby's urban areas, local centres and landscape features</i> | <p>The site is highly accessible to current and future transport including the Chatswood train station and Metro station. Future development will optimise public transport usage and represent opportunities for land use density and diversity within a walkable distance to commercial, mixed-use and neighbourhood centres.</p> <p>Future development will facilitate permeability and pedestrian connectivity and enhance walking and cycling connections to the surrounding locality and the broader Willoughby locality.</p> |
| A City for Great Places | |
| <i>P 5. Respect and celebrate our history, heritage sites and attractions of Willoughby City, including more dwellings close to open space.</i> | The reference design provides substantial opportunities for public domain improvements at street level. The site is within close proximity to Chatswood Oval which will allow for increased residential dwellings to have access to existing open spaces. |
| <i>P 6. Facilitate the viability and vibrancy of our strategic and local centres</i> | The provision of non-residential land uses within the podium levels fronting the Pacific Highway and Gordon Avenue will contribute increased employment generation and economic activity which in turn will facilitate vibrancy and vitality to the CBD. |
| Theme 2: A Productive City | |
| A Well-Connected City | |
| <i>P 7. Developing Chatswood's role as a true transport hub for Willoughby City and the North Shore</i> | The site is strategically located with close proximity of the Chatswood train and Metro station (approximately 500 metres walking distance) and also has connectivity to Frank Channon Walk. The Chatswood interchange is an active transport hub which connects Chatswood with Sydney CBD via frequent and |

| Planning Priorities | Consistency |
|---|--|
| | quick services. It also connects residents and workers to northern suburbs (including Hornsby) and Parramatta in the west. |
| <i>P 8. Facilitate the viability and vibrancy of our strategic and local centres</i> | <p>The non-residential land uses within the podium levels will contribute increased employment generation and economic activity which in turn will facilitate vibrancy and vitality to the CBD.</p> <p>The Employment Advice prepared by Urbis (at Appendix P) indicates that the development will contribute 125 direct and 175 indirect jobs during construction over 3 years, and 298 direct and 295 indirect jobs (per annum) during the operational phases.</p> |
| Jobs and Skills for the City | |
| <i>P 9. Developing Chatswood as a key commercial centre and integral part of the Eastern Economic Corridor.</i> | The non-residential land uses within the podium will contribute employment generation and economic activation to reinvigorate and strengthen the CBD and reinforce the role of Chatswood as an integral strategic centre in the Eastern Economic Corridor. As summarised in the Employment Advice (at Appendix P), future development is estimated to generate 592 operational jobs. |
| Theme 3: A Sustainable City | |
| <i>P 14. Increasing Willoughby's tree canopy coverage</i> | <p>The indicative landscape proposal integrates the principles of biophilia and draws inspiration from the established mature landscape forms of the north shore and Chatswood. The landscape design protects and retains existing trees along the Pacific Highway and includes additional tree plantings to increase Willoughby's tree canopy coverage.</p> <p>The reference design also includes substantial landscaping and planting at the ground plane and at podium and rooftop levels to increase the presence of vegetation.</p> |
| <i>P 15. Improving the efficiency of Willoughby's built environment</i> | The site-specific DCP includes performance criteria that requires development to incorporate measures that achieve high building sustainability standards and ESD outcomes. A future proposal is expected to achieve a minimum 5 star GBCA building rating. (for the commercial component) and BASIX compliance (for the residential component). |

Chatswood Planning and Urban Design Strategy 2036

In September 2020, Willoughby City Council adopted the *Chatswood CBD Planning and Urban Design Strategy 2036 (Chatswood CBD Strategy)*. The Strategy establishes a strategic planning framework to guide future private and public development over the next 20 years. It aims to provide capacity for future growth, achieve exceptional design, and create a distinctive, resilient, and vibrant CBD.

The objective of this planning proposal is to amend the planning controls that apply to the site under the LEP to align with the vision, objectives, key elements, and built form parameters of the Chatswood CBD Strategy.

Table 13 provides a detailed assessment of the compliance and consistency of the planning proposal with the relevant site-specific objectives, key elements, and design criteria of the Chatswood CBD Strategy.

Table 13 Consistency with Chatswood CBD Strategy

| Key Element | Principle / Control | Planning Proposal |
|--------------------------|---|--|
| Land Use | MU1 Mixed Use | <p>Yes. The planning proposal rezones the site from R3 Medium Density Residential to MU1 Mixed Use.</p> <p>The reference design is for residential accommodation and non-residential land uses (to be confirmed at a future detailed DA stage).</p> |
| Floor Space Ratio | Maximum FSR: 6:1 | <p>Yes. The planning proposal seeks to identify a maximum FSR development standard of 6:1.</p> <p>The FSR of the indicative reference design is 6:1.</p> |
| Commercial FSR | Minimum commercial FSR: 1:1 | <p>Yes. The planning proposal identifies the site as subject to clause 6.25 and Schedule 1(27) (<i>Use of certain land in Chatswood CBD</i>) ("Area 8"). These clauses provide that development consent for the purposes of shop top housing in Zone MU1 Mixed Use must not be granted unless the consent authority is satisfied at least 17% of the gross floor area of the building will be used for non-residential purposes.</p> <p>The non-residential component of the indicative reference design has an FSR of 17%.</p> |
| Built Form | <p>Maximum floor plate (GFA):</p> <ul style="list-style-type: none"> Office: 2,000 sqm Residential above podium: 700 sqm <p>If there is more than one residential tower on a site, sufficient separation is to be provided in accordance with:</p> <ul style="list-style-type: none"> Setbacks in the CBD Strategy; SEPP 65; and Apartment Design Guide. | <p>Yes. The maximum GFA of the floor plates for the indicative reference design complies.</p> |

| Key Element | Principle / Control | Planning Proposal |
|--|---|---|
| | Two towers should not be read as one large tower and towers are not to be linked above the podium. Two towers are to operate independently of each other. | |
| Sun Access to Key Public Spaces | <p>No additional overshadowing and protection in mid-winter of:</p> <ul style="list-style-type: none"> ▪ Tennis and croquet club (between 12pm – 2pm); and ▪ Chatswood Bowling Club. <p>Provide a minimum 3 hours solar access between 9am and 3pm mid-winter to South Chatswood Conservation Area.</p> | <p>Yes. The indicative reference design demonstrates how compliant solar access can be maintained to:</p> <ul style="list-style-type: none"> ▪ the Tennis and croquet club between 12pm – 2pm (mid-winter); ▪ the Chatswood Bowling Club between; and ▪ the South Chatswood Conservation Area. <p>The Urban Design Report (at Appendix D) assesses solar access impacts of the proposal.</p> |
| Building Height | Maximum 90 metres [Including roof top structures – lift over runs and other architectural features] | <p>Yes. The planning proposal seeks a maximum building height control of 90 metres.</p> <p>The height of the reference design is 89.9 metres (measured from RL96.65 to RL186.55).</p> |
| Links and Open Space | <p>Pedestrian and cycling linkages will be sought to improve existing access within the CBD.</p> <p>Communal open space to address issues of quality, safety, and usability.</p> <p>A through-site link (open air 24 hour) is to be provided along Hammond Lane (as below).</p> | <p>Yes. The reference design incorporates a 4m setback to Pacific Highway, clear of any built form and suitable for soft landscaping. This setback is capable of integration with Council's proposed 5m shared pedestrian and cycle along the eastern side of the Pacific Highway.</p> <p>The proposal facilitates the widening of Hammond Lane to provide two-way vehicle access. The proposal will reinforce the Hammond Lane through-site link (to be retained open air 24 hour).</p> |
| Public Art | All redevelopments should contribute to public art as per Council's Public Art Policy. | <p>Can comply: The reference design provides opportunities for integrated public art within the building articulation and public spaces.</p> <p>The site-specific DCP includes a control that requires a future DA to include a public art strategy aligned with Council's Public Art Policy.</p> |
| Design Excellence | Design excellence will include achievement of higher building sustainability standards. | <p>Yes. Future development will be subject to an Architectural Design Competition undertaken in accordance with Council's <i>Guidelines for Design Excellence Review and Competitions</i>.</p> <p>The competitive design process will be undertaken in accordance LEP clause 6.23. The site is identified within "Area 5". The clause has the aim to deliver the highest standard of</p> |

| Key Element | Principle / Control | Planning Proposal |
|--|---|--|
| | | architectural, urban, and landscape design. The clause requires any development for the erection of a new building or external alterations to an existing building on land identified on the Special Provisions Area Map to exhibit design excellence. |
| Public Realm or Accessible Areas | <p>Public realm or areas accessible by public on private land:</p> <ul style="list-style-type: none"> Designed to respond to context and nearby public domain. Visible from the street and easily accessible. <p>Depending on context, include public rights of way (or similar) to achieve a permanent public benefit.</p> | <p>Yes. The reference design is capable of incorporating high amenity landscaped open spaces around the site. These areas will be visible from streets, publicly accessible, and integrate with the public footpaths along Wilson Street and Pacific Highway.</p> <p>Open spaces around the site will be capable of integrating with the new shared pedestrian and cycle pathway along the Pacific Highway.</p> |
| Landscaping | All roofs up to 30 metres from ground are to be green roofs. | This can be confirmed at a detailed DA stage. |
| Soft Landscaping | Minimum 20% of the site to be soft landscaping [located on ground, podium, or roof top levels]. | Can comply. The proposal is capable of providing areas of soft landscaping at ground and podium levels (in excess of 20% of the site area). |
| Setbacks | <p><u>Pacific Highway Frontage</u></p> <ul style="list-style-type: none"> Minimum 4m at ground level from front boundary. Maximum 7m street wall height. Minimum 6m setback above street wall to tower. | <p>Yes [minimum 4m at ground level]</p> <p>Yes [6m street wall height]</p> <p>Yes [6m setback above street wall to tower fronting Pacific Highway]</p> |
| | <p><u>Gordon Avenue Frontage</u></p> <ul style="list-style-type: none"> 6-14m street wall height at front boundary. Minimum 3m setback above street wall to tower. | <p>Yes [6m street wall height]</p> <p>Yes [3m setback above street wall to Gordon Avenue]</p> |
| Tower Podium Setbacks | Towers above podiums setback from all boundaries a minimum of 1:20 ratio of the setback to building height (i.e. minimum 4.5m setback for 90m height). | Yes. The tower is setback a minimum 4.5m to all boundaries above the podium. This achieves the minimum 1:20 ratio for a building height of 90 metres. |
| Building Separation to Neighbouring Buildings | <p>Building separation to adjoining buildings:</p> <ul style="list-style-type: none"> In accordance with the Apartment Design Guide for residential uses. | Yes. As detailed in the concept architectural package (Appendix D), the separation distance between the residential buildings (Tower 1 and 2) |

| Key Element | Principle / Control | Planning Proposal |
|--------------------------------|--|--|
| | <ul style="list-style-type: none"> A minimum of 6m from all boundaries for commercial uses above street wall height. | and to adjoining land complies with minimum building separation requirements of the ADG. |
| Active Street Frontages | Buildings to maximise active frontages. Blank walls minimised and located away from key street locations. | <p>Yes. The indicative reference design provides residential lobby areas and non-residential tenancies at ground level to maximise the active frontages to Pacific Highway.</p> <p>Yes. Blank walls have been minimised to Gordon Avenue and Pacific Highway (the key street locations).</p> |
| Built Form | Supporting functions such as car parking, loading, garbage rooms, plant and other services located in basement levels. | <p>The indicative reference design seeks to maximise activation at ground level, particularly to Hammond Lane and the extension of the through-site link along the eastern boundary of the site.</p> <p>The reference design demonstrates how car parking, waste rooms, plant, and services can be provided at basement level.</p> |
| Traffic and Transport | Vehicle entry points to minimise streetscape impact, with one entry into and exiting a site. | Yes. The reference design demonstrates that a future design is capable of providing vehicle entry via a single entry/exit point from Hammond Lane. |
| | Where possible, cars and service vehicle access should be separated. | Yes. The basement entry and exit access point can provide separated access for cars and service vehicles. |
| | All vehicles are to enter and exit a site in a forward direction. | Yes. The design allows all vehicles to enter and exit in a forward direction. |
| | All commercial and residential loading / unloading to occur on-site and not in public streets. | Yes. The proposal can be designed and engineered to allow commercial and residential loading / unloading to occur within the site. |
| | Car parking should be reduced consistent with Council's Integrated Transport Strategy and in accordance with future revised car parking rates. | Capable of consistency. The applicable car parking rates are established in the site-specific DCP. These are consistent with Council's current Development Control Plan. |
| | Other strategies for car parking reduction include arrangements for sharing parking and car share. | Capable of consistency. The site-specific DCP identifies provisions and arrangements for shared parking / car sharing, green travel plans, and end of trip facilities. |

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

Yes. Without an amendment to the statutory planning controls, the indicative reference design for the site cannot be achieved and the associated public benefits would not be realised.

The following alternative scenarios were considered to give effect to and achieve the objectives of the Planning Proposal. However, these were not pursued as the best means to achieve the intended outcome.

- Lodging a development application under the current LEP 2012 planning controls; and
- 'Do nothing' – wait for future amendments to LEP 2012 planning controls.

Development Application

Lodging a Development Application to Willoughby Council was considered; however, the site is zoned R3 Medium Density Residential, the existing maximum building height is 12 metres, and the existing maximum FSR is 0.9:1. The statutory planning framework that applies to the site under the existing LEP is considered obsolete and not reflective of the local and State strategic planning direction for the Chatswood CBD. A development proposal commensurate with the existing planning controls would constitute an under-development of a strategically valuable site.

The strategic direction of the site is to accommodate for two 26-storey towers (with a building height of 90 metres). A development application could be submitted with a clause 4.6 variation request to exceed the maximum building height control and FSR; however, this would be inconsistent with the implementation strategy of the Chatswood CBD Strategy and would result in a significant departure from the existing statutory planning controls. In this instance, a clause 4.6 variation request would not be the most appropriate mechanism to achieve the intended outcome.

Do nothing – Comprehensive LEP Amendment

As detailed in **Section 4.2**, the Comprehensive LEP amendment was gazetted by DPHI on 30 June 2023. This process was undertaken to align with the provisions of the EP&A Act which require all local authorities to review their LEPs periodically to reflect changing circumstances. The amendments aligned the LEP with the recommendations of the Chatswood CBD Strategy. The implementation of the Chatswood CBD Strategy and other Council strategies into the Comprehensive LEP establishes a unified statutory planning framework which will strengthen the Willoughby LGA and more specifically, Chatswood as a metropolitan Strategic Centre. This will facilitate employment and population growth over the next twenty years. This planning proposal gives effect to the vision and objectives of the endorsed LSPS and North District Plan.

However, the subject site was excised from the Comprehensive LEP amendment. Therefore the 'do nothing scenario' would result in the site retaining the existing LEP controls. This scenario would prevent the site from being redeveloped for high density mixed use residential development as envisaged within the endorsed Chatswood CBD Strategy. Accordingly, the site-specific planning proposal is the best means of achieving the objectives and intended outcomes for the site aligned with the Chatswood CBD Strategy. It will enable the delivery of the high density mixed use residential development. The adoption of the Chatswood CBD Strategy has resolved the strategic position that the site warrants density uplift.

Notwithstanding that the subject site-specific planning proposal was submitted prior to the commencement of the public exhibition of the draft Comprehensive LEP amendment, it is aligned and consistent with relevant changes made in the Willoughby LEP 2012 (Amendment No 34) as gazetted on 30 June 2023.

9.2. SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.

9.2.1. Guide to Preparing Planning Proposals – Assessment Criteria

The Planning Proposal demonstrates both strategic and site-specific planning merit in accordance with the Assessment Criteria of the *LEP Making Guideline*.

Table 14 contains an assessment of the planning proposal against the Guideline.

Table 14 Assessment against LEP Making Guideline

| Assessment Criteria | Response |
|--|---|
| Strategic Merit | |
| <p><i>Does the proposal:</i></p> <ul style="list-style-type: none"> ▪ Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or | <p>Yes. The planning proposal is consistent with the objectives and actions of the following:</p> <ul style="list-style-type: none"> ▪ Greater Sydney Region Plan (Table 15); ▪ North District Plan (Table 16); and ▪ Future Transport Strategy 2056. |
| <ul style="list-style-type: none"> ▪ Demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or | <p>Yes. The Planning Proposal is consistent with the objectives and actions of the following:</p> <ul style="list-style-type: none"> ▪ Chatswood CBD Strategy (Table 13); and ▪ Willoughby LSPS (Table 12). |
| <ul style="list-style-type: none"> ▪ Respond to a change in circumstances that has not been recognised by the existing planning framework | N/A |
| Site-Specific Merit | |
| <p><i>Does the proposal give regard and assess impacts to:</i></p> <ul style="list-style-type: none"> ▪ the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards) ▪ existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates ▪ services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision | <p>Yes. The planning proposal has site-specific merit having regard to the following matters:</p> <ul style="list-style-type: none"> ▪ the natural environment; ▪ existing, approved, and likely future uses; and ▪ available and proposed services and infrastructure. <p>The site-specific merits of the planning proposal are assessed in Section 9.3 of this report.</p> |

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal gives effect to the objectives of the following regional and district plans:

- Greater Sydney Region Plan – *A Metropolis of Three Cities*; and
- North District Plan.

Greater Sydney Region Plan – A Metropolis of Three Cities (2018)

In March 2018, the Greater Sydney Commission (**GSC**) finalised the Greater Sydney Region Plan – *A Metropolis of Three Cities* (**Sydney Region Plan**), as the NSW Government’s metropolitan plan for Sydney.

The Plan repositions Sydney as a metropolis of three cities, being the Western Parkland City, Central River City, and **Eastern Harbour City** (within which Willoughby LGA is located). The Region Plan presents a strategy for managing growth, change, and infrastructure delivery over the next 40 years and establishes policy directions to achieve identified goals and principles, with each direction underpinned by actions.

Table 15 assesses the consistency of the planning proposal with the directions and actions of the Plan.

Table 15 Assessment against Greater Sydney Region Plan

| Greater Sydney Region Plan | Planning Proposal Response |
|--|---|
| Direction 1: A city supported by infrastructure | |
| <p><i>Objective 2: Infrastructure aligns with forecast growth</i></p> <p><i>Objective 4: Infrastructure use is optimised</i></p> | <p>The proposed density uplift is highly appropriate given the site’s location that will encourage use of existing and new transport infrastructure including the Sydney Metro.</p> <p>The proposed mix of residential and non-residential land uses will positively contribute towards a diversity of land uses within the CBD and generation of demand and use of the public transport infrastructure.</p> <p>As detailed in Traffic Impact Assessment (at Appendix G), the resultant traffic increase will not adversely affect existing intersection performances along Pacific Highway. Future development aligned with the planning proposal would be responsible for some increase in peak hour traffic flows along surrounding key roads. The surrounding road network will continue to operate efficiently.</p> |
| Direction 2: A collaborative city | |
| <p><i>Objective 5: Benefits of growth realised by collaboration of governments, community and business</i></p> | <p>The planning proposal will assist in the collaboration of government, community and business as follows:</p> <ul style="list-style-type: none"> ▪ The proposed density uplift envisioned by the planning proposal will unlock the full development potential of the site. ▪ Renewal of the site for a mixed-use development will contribute towards the achievement of housing and employment targets for the CBD and provide funding to support local infrastructure investment. ▪ Future development will positively contribute to the local community through adequate street setbacks, public domain upgrades, and non-residential land uses that have potential to contribute to a vibrant and active economy. A high-quality built form outcome will positively contribute to the local and emerging character of the locality. |

| Greater Sydney Region Plan | Planning Proposal Response |
|---|--|
| | <ul style="list-style-type: none"> The proposal is consistent with the objectives and site-specific principles and design criteria in the Chatswood CBD Strategy. |
| Direction 4: Housing the City | |
| <p><i>Objective 10: Greater housing supply</i></p> <p><i>Objective 11: Housing is more diverse and affordable</i></p> | <p>The NSW Government has identified a need for 725,000 additional homes by 2036 to meet demand based on current population projections of an additional 1.7 million people in Greater Sydney. As part of this unprecedented level of supply, a range of housing types, tenures, and price points will be needed to meet demand.</p> <p>The following housing targets are identified for the Northern District:</p> <ul style="list-style-type: none"> 0–5-year target (2016-2021): 25,950 additional homes 20-year (2016-2036): 92,000 additional homes <p>The Plan underlines the important role that the development industry plays in supporting new housing outcomes and translating the development capacity created by the planning system.</p> <p>The planning proposal will facilitate new housing and contribute to the 20-year strategic housing target of 92,000 new dwellings by 2036. The reference design indicates that approximately 319 dwellings can be delivered. The concentration of density within areas identified for growth in the CBD will enable the retention of existing low-density residential areas within Willoughby and preserve local character and heritage buildings.</p> <p>The proposal will contribute to the creation of a walkable neighbourhood within the southern portion of the CBD. Future development will deliver a range of housing types and sizes that cater to the local community, ensure housing diversity, and support active and healthy lifestyles. The typology of the apartments (one, two-, and three-bedroom units) will increase housing diversity in an appropriate location to respond to demand for household types, tenures, price points, and demographics.</p> <p>The Plan underlines the dual social and economic role of housing across Greater Sydney. Communities require housing that meets changing demographic needs over time and provides stability. Furthermore, housing has an economic productivity role by providing housing choice and affordability for a cross-section of workers. The planning proposal will contribute affordable housing and achieve important social outcomes.</p> |
| Direction 5: A city of great places | |
| <p><i>Objective 12: Great places that bring people together</i></p> | <p>The proposal will contribute to creating a great place by co-locating new residential and non-residential land uses (such as retail and commercial offerings) within close proximity to established and future transport infrastructure. The proposal will achieve a great place-based outcome through enhanced walkability and liveability in an urban environment.</p> <p>The future development of the site will positively contribute to and significantly enhance the public domain, to create a great place for residents, visitors, and tenants. The ground floor and podium levels will</p> |

| Greater Sydney Region Plan | Planning Proposal Response |
|---|---|
| | accommodate a range of employment generating land uses. In turn these will create a lively activated space for pedestrians and encourage a positive interface relationship with the Chatswood Bowling Club. |
| Direction 6: A well-connected city | |
| <i>Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</i> | <p>The '30-minute city' enables residents to access jobs and services in their nearest metropolitan or strategic centre within 30 minutes by public transport, walking and/or cycling, seven days a week. This will provide better access to jobs, education, and essential community services.</p> <p>Chatswood is identified as a strategic centre and major asset in the Eastern Economic Corridor, extending from Macquarie Park to Sydney Airport. The role of strategic centres is to accommodate high levels of private sector investment, enabling growth and evolution to become integral to the structure of the region. The delivery of new residential accommodation will contribute to the long-term aspiration to deliver a 30-minute city where residents can access their strategic centre (Chatswood CBD) within 30 minutes by public transport. This will assist in residents to live within proximity of jobs and optimise a liveable and walkable city.</p> <p>The proximity of the site to existing and planned transport and the delivery of a high-quality development outcome directly aligns with the key objective of the NSW Government to establish 30-minute cities.</p> |
| Direction 7: Jobs and skills for the city | |
| <i>Objective 22: Investment and business activity in centres</i> | <p>The planning proposal delivers non-residential floor space. The configuration and floorplates of the non-residential land uses can accommodate flexible arrangements and a wide range of uses to promote employment generation and diversify job opportunities. For instance, the space could suit small to medium local enterprise employment models or high end commercial tenancies. Future land uses on the site retains employment containment within the LGA.</p> <p>Future development aligned with the planning proposal would result in substantial direct economic benefits during construction and the ongoing operation of the building (including indirect supply chain jobs). The Employment Advice (at Appendix P) estimates that future development on the site will generate a total of 300 jobs during the construction phase and a total of 592 jobs during the ongoing operational phase.</p> |
| Direction 8: A city in its landscape | |
| Objective 31: Public open space is accessible, protected and enhanced | <p>The planning proposal provides significant opportunities to contribute to the accessibility, activation, and enhancement of the public domain, through:</p> <ul style="list-style-type: none"> ▪ Increased urban greening and streetscape amenity; ▪ Creation of a new through-site link from Pacific Highway; ▪ Improved active frontages to Pacific Highway and Gordon Avenue; |

| Greater Sydney Region Plan | Planning Proposal Response |
|--|--|
| | <ul style="list-style-type: none"> ▪ Pedestrian permeability and accessibility through Hammond Lane; ▪ Integration with Council's proposed pedestrian and cycle path ▪ Accessible public domain around the site perimeters; ▪ Activated and human-level street edge to the podium; and ▪ Iconic gateway into Chatswood from Pacific Highway. <p>Section 9.3.2 of this report describes the enhanced public open space and public domain outcomes of the planning proposal.</p> |
| Direction 9: An efficient city | |
| Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change | <p>The planning proposal facilitates walkable neighbourhoods and low carbon transport options given to its proximity to public transport, particularly its location within walking distance to the Chatswood train and Metro station and existing bus services along Pacific Highway. The site's proximity to public transport provides opportunities for residents, workers, and visitors to conveniently use public transport, thereby reducing private vehicle trip movements and contributing towards the creation of low-carbon cities.</p> <p>Sustainability and emission reduction measures can be further explored in the detailed design of redevelopment of the site as part of a future DA.</p> |

North District Plan (2018)

The site is located within the North District of Greater Sydney. The North District Plan was adopted in March 2018 and sets out a 20-year vision to manage growth in the context of economic, social, and environmental matters. The Plan contains strategic directions and planning priorities that implement the objectives of the Greater Sydney Region Plan. The Plan identifies key centres, economic and employment locations, land release and urban renewal areas, and existing and planned transport infrastructure to deliver future growth.

The North District identifies a housing target of an additional 92,000 dwellings by 2036. The employment job target for Chatswood is a baseline of 31,000 by 2036, and a higher job target of 33,000.

Table 16 details how the Planning Proposal aligns with the relevant priorities of the North District Plan.

Table 16 Consistency with North District Plan

| North District Plan | Consistency |
|--|---|
| <i>N1. Planning for a city supported by infrastructure</i> | The planning proposal leverages from the site's proximity to the Chatswood train and Metro station, providing employment and housing in close proximity to established and planned public transport infrastructure. This directly aligns with the key objective of the NSW Government to establish 30-minute cities. |
| <i>N5. Providing housing supply, choice and affordability, with access to jobs and services</i> | The planning proposal will contribute to the 20-year strategic housing target of 92,000 new dwellings by 2036. It will deliver a range of housing types and sizes that cater to the local community, ensure housing diversity, and support active and healthy lifestyles. The reference design indicates that approximately 319 dwellings can be delivered. The proposal increases housing diversity and the provision of affordable housing in an appropriate location to respond to demand for household types, tenures, price points, and demographics. |
| <i>N6. Creating and renewing great places and local centres and respecting the District's heritage</i> | The planning proposal contributes to creating a great place in that it: <ul style="list-style-type: none"> provides opportunities for improved pedestrian circulation and connectivity through and around the site; integrates with the surrounding footpath network and Chatswood Bowling Club and future connections along Hammond Lane; creates pedestrian activation along the Pacific Highway and adds vibrancy and vitality to a currently poor pedestrian environment; delivers a dynamic and permeable interface with the Pacific Highway and the surrounding street network; provides pedestrian permeability via new and enhanced through-site links and convenient paths of travel; and generates opportunities for ground plane activations along Hammond Lane and Gordon Avenue. |
| <i>N8 Eastern economic corridor is better connected and more competitive</i> <i>N10. Growing investment, business opportunities and jobs in strategic centres</i> | The planning proposal can facilitate future high quality contemporary non-residential accommodation, for instance office and retail premises, with flexible floorplates and tenancies. Development aligned with the planning proposal will attract future investment growth and business activity and contribute employment generation and job diversity. The Employment Advice (at Appendix P) estimates that future |

| North District Plan | Consistency |
|--|--|
| | <p>development will generate a total of 300 jobs during the construction phase and a total of 592 jobs during the ongoing operational phase. The proposal will make a strong economic contribution to the Chatswood CBD.</p> |
| <p>N12. <i>Delivering integrated land use and transport planning and a 30-minute city</i></p> | <p>The '30-minute city' enables residents to access jobs and services in the nearest metropolitan or strategic centre within 30 minutes by public transport, walking and/or cycling, seven days a week. This will provide better access to jobs, education, and essential community services.</p> <p>Chatswood is identified as a strategic centre and major asset in the Eastern Economic Corridor. The role of strategic centres is to provide high levels of private sector investment, enabling growth and evolution to become integral to the structure of the region. New residential accommodation will contribute to the long-term aspiration to deliver a 30-minute city where residents can access their strategic centre (Chatswood CBD) within 30 minutes by public transport. Residents will live within proximity of jobs and optimise a liveable and walkable city.</p> |
| <p>N19. Increasing urban tree canopy cover and delivering Green Grid connections.</p> | <p>The indicative reference design integrates principles of biophilia and draws inspiration from the established mature landscape forms of the north shore and Chatswood. The indicative landscape design protects and retains existing trees along the Pacific Highway and includes additional tree plantings around the site to increase Willoughby's tree canopy coverage and achieve Green Grid connections.</p> <p>The reference design also includes substantial landscaping and planting at the ground plane and at podium and rooftop levels to increase the presence of vegetation.</p> |

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Yes. The planning proposal is consistent with the following endorsed local strategic plans:

- Willoughby Local Strategic Planning Statement (as detailed in **Table 12**); and
- Chatswood Planning and Urban Design Strategy 2036 (as detailed in **Table 13**).

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Yes. The planning proposal is consistent with the Future Transport Strategy 2056. The Strategy outlines the vision for the Greater Sydney mass transit network, with Chatswood linked directly to the 'Harbour City' (Sydney CBD) via North Sydney. The vision sets six state-wide outcomes to guide investment, policy and reform, and service provision. These provide a framework for network planning and investment with the aim to support transport infrastructure.

The site is well placed to take advantage of the future transport network and projected infrastructure upgrades which will increase both the frequency of transport services for all forms of mobility.

The planning proposal leverages from its proximity to the Chatswood train station and Metro station, which provides high frequency transport offering to move more people more quickly. The future development of the site has potential to contribute to and enhance walking and cycle connectivity between the existing stations.

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The planning proposal is consistent with relevant State Environmental Planning Policy (**SEPP**), as demonstrated in **Table 17** below.

Table 17 Consistency with State Environmental Planning Policies

| SEPP | Consistency |
|---|---|
| Housing State Environmental Planning Policy (2021) | <p>The objective of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) is to incentivise the supply of affordable and diverse housing in the right places.</p> <p>The Housing SEPP provides a statutory framework to guide the design quality of residential flat developments. The indicative concept has been designed to facilitate a future detailed building design in accordance with the Housing SEPP and the Apartment Design Guide (ADG).</p> |
| Industry and Employment SEPP 2021 | Detailed compliance with the Industry and Employment SEPP will be assessed as part of future development applications (as relevant to signage and advertising). |
| State Environmental Planning Policy (Resilience and Hazards) 2021 | The Resilience and Hazards SEPP sets out the statutory planning framework to manage and assess contaminated land. It requires a consent authority to consider whether land is contaminated prior to granting development consent. This is addressed in the Preliminary Contamination Report prepared by JK Environments. |
| State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 | The planning proposal does not contain provisions that would contradict or hinder the application of the Exempt and Complying SEPP. |

| SEPP | Consistency |
|--|--|
| State Environmental Planning Policy (Transport and Infrastructure) 2021 | The Transport and Infrastructure SEPP provides a consistent planning regime for the provision of infrastructure and services and prescribes requirements for consultation with relevant public authorities during the assessment process. The provisions of the SEPP may be applicable to any infrastructure works associated with future development. |
| State Environmental Planning Policy (Biodiversity and Conservation) 2021 | The Biodiversity and Conservation SEPP seeks to protect the biodiversity values of trees and vegetation in non-rural areas (including Willoughby) and amenity of non-rural areas of through preservation of trees and other vegetation. The provisions of the Biodiversity and Conservation SEPP will be addressed in a future DA. |
| State Environmental Planning Policy (Sustainable Buildings) 2022 | <p>The Sustainable Buildings SEPP requires residential development to achieve mandated levels of energy and water efficiency.</p> <p>The indicative concept design has been designed with building massing and orientation to facilitate future BASIX compliance. Detailed compliance with the SEPP mandated levels of energy and water efficiency requirements will be demonstrated as part of a future DA.</p> |

Development near Rail Corridors and Busy Roads – Interim Guideline

In addition to the relevant SEPPs, this planning proposal has given consideration to the objectives and principles of *Development Near Rail Corridors and Busy Roads – Interim Guideline* (DPHI).

The provisions of the Interim Guideline will be considered in the assessment of acoustic impacts of future development associated with the site's frontage to the Pacific Highway. Suitable mitigation and management measures will be provided such that a satisfactory level of acoustic amenity can be achieved. Acoustic mitigation can be addressed in detailed design development as part of a future development application.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

Yes. The planning proposal has been assessed against the applicable Section 9.1 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 18**.

Table 18 Assessment against Section 9.1 Directions

| Section 9.1 Direction | Consistency |
|---|---|
| 1.1 Implementation of the Minister's Planning Principles | It is understood that the Principles issued by the Minister in December 2021 are no longer applicable. |
| 1.2 Implementation of Regional Plans | The planning proposal is consistent with this Direction, as discussed within Question 3. |
| 1.3 Development of Aboriginal Land Council land | Not applicable |
| 1.4 Approval and Referral Requirements | This is an administrative requirement for Council. |
| 1.5 Site Specific Provisions | The planning proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the LEP. |
| 1.6 Parramatta Road Corridor Urban Transformation Strategy | Not applicable |
| 1.7 Implementation of Northwest Priority Growth Area Land Use and Infrastructure Implementation Plan | Not applicable |
| 1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable |
| 1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable |
| 1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor | Not applicable |
| 1.11 Implementation of the Western Sydney Aerotropolis Plan | Not applicable |
| 1.12 Implementation of Bayside West Precincts 2036 Plan | Not applicable |
| 1.13 Implementation of Planning Principles for the Cooks Cove Precinct | Not applicable |
| 1.14 Implementation of St Leonards and Crows Nest 2036 Plan | Not applicable |
| 1.15 Implementation of Greater Macarthur 2040 | Not applicable |

| Section 9.1 Direction | Consistency |
|---|--|
| 1.16 Implementation of the Pymont Peninsula Place Strategy | Not applicable |
| 1.17 North West Rail Link Corridor Strategy | Not applicable |
| Focus Area 2 – Design and Place | |
| Focus Area 3 – Biodiversity and Conservation | |
| 3.1 Conservation Zones | Not applicable |
| 3.2 Heritage Zones | The site is not identified as a heritage item nor located within a heritage conservation area. |
| 3.3 Sydney Drinking Catchment | Not applicable |
| 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable |
| 3.5 Recreation Vehicle Areas | Not applicable |
| Focus Area 4 – Resilience and Hazards | |
| 4.1 Flooding | <p>On 16 February 2024, the Proponent submitted to Council a Preliminary Flood Report. This Flood Report was prepared to address Council's request and detail the pre- and post-development flood behaviour, taking into consideration the proposed building footprint.</p> <p>The Report demonstrates how the development will have negligible impact on the overall flood behaviour.</p> <p>The key conclusions in the Flood Report are as follows:</p> <ul style="list-style-type: none"> ▪ The catchment area for the site is delineated and the existing and proposed 1% AEP flood levels, hazards and afflux have been determined using TUFLOW. ▪ The flood modelling demonstrates 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 the preliminary assessment, the proposed building is clear of the overland flow path and therefore satisfies Council's requirement. ▪ The site should be subject to further detailed flooding assessment as part of a future detailed DA. |
| 4.2 Coastal Management | Not applicable |

| Section 9.1 Direction | Consistency |
|---|---|
| 4.3 Planning for Bushfire Protection | Not applicable |
| 4.4 Remediation of Contaminated Land | The Resilience and Hazards SEPP sets out the statutory planning framework to manage and assess contaminated land. It requires a consent authority to consider whether land is contaminated prior to granting development consent. This is addressed in the Preliminary Contamination Report (at Appendix M). |
| 4.5 Acid Sulfate Soils | Not applicable |
| 4.6 Mine Subsidence and Unstable Land | Not applicable |
| Focus Area 5 – Transport and Infrastructure | |
| <p>5.1 Integrating Land Use and Transport</p> <p><i>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:</i></p> <p><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p> <p><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight</i></p> | <p>The planning proposal is consistent with the direction for the following reasons:</p> <ul style="list-style-type: none"> ▪ The site exhibits excellent access to public transport being within close proximity to Chatswood train and Metro station. ▪ The increase in density on the site supports the patronage of the future Metro and accords with the key direction from the state government, which seeks to co-locate increased densities within the walker catchment of public transport nodes. ▪ The provision of increased housing supply within a walkable neighbourhood reduces the need for car dependency. ▪ The provision of residential accommodation within proximity of employment in Chatswood and transport nodes, encourages walkable neighbourhood. ▪ The proposal would provide a new mix of employment opportunities through the non-residential land use within close proximity to existing services and infrastructure. |
| 5.2 Reserving Land for Public Purposes | Not applicable – the site was not previously used for public purposes. |
| 5.3 Development Near Regulated Airports and Defence Airfields | The planning proposal amends the maximum building height development standard to 90 metres. This is consistent with the maximum building height identified in the <i>Chatswood CBD Planning and Urban Design Strategy 2036</i> as endorsed by the NSW Government. |
| 5.4 Shooting Ranges | Not applicable |

| Section 9.1 Direction | Consistency |
|---|---|
| Focus Area 6: Housing | |
| 6.1 Residential Zones (1) The objectives of this direction are: | The planning proposal is consistent with the Direction as outlined below. |
| <i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i> | <p>The planning proposal seeks to broaden the range of housing choices provided in the LGA through the delivery of residential floor space that is capable of being developed with a mix of apartment typologies and layouts as well as committing to affordable housing targets.</p> <p>The site is suitably located to accommodate a high-rise residential development, as it is located within close proximity to the future Chatswood Metro Station and meets residential amenity and locational criteria.</p> |
| <i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> | A mixed-use development in this location would make efficient use of existing services and infrastructure. A MU1 Mixed Use zone creates the potential to provide housing and to help meet infill housing targets, which reduce the need for land release on the metropolitan fringe. It also focuses new housing development in an identified urban renewal area, which benefits from excellent (existing and future) public transport service and improves accessibility |
| <i>(c) to minimise the impact of residential development on the environment and resource lands.</i> | <p>Optimising high density residential accommodation in a strategic centre will minimise impacts on the natural environment or resource lands as the precinct and sites are already developed.</p> <p>Future residential accommodation can be provided on the site without significantly impacting the land or neighbouring development.</p> |
| 6.2 Caravan Parks and Manufactured Home Estates | Not applicable |
| Focus Area 7: Industry and Employment | |
| 7.1 Business and Industrial Zones | <p>The planning proposal seeks to rezone the site from R3 Medium Density Residential to MU1 Mixed Use. The proposal is aligned with the recommended land use for the site in the Chatswood CBD Strategy and DPHI's employment zone reforms and will contribute to an economically buoyant CBD.</p> <p>The planning proposal will optimise a development outcome that facilitates non-residential land uses by rezoning the site and amending built form planning controls. The economic benefits of the proposal include:</p> |

| Section 9.1 Direction | Consistency |
|--|---|
| | <ul style="list-style-type: none"> ▪ Providing for a broader variety of job types within the non-residential land uses, in turn contributing to the diversity of employment generation; ▪ Activating the site's strategically important location within the CBD with non-residential land uses at street level, adding to a sense of place and safety and activating ground plane both day and night; and ▪ Revitalising the site and surrounding locality with high amenity, flexible future non-residential tenancies, creating a higher density of workers, and contributing to employment generation in the CBD. |
| 7.2 Reduction in non-hosted short-term rental accommodation period | Not applicable |
| 7.3 Commercial and Retail Development along the Pacific Highway, North Coast | Not applicable |
| Focus Area 8: Resources and Energy | |
| 8.1 Mining, Petroleum Production and Extractive Industries | Not applicable |
| Focus area 9: Primary Production | Not applicable |
| 9.1 Rural Zones | Not applicable |
| 9.2 Rural Lands | Not applicable |
| 9.3 Oyster Aquaculture | Not applicable |
| 9.4 Farmland of State and Regional Significance on the NSW Far North Coast | Not applicable |

9.3. SECTION C - ENVIRONMENTAL, SOCIAL, AND ECONOMIC IMPACTS

Q8. 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?

The site is fully developed for urban purposes and comprises little vegetation. As a result, there are no known critical habitats, threatened species or ecological communities located on the site. Therefore, the likelihood of any negative impacts as a consequence of the planning proposal is negligible. Nevertheless, an Arboricultural Impact Assessment has been undertaken by Naturally Trees and is included at **Appendix I**.

Q9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The following section assesses the environmental impacts of the planning proposal.

9.3.1. Environmental Impacts

The site is free of major environmental constraints. There are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through detailed design development.

The following section assesses the potential environmental impacts of the planning proposal. This assessment is informed by a suite of technical investigations that accompany the planning proposal.

9.3.2. Built Form and Context

The planning proposal is entirely consistent with the aims, objectives, Key Elements, and urban design parameters of the Chatswood CBD Strategy. The indicative reference design demonstrates how a future building can comply with the key built form principles, specifically the maximum FSR (6:1), the maximum building height (90 metres), and the setback and street wall height parameters. The proposal contributes to the future vision of the CBD as a diverse, vibrant, active, and accessible place, with attractive places for residents, workers, and visitors.

The built form aligns with the desired future character and principles identified for the site, in relation to building height, tower form, overshadowing to public places, and setbacks and street frontage heights.

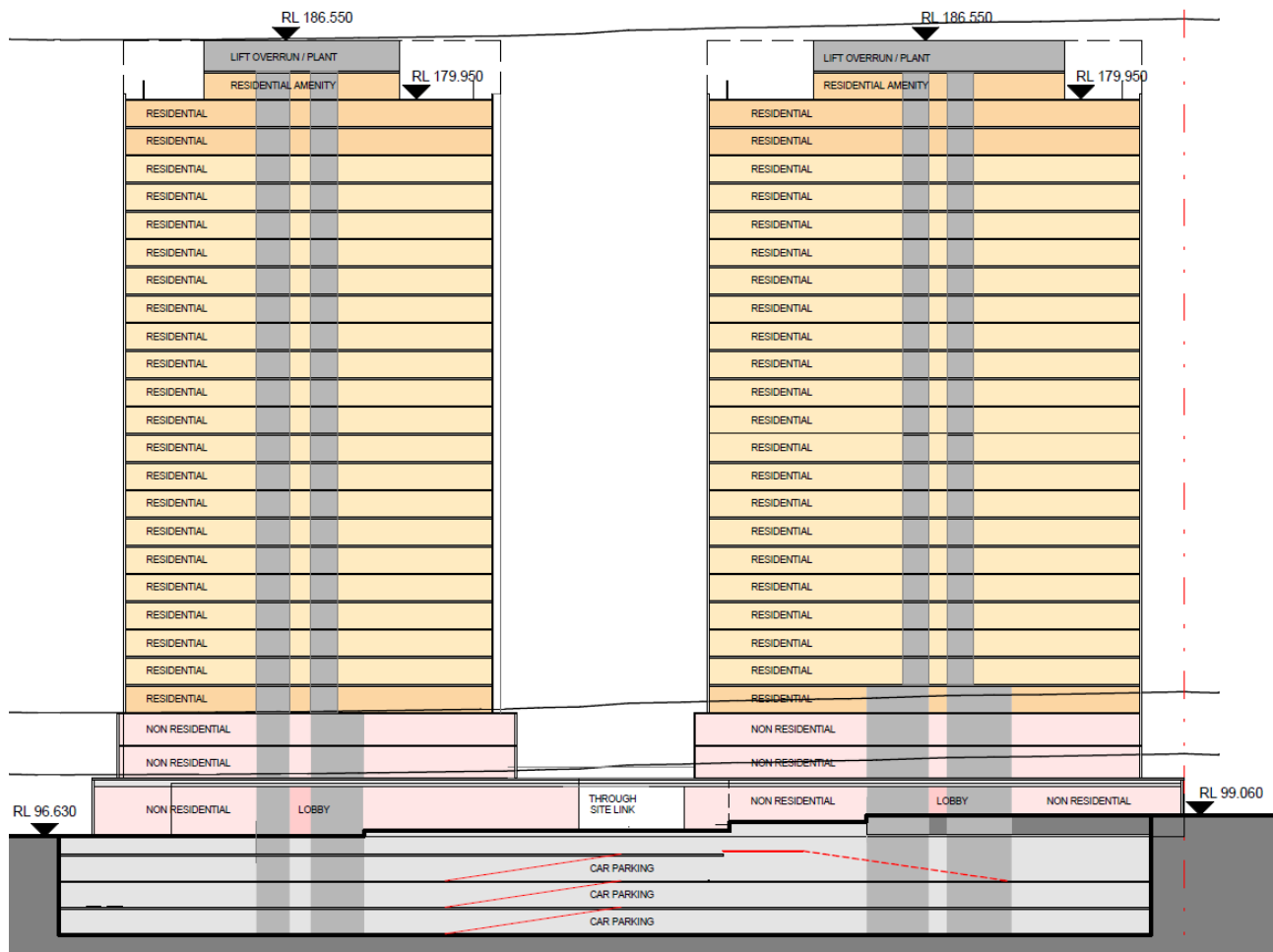
The following provides a detailed assessment of the built form of the indicative reference design.

Building Height

The indicative concept scheme proposes two towers with a maximum building height of 90 metres as measured from existing ground level (RL96.65) to highest parapet element (RL 186.550) (see **Figure 20**).

These heights contain all structures at roof top level, including lift over runs and other architectural features.

Figure 19 Maximum Building Height



Source: Architectus

Podium Design

The indicative reference design demonstrates full compliance with the setback and street wall height parameters of the CBD Strategy. The indicative reference design presents the following.

To Pacific Highway Frontage (west facing)

- 4 metre setback at ground level from the front boundary.
- 6 metre street wall height at Ground Level.
- 6 metre setback above the street wall to the towers (creating a 10 metre setback to the front boundary).

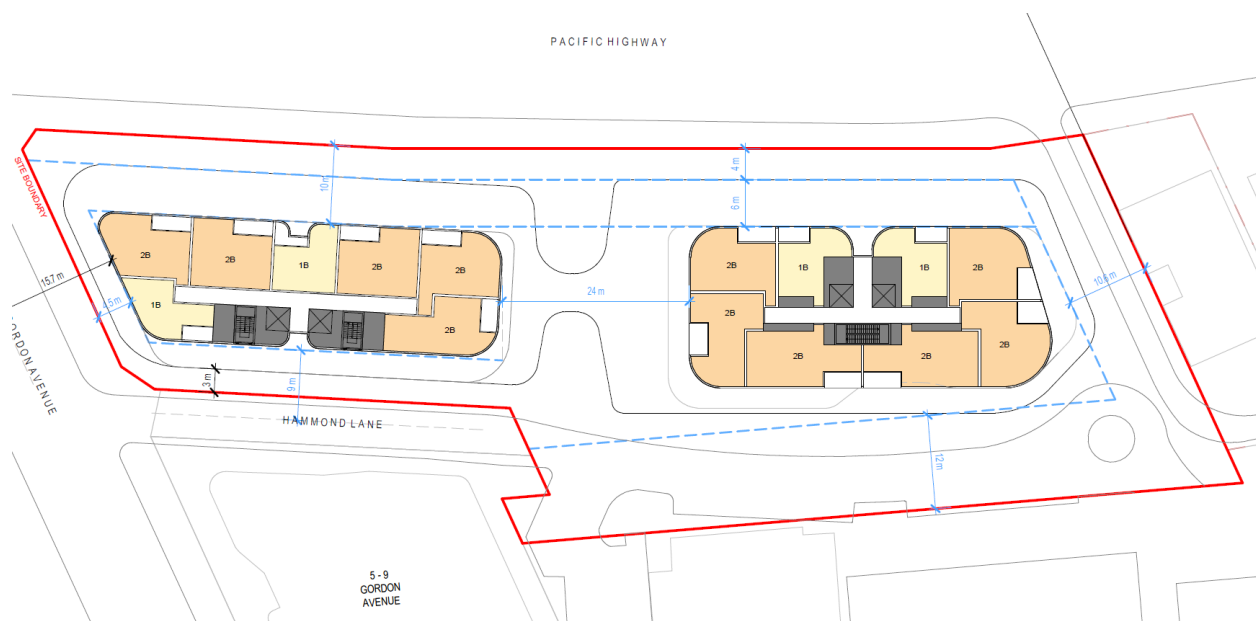
To Gordon Avenue Frontage (south facing)

- 6 metre street wall height at Ground Level.
- 4m setback above street wall to Gordon Avenue.

Tower Form

The indicative reference design presents two residential towers set above the podium. Both towers are setback from all site boundaries by a minimum 4.5 metres. This exceeds the minimum 1:20 ratio of the setback to building height (i.e. minimum 4.5m setback for 90 metres) as prescribed in the CBD Strategy.

Figure 20 Tower Form Setbacks



Source: Architectus

The indicative design demonstrates how slender tower forms can be achieved through a variety of architectural approaches:

- pleating the tower façades in the middle of each tower to form four slender vertical expressions;
- providing significant breaks in the building facade, particularly along longer elevations;
- providing floor plates below the maximum 700 sqm GFA for residential towers above podium height; and
- implementing curved edges at corners to further soften the massing and enhance the slender form.

The indicative reference design also presents a chamfered building envelope above the podium to ensure that there are no overshadowing impacts to the Chatswood Bowling Club greens at 3pm (mid-winter).

The tower form and massing will be subject to detailed urban design consideration as part of a subsequent architectural design competition and a future detailed DA. Slender tower forms that minimise perceived visual bulk can be achieved through articulation, design elements, and appropriate tower setbacks.

Building Separation

The indicative reference design demonstrates compliance with the following building separation requirements of the ADG:

- Building separation distance between the residential towers – being 24 metres
- Building separation distance with adjoining land – specifically the eastern side of Tower 2 which has a 9 metre setback to the centre of Hammond Lane. This provides an equitable 18 metre separation to a future building at No 5-9 Gordon Avenue. This complies with the ADG requirement for building separation in instances where there are no habitable windows facing the adjoining residential building.

Future development aligned with the indicative reference design is capable of presenting a well-articulated built form which sits appropriately amongst comparable-sized existing and future buildings in the locality.

Public Domain

The public domain strategy has been developed to respond to the principles and controls of the CBD Strategy. The Strategy focuses on activating the ground plane, in particular the Pacific Highway and Gordon Avenue.

The indicative reference design demonstrates how the public domain will be activated as follows:

- The design will establish a publicly accessible north-south pedestrian connectivity along the eastern boundary of the site as a continuation of Hammond Lane, connecting to the wider Chatswood network (including to the future through-site link north and to Frank Channon Walk);
- Accessibility and visibility from Pacific Highway through to the Chatswood Bowling Club will be enhanced;
- The strategy creates a dynamic and permeable interface to the Pacific Highway, including opportunities to integrate future development with Council's proposed shared pedestrian and cycleway;
- Non-residential land uses at ground floor level will encourage pedestrian activation and streetscape vibrancy along all frontages;
- Providing an enhanced streetscape along Pacific Highway, Gordon Avenue, Hammond Lane, and the through-site link with landscaping and pedestrian amenity (for instance human-level planted edges, tree canopies, bench seating, open space spill out areas, awnings, outdoor sitting etc); and
- A landscape strategy that features street trees and extensive planters to create a sense of environmental comfort, providing shelter, shade and greening opportunities.

9.3.3. Residential Apartment Amenity

The reference design demonstrates how a high level of compliance with the design quality principles of the Housing SEPP and design criteria of the Apartment Design Guide (ADG) can be achieved.

The reference design has considered solar access, natural ventilation, internal areas, private open space, safety and security, minimum internal and external amenity, storage, floor-to-ceiling heights, and sustainability. **Table 19** demonstrates the compliance of the residential apartments with the key principles of the Housing SEPP and design criteria of the ADG.

Table 19 ADG Compliance Assessment

| ADG Objective and Design Criteria | Residential Apartments | Compliance |
|--|--|------------|
| Objective 4A-1 Solar Access <i>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.</i> | 73% of apartments and private open spaces receive 2 hours direct sunlight in mid-winter. | Yes |
| Objective 4B-3 Natural Cross Ventilation <i>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.</i> | 73% of apartments have natural cross ventilation in the first 9 storeys. Apartment depths are limited to 8 metres for open plan layout to maximise airflow. | Yes |
| Objective 4C-1 Floor to Ceiling Heights <i>Ceiling height achieves sufficient natural ventilation and daylight access.</i> | The minimum ceiling heights proposed are: <ul style="list-style-type: none"> ▪ 2.7 metres for habitable rooms; and ▪ 2.4 metres for non-habitable rooms. | Yes |
| Objective 4D-1 Minimum Apartment Sizes <i>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.</i> | The proposed apartments are capable of compliance with ADG minimum apartment sizes. | Yes |
| Objective 4D-3 Minimum Room Sizes <i>Apartment layouts are designed to accommodate a variety of household activities and needs.</i> | The residential apartments are consistent with ADG requirements for the minimum size of rooms. | Yes |
| Objective 4E-1 Private Open Space <i>Apartments provide appropriately sized private open space and balconies to enhance residential amenity.</i> | The proposed residential apartments have primary balconies that satisfy the minimum private open space requirements of the ADG. | Yes |
| Objective 4F-1 Core/Circulation <i>Common circulation spaces achieve good amenity and properly service the number of apartments.</i> | The indicative concept design demonstrates appropriate common circulation spaces that achieve good amenity and service the apartments. | Yes |
| Objective 4G-1 Storage <i>Adequate, well designed storage is provided in each apartment.</i> | The residential apartments provide storage spaces consistent with ADG storage provisions. | Yes |

9.3.4. Overshadowing

The Urban Design Report (at **Appendix D**) assesses the potential shadowing impacts of the indicative reference design. The solar access study is assessed in accordance with the solar access provisions of the ADG and the CBD Strategy and the site-specific solar access obligations with the Chatswood Bowling Club.

The shadow diagrams include additional shadow impacts from recently approved planning proposals on adjoining sites, generally commensurate with built form parameters of the Chatswood CBD Strategy.

Table 20 assesses the solar access impacts of the indicative reference design on relevant considerations.

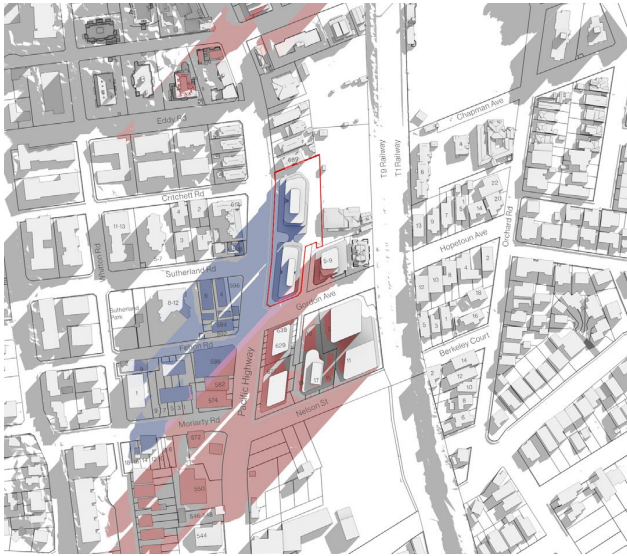
Table 20 Compliance with Solar Access Provisions

| Solar Access Provision | Proposal Impact | Compliance |
|---|---|------------|
| Chatswood CBD Strategy | | |
| <u>Sun Access to Key Public Spaces</u> Development must protect and ensure no additional overshadowing in mid-winter of: <ul style="list-style-type: none"> Tennis and croquet club 12pm - 2pm. | The solar access diagram at Figure 21 demonstrates that the indicative reference design does not create any additional overshadowing to the Tennis and Croquet Club between 12pm and 2pm mid-winter. | Yes |
| <u>Sun Access to Conservation Areas</u> Development adjoining the South Chatswood Conservation Area must provide a minimum 3 hours solar access between 9am and 3pm mid-winter. | The solar access diagram at Figure 21 demonstrates that the indicative reference design does not create any additional overshadowing to the South Chatswood Conservation Area between 9am and 3pm mid-winter. | Yes |
| Apartment Design Guide | | |
| <u>Objective 3B-2</u> Overshadowing of neighbouring properties is minimised during mid-winter. | The indicative reference design has been designed to achieve the ADG objectives to minimise overshadowing on neighbours properties through the use of chamfered corners and generous building separation distances between the two residential towers. The solar access diagram at Figure 21 demonstrates that the indicative reference design maintains solar access to the existing residential properties located on the western side of the Pacific Highway. | Yes |
| Obligation between Proponent and Chatswood Bowling Club | | |
| This obligation requires no additional and material overshadowing of any of the Chatswood Bowling Club greens between the hours of 9:00 am to 3.00pm. | The solar access diagram at Figure 21 demonstrates that the indicative reference design does not create any additional or material overshadowing of the bowling greens 9:00 am to 3.00pm (at mid-winter). | Yes |

Overall, the indicative reference design has been designed and orientated to minimise solar impacts to the Chatswood Bowling Club, South Chatswood Conservation Area, and nearby residential properties on the western side of the Pacific Highway. Shadow impacts from the development are mitigated through building setbacks, slender tower forms, chamfered corners, and generous building separation distances between the two residential towers.

A future detailed DA will be accompanied by a detailed analysis of solar impacts to neighbouring land uses with consideration to the overall building height, built form, bulk and massing, and building articulation.

Figure 21 Shadow Impacts



Picture 7 9am

Source: Architectus



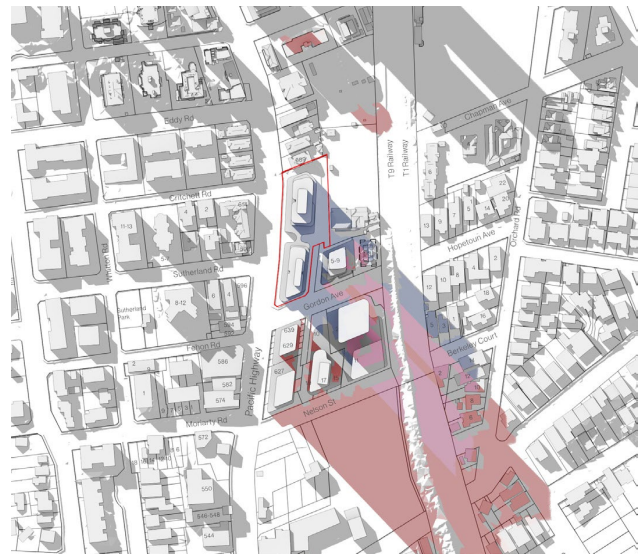
Picture 8 11am

Source: Architectus



Picture 9 1pm

Source: Architectus



Picture 10 3pm

Source: Architectus

9.3.5. Visual Context Assessment

The Urban Design Report (at **Appendix D**) contains a visual impact assessment (**VIA**) of the indicative reference design illustrating views from select directions at a local (short) and suburban (medium) distance.

The VIA is a qualitative assessment of the impact of the proposal from four viewpoints. The methodology used to inform the VIA is established on best industry practice of visual impact assessment, including NSW Land and Environment Court Planning Principles relating to views and impacts on public domain views. However, it is noted that a detailed VIA has not been undertaken from specific buildings and / or residents. Consistent with recent Gateway Determination requirements, such a VIA can be undertaken post exhibition if required by the Gateway conditions.

The figures below show visual perspectives of the proposal from the four local and medium vantage points. These visual perspectives include approved developments and likely future development proposals.

View One: Pacific Highway

This view is facing north from the Pacific Highway (along the western edge) towards Chatswood CBD.

Figure 22 Visual Impact from Pacific Highway



Picture 11 Existing View

Source: Architectus



Picture 12 Proposed View

Source: Architectus

The below provides a summary of the visual impact from this viewpoint:

- The view has a very high number of viewers and is a known view of the Chatswood CBD; however, it is only seen typically by motorists in passing. From vehicles, the typical period of the view is brief.
- Pedestrians will see the view for a moderate period (1-2 minutes).
- Due to two neighbouring planning proposals at 613-627 Pacific Highway and 629-639 Pacific Highway, views to the development will be screened and integrate with the existing skyline of Chatswood.
- Consistent with the vision of the Chatswood CBD Strategy, the view will evolve from its current perspective as a view of the CBD from a distance to a view at the fringe of the CBD.

View Two: Pacific Highway

This view is facing south from Pacific Highway (along the eastern edge) towards the Sydney Metro dive site.

Figure 23 View Two: Pacific Highway



Picture 13 Existing View

Source: Architectus



Picture 14 Proposed View

Source: Architectus

The below provides a summary of the visual impact from this viewpoint:

- Viewers are predominately traveling in vehicles along Pacific Highway. There may be a smaller number of pedestrians travelling along the footpath of the Pacific Highway.
- From vehicles, the typical period of the view is brief.

- Pedestrians will see the view for a moderate period (1-2 minutes).
- Due to the existing mature street trees and neighbouring planning proposals at 613-627 Pacific Highway and 629-639 Pacific Highway, views will be screened and integrate with the proposed skyline.
- Consistent with the vision of the Chatswood CBD Strategy, the view will evolve from its current perspective as a view of the CBD from a distance to a view at the fringe of the CBD.

View Three: Critchett Road

This view is facing east from Critchett Road (along the northern side) towards Pacific Highway.

Figure 24 View Three: Critchett Road



Picture 15 Existing View

Source: Architectus



Picture 16 Proposed View

Source: Architectus

The below provides a summary of the visual impact from this viewpoint:

- There are a number of pedestrians along the footpath travelling to and from of the Pacific Highway (during peak hours)
- Pedestrians and passing motorists will see the view in passing.
- The view is unlikely to attract public use; however, it sits within the future context of the area
- The proximity of the view means it is apparent, however due to the two neighbouring planning proposals at 613-627 Pacific Highway and 629-639 Pacific Highway, views will be screened and integrate with the existing skyline of Chatswood. The view has changed, consistent with the CBD Strategy's vision, to a view of the edge of the CBD, where the expanded CBD occupies an area of existing sky.
- Existing and proposed vegetation along Pacific Highway will aid in screening the portions of the built form along the ground plane. The upper level setback and slender towers minimise bulk and scale.

View Four: Sutherland Street

This view is facing east from Sutherland Street (along the northern side) towards Pacific Highway.

Figure 25 View Four: Sutherland Street



Picture 17 Existing View

Source: Architectus



Picture 18 Proposed View

Source: Architectus

The below provides a summary of the visual impact from this viewpoint:

- The view is seen by passing cars and a relatively low number of pedestrians in the area.
- While the proposal is visible on the skyline, it is predominately screened by vegetation. The view has changed to a view of the CBD, where the expanded CBD occupies an area of existing sky.
- Existing and proposed vegetation along Pacific Highway will aid in screening the portions of the built form along the ground plane. Upper level setbacks and slender towers minimise bulk and scale.

View Five: Chatswood Oval and Park

This view is facing south west from Chatswood Oval.

Figure 26 View Five: Chatswood Oval and Park



Picture 19 Existing View

Source: Architectus



Picture 20 Proposed View

Source: Architectus

The below provides a summary of the visual impact from this viewpoint:

- Viewers are predominately passers-by walking within the park or watching sport on the Oval.
- Due to the nature of the view and vegetation, the view will only be experienced for a short period of time.
- Due to the existing mature landscape along railway corridor and perimeter of the park, views are partially screened by vegetation and will not be a focus of using this space.

In summary, the indicative reference design will have a low to moderate view impact, taking into account the importance of public views, location and timing of view perspectives, and its context within approved and future development. In most views, the proposal will partially obstruct views of the sky; however, the proposal is consistent with the scale of future development of the CBD and presents a slender form against the sky.

Detailed design development for a future proposal as part of a new DA will consider building height, built form, building articulation, and façade detailing in order to mitigate the visual impact of the development. External materials, colours, and finishes for a future development can be selected to respond to the surrounding environment and add diversity in architectural expression of the tower.

9.3.6. Traffic and Access Impacts

The amended planning proposal is supported by an updated Traffic Impact Assessment (**TIA**) prepared by TTPP (at **Appendix G**) to describe the existing local traffic conditions and assess the parking and traffic impacts of the proposal. The Addendum identifies the following key recommendations and conclusions:

- The proposed development includes three levels of basement car park, which can be accessed from Hammond Lane via a two-way access driveway.
- The basement car park will provide car parking for residents, staff, and visitors. There are likely to be internal controls for security purposes; however these will be developed at the development application stage.
- 41 at-grade car parking spaces associated with the Chatswood Bowling Club are to be reinstated via a separate basement car park (located directly under the bowling green) and at ground level.
- Assessed against the ADG and the DCP, future development is expected to require between 57 and 204 car parking spaces. The indicative reference scheme provides approximately 310 spaces. [This provision allows for the potential inclusion of 41 car parking spaces associated with the Chatswood Bowling Club]
- Loading dock facilities has been proposed for the subject site to cater for waste collection and deliveries. The loading has capacity to accommodate up to an 8.8m MRV.
- The proposed development is expected to generate an additional 147 vehicle trips in the AM and 151 vehicles trips in the PM peak period.
- SIDRA Intersection modelling results indicate that the additional traffic associated with the proposed development would have a minor impact to the intersections in the close vicinity of the site.

The TIA concludes that traffic and parking implications of the proposal are considered satisfactory.

9.3.7. Wind Impacts

The planning proposal is accompanied by a Pedestrian Wind Assessment (at **Appendix J**). This provides a qualitative assessment of the pedestrian wind conditions expected to be experienced on and around the site. The assessment is based on the review of the local wind climate, design of the reference design, impacts of the surrounding buildings, and experiences with wind tunnel testing of similar developments.

The below summarises conclusions and recommendations contained in the Pedestrian Wind Assessment:

- Winds from the northeast and southern sectors are predominant during summer. Wind from the west and northwest directions are predominant in winter and impact on the perceived outdoor thermal comfort.
- If a combination of downwashing, corner acceleration, and channelling wind flows occurs for prevailing winds, there is a potential for increased wind activity and uncomfortable or unsafe conditions. Detailed design can reduce high wind activity, for instance setting back towers from podium edges, deep canopies close to ground level, and wind screens / tall trees with dense landscaping. Mitigation measures depends on the exposure and orientation to prevailing wind directions and the form and massing of development.
- **Ground Level**
 - The design takes advantage of positive features that are likely to reduce overall impact of high winds. These include narrow building forms to southerly winds, curved corners to reduce wind accelerations, and significant setbacks along the western aspect to shield the ground level from downwash winds.
 - Westerly winds can wrap around the corners of the development and impact the northern carpark and the street front along Gordon Avenue. Proposed vegetation along Pacific Highway and existing landscape along adjoining streets can enhance ground level wind conditions around the site.
- **Lower Level Outdoor Spaces**
 - The westerly winds will influence outdoor amenities planned on the podium between the two towers.
 - The space between the towers is expected to be significantly influenced by the regional winds with conditions likely to be unsafe for use without extensive wind mitigation measures. These measures could include the use of canopy / trellis structures between buildings, incorporation of awnings along the western aspect atop the podium and use of wind screening or vegetation to baffle the winds.
 - Outdoor spaces on Level 2 along the western front are exposed to wind accelerations around the corners. Inclusion of taller balustrades (1.5 2m) and dense vegetation and partitioning these areas with full height screening can significantly improve conditions within these spaces.
 - The communal terraces located at Levels 1 and 2 are generally shielded from the prevailing regional winds. The north easterly summer winds, after passing over Chatswood CBD, will cool these spaces.
 - Exposure to westerly winds can be resolved via perimeter balustrades and landscaping elements.
- **Private Balconies**
 - General recommendations are provided to ensure comfortable wind amenity is achieved for private balconies throughout the year. For instance, inset balconies will provide shielding from prevailing wind effects. Also, given that corner balconies are exposed to winds accelerating and can often lead to high wind activity, the use of screening / louvers along corners can mitigate these wind effects.
- **Rooftop Terraces**
 - The rooftop terraces are exposed to prevailing regional winds. These winds can upwash off the tower façade and reattach within the terraces creating high wind activity. Therefore, it is recommended to incorporate a 2m high perimeter screening around the terraces.
 - The use of centralised canopies / trellis elements is recommended within the terraces to mitigate wind reattachment. Additional screening and vegetation, particularly around any seating areas will help buffer wind activity, ensuring comfortable wind conditions within these spaces.

Comprehensive wind tunnel testing and assessment of the pedestrian wind environment associated with a detailed development proposal will be required as part of a future development application for the site.

9.3.8. Acoustic Impacts

The planning proposal is supported by an Acoustic Report prepared by Resonate (at **Appendix H**). This provides a preliminary desktop acoustic assessment of the indicative reference design and establishes the methodology for a detailed acoustic assessment to be carried out as part of a future detailed DA.

The Acoustic Report outlines the following key acoustic constraints on the proposed development in relation to environmental noise and vibration and the potential noise impacts to the surrounding area.

Internal Amenity – Airborne Noise Intrusion

- Due to the proximity to the North Shore railway line and the Pacific Highway, rail and road traffic noise may impact on the internal amenity of residential apartments. Noise surveys conducted for other similar developments on Pacific Highway indicate that this may be the case. Therefore, recommended glazing designs would be necessary to achieve targeted internal sound levels in bedrooms and living areas.
- In terms of predicted road traffic external noise levels to the building façades, it is recommended that the following measures could be implemented to comply with internal sound level targets:
 - Proprietary single laminated glazing systems.
 - A ‘winter garden’ type strategy for the low-rise portion depending on architectural strategy.
 - Deep void double glazed systems.

The design process should be informed by a detailed program of airborne noise measurements.

Internal Amenity – Ground-borne Noise and Vibration Intrusion

- Due to the intervening distance (approximately 70 metres) between the site and rail corridor, ground-borne noise and vibration due to train pass-bys on the railway line are unlikely to be perceptible.
- Based on this understanding, ground-borne noise and vibration from train pass-bys on the North Shore railway line are unlikely to have adverse impact on the internal amenity of the development.

Ventilation

- Windows may need to remain closed to ensure internal noise criteria could be satisfied. It is therefore likely that an alternative means of ventilation would be required for residential spaces on noise-affected façades. An alternative means of ventilation may take the form of:
 - Air conditioning with an outside/fresh air component (not a conventional ‘split’ system).
 - Mechanical ventilation drawn from a ‘quiet’ façade and/or with an acoustically attenuated intake path.
 - An open window on a ‘quieter’ side of the building (should single-sided ventilation be possible).
- It is recommended that acoustical modelling be undertaken at the detailed design stage post-approval in order to optimise glazing selections in combination with the proposed ventilation strategy.

Mechanical services noise emission

- Mechanical services noise from equipment servicing the development should be designed to comply with relevant environmental noise criteria (likely to be related to the NSW EPA’s Noise Policy for Industry and relevant Council requirements). Options for mechanical services noise control for consideration include:
 - Selecting the quietest plant for a given task.
 - Judicious location and orientation.
 - Use larger fans at a slower speed rather than smaller fans at a higher speed.
 - Using variable speed drives to lower fan speed in response to lower duty/load requirements.
 - Use of barriers, both incidental and purpose designed.
 - Placement of plant inside plant rooms where possible.
 - Internally lined ducts and bends, external duct and equipment wrapping, silencers.

Proposed DA Methodology

Taking into consideration the potential acoustic constraints outlined above, the Acoustic Report identifies the following high level methodology to inform the preparation of a detailed acoustic report for a future DA:

- Establish development specific acoustic criteria based on relevant planning policy, including:
 - Willoughby City Council – Willoughby Development Control Plan
 - Willoughby Local Environment Plan 2012
 - NSW EPA's Noise Policy for Industry
 - Building Code of Australia
 - *Development Near Rail Corridors and Busy Roads – Interim Guideline* (DPHI)
- Conduct a comprehensive program of noise measurements at the proposed site.
- Calculate glazing and other acoustically related façade requirements based on noise survey information and determine minimum requirements to achieve internal design sound levels as set out in AS/NZS 2107:20164 and *Development Near Rail Corridors and Busy Roads*.
- Predict environmental noise emissions from external mechanical services and other operational noise emissions relating to the commercial tenancies at adjacent noise sensitive receivers and conduct an assessment in accordance with the Noise Policy for Industry and / or Council's DCP.
- Demonstrate how environmental noise criteria can be complied with.

A detailed acoustic investigation and assessment will be undertaken to support a future detailed DA.

9.3.9. Heritage Impacts

The planning proposal is accompanied by a Heritage Impact Statement prepared by Urbis (at **Appendix F**). This provides an assessment of the planning proposal and reference scheme in the context of the site's location in the vicinity of the Chatswood South Heritage Conservation Area (**HCA**) which contains several individually listed heritage items of local significance under the LEP 2012.

The Heritage Impact Assessment presents the following conclusions:

- The subject site does not contain any heritage listed items under the LEP 2012. A review of the site's chronology indicates the buildings located on the site are of late 20th century construction and are identified as having no potential heritage significance. The buildings located on the site do not maintain a visual relationship with the Chatswood South HCA or identified vicinity items. The site is therefore appropriate for redevelopment from a heritage perspective.
- The site is within an area that is undergoing rapid urban growth and change, and its location is appropriate for intensified development. The proposal for increased density is consistent with increased density demonstrated in other sites in the immediate vicinity and surrounding area and is therefore consistent with the evolving character of the precinct.
- The North Shore railway line and Chatswood Bowling Club provide substantial physical separation from the Chatswood South HCA and heritage items such that even with increased density at the site, the aforementioned heritage items and character of the HCA will retain their existing settings. The heritage context will remain largely unaffected as a result of the proposal.
- The Visual Impact Assessment modelling contained in the Urban Design Report (at **Appendix D**) confirms minimal impact on the setting of heritage items.
- Principal views to and from the heritage items and fabric of the Chatswood South HCA are predominantly at street level, given their traditional low-scale typologies. The proposal will not materially impact on the identified heritage items and will not interrupt any principal view corridors to or from any of the vicinity items.
- Resultant uplift from the planning proposal will not inhibit the visual curtilage or interpretation of heritage elements. Resultant uplift will not impede on the reading of dominant typologies of the Chatswood South

HCA. Given the distance and separation between the HCA and the site, any increased uplift is considered inconsequential in maintaining the setting of heritage items.

- All future built form will be subject to Development Application. Detailed design will provide opportunities to respond appropriately to the character of the area and immediate streetscape. Treatment of built form and podium design including scale, form, façade articulation, materiality will assist in mitigating impacts to the heritage context and assist in transitioning between contrasting streetscapes.

For the reasons outlined above, the Heritage Impact Assessment concludes that planning proposal is supported from a heritage perspective.

9.3.10. BCA Compliance

A future DA will be supported by a BCA Assessment to assess the capability of the residential apartments to achieve compliance with the Building Code of Australia (**BCA**) and relevant Australian standards.

9.3.11. Accessibility

A future DA will be supported by an access statement to assess compliance with relevant statutory guidelines, including the BCA, The DDA Access To Premises Standard, AS1428 suite of Standards, AS2890.6 (for car parking), AS1735.12 (for lifts), AS4299 (Adaptable Housing), the ADG, and the DCP. Access will be assessed in terms of ingress and egress, paths of travel, lifts, stairs, circulation areas, steps/kerb ramps, walkways, accommodation, parking areas, ground surfaces, and staff facilities.

Q10. Has the Planning Proposal adequately addressed any social and economic effects?

Yes. The planning proposal will deliver a range of benefits which will create positive social and economic on-flow effects, which in turn will realise significant public benefit. The economic and social benefits are:

- **Renewal of a key site:** The planning proposal will facilitate urban renewal of a strategically-located site and contribute to the ongoing transformation of the Chatswood CBD and the Pacific Highway corridor.
- **New housing:** The provision of new residential apartments aligns with State policy to deliver 92,500 new homes within the Northern District over the next 20 years and create a dynamic and diverse city. The reference design indicates that future development could deliver approximately 319 additional dwellings.
- **Housing diversity:** The typology of the apartments (including one, two-, and three-bedroom units) will increase housing diversity in an appropriate location and respond to demand for household types, tenures, price points, and demographics.
- **Affordable housing:** The proposal will contribute to the provision of 4% of the total accountable residential GFA as affordable housing.
- **Economic contribution:** The non-residential land uses will attract investment growth and business activity and contribute employment generation and job diversity. It will foster investment, economic growth, and business activity to deliver an economic contribution to the North District employment generation targets. Future development will create direct economic benefits and employment generation during construction and ongoing operation of non-residential uses (including indirect supply chain jobs).
- **Ground floor activation to the public domain:** The proposal envisages non-residential land uses at ground floor level which will encourage pedestrian activation and streetscape vibrancy.

9.4. SECTION D - STATE AND COMMONWEALTH INTERESTS

Q11. Is there adequate public infrastructure for the planning proposal?

Yes. Preliminary investigations indicate that:

- The planning proposal leverages from the sites location nearby Chatswood station which is a major transport interchange between heavy rail, Metro and local bus services. As envisioned in the CBD Strategy, the future redevelopment of this key site has the potential to contribute both new housing and jobs in close proximity to public transport.
- Preliminary traffic investigations confirm that there is sufficient capacity within the road network and the indicative yield is likely to have a negligible impact on the road network.
- The site is serviced by existing utility services and is located to allow incoming residents and workers to capitalise on the existing and planned infrastructure and services within the area.

Q12. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No consultation with State or Commonwealth authorities has been undertaken to support the planning proposal. It is noted that Willoughby City Council will undertake consultation with relevant state and Commonwealth public authorities following the Gateway determination.

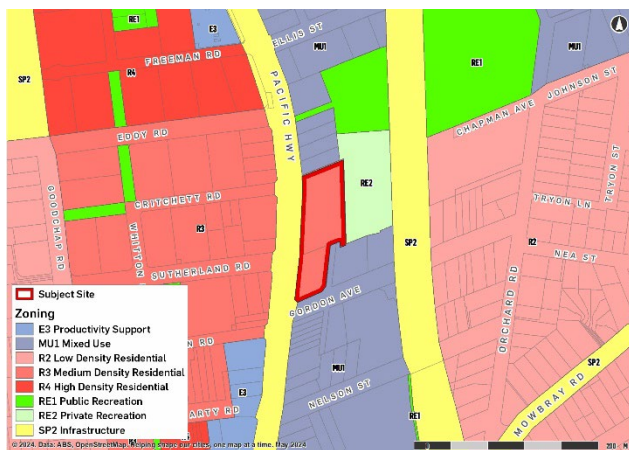
10. PART 4 – MAPS

The planning proposal seeks to amend the following LEP Maps:

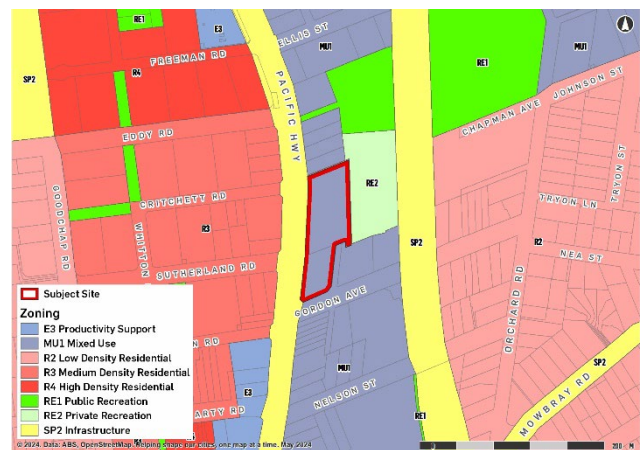
- Land Use Zoning Map
- Maximum Floor Space Ratio Map
- Height of Buildings Map
- Identify the site on the Affordable Housing Map such that clause 6.8 (*Affordable housing*) applies
- Identify the site within “Area 5” on the Special Provisions Area Map such that clause 6.23 (*Design excellence at certain sites at Willoughby*) applies
- Identify the site within “Area 8” on the Special Provisions Area Map such that Schedule 1(27) (*Use of certain land in Chatswood CBD*) applies
- Identify a minimum lot size of 5,500 sqm to which clause 6.16 applies
- Identify Pacific Highway, Hammond Lane and Gordon Avenue frontages as active street frontages on the Active Street Frontages Map such that clause 6.7 (*Active Street Frontages*) applies

The proposed amendments to the LEP maps are identified in the figures below.

Figure 27 Proposed LEP Mapping Amendments – Land Use Zoning



Picture 21 Existing Land Zoning Map



Picture 22 Proposed Land Zoning Map

Figure 28 Proposed LEP Mapping Amendments – FSR



Picture 23 Existing FSR Map

Picture 24 Proposed FSR Map

Figure 29 Proposed LEP Mapping Amendments – Height of Buildings



Picture 25 Existing Height of Building Map

Picture 26 Proposed Height of Building Map

Figure 30 Proposed LEP Mapping Amendment – Minimum Lot Size



Source: Urbis

Figure 31 Proposed LEP Mapping Amendment – Affordable Housing



Source: Urbis

Figure 32 Proposed LEP Mapping Amendment – Active Street Frontages



Source: Urbis

Figure 33 Proposed LEP Mapping Amendment – Special Provisions



Source: Urbis

11. PART 5 – COMMUNITY CONSULTATION

Section 3.34 of the Environmental Planning and Assessment Act 1979 requires the relevant planning authority to consult with the community in accordance with the Gateway determination.

It is anticipated that the planning proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of *A Guide to Preparing Local Environmental Plans* (DPHI). It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the Willoughby City Council website.
- Written correspondence to adjoining and surrounding landowners.

As part of the public consultation process, the proponent will review all submissions, consult with Council and DPHI (as required), and provide a written response to assist in the progression of the planning proposal.

12. PART 6 – PROJECT TIMELINE

An indicative project timeframe is provided below.

Table 21 Project Timeline

| Stage | Timeframe and / or Date |
|---|-------------------------|
| Planning Proposal submitted to Willoughby City Council | 11 March 2022 |
| Preliminary review and consideration by Council | May 2022 – March 2023 |
| Local Planning Panel recommend the Planning Proposal be submitted to DPHI for Gateway Determination | October 2023 |
| Planning Proposal referred to DPHI for Gateway Determination | December 2023 |
| DPHI issue Gateway Determination | April 2024 |
| Proponent response to matters in Gateway Determination | May 2024 |
| Public exhibition and agency consultation | June 2024 |
| Post exhibition review of submissions | August 2024 |
| Council endorsement of Planning Proposal | September 2024 |
| Submission to DPHI for finalisation | October 2024 |
| Legal drafting of amendment to LEP | November 2024 |
| Gazettal of amendment to LEP | December 2024 |

13. CONCLUSION

This planning proposal request seeks to amend the Willoughby Local Environmental Plan 2012 to establish planning controls that enable mixed use development at 641 – 655 and 655A Pacific Highway, Chatswood.

The planning proposal sets out the justification for the proposed LEP amendment. It is supported by an indicative reference design and a suite of technical documentation that provide a detailed analysis of the site and its surroundings to demonstrate that the proposed amendment is sound and suitable for its context.

It is considered that the proposed amendments to the LEP would enable an appropriate development outcome and generate significant social, economic and, community benefit for the following reasons:

- **From a local context perspective:** The planning proposal has site-specific merit insofar as it will facilitate future development that would achieve an appropriate built form and scale outcome for this significant site. Future development in line with the planning proposal will contribute to the CBD context.
- **From a strategic planning policy perspective:** The planning proposal has strategic planning merit insofar as it will positively contribute to the achievement of State and Local Government strategic planning policy, including the significant site objectives prescribed in the Chatswood CBD Strategy.
- **From a net community benefit perspective:** The planning proposal has the potential to create a range of benefits for the community, including significant public domain improvements, through-site linkages, activation and interface with the Chatswood Bowling Club, and the provision of affordable housing.
- The indicative reference design is appropriately and sensitively designed to minimise adverse environmental impacts on the locality in relation to privacy, wind, overshadowing, and traffic.

Taking into account the significant and tangible economic and public community benefits of the planning proposal, it is respectfully requested that Willoughby City Council resolve to support this planning proposal and forward to NSW Department of Planning, Housing and Industry for LEP Gateway determination.

14. DISCLAIMER

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