

**Joint Regional Planning Panel – Planning Assessment Commission
Pre-Gateway Review**

The Joint Regional Planning Panel (JRPP) has considered the request for a review of the proposed instrument as detailed below.

The Pre-Gateway Review:

Date of Review:	5/12 June 2014
Dept. Ref. No:	PGR_2013_WILLO_003_00
LGA:	Willoughby
LEP to be Amended:	Willoughby Local Environmental Plan 2012
Address / Location:	45 Victor Street, Chatswood
Proposed Instrument:	Willoughby Local Environmental Plan 2012
Panel Chair:	David Furlong
Panel Members:	Sue Francis, Julie Savet Ward, Gail Giles-Gidney and Linda McClure

Reason for review:	☒	The council has notified the proponent that the request to prepare a planning proposal has not been supported
	☐	The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of the Department of Planning and Environment and the relevant local government authority. Based on this review the JRPP recommends the following:

JRPP RECOMMENDATION:	☒	The proposed instrument should be submitted for a Gateway determination, subject to the matters raised in the recommendation of the Panel
	☐	The proposed instrument should not be submitted for a Gateway determination
Composition of Recommendation:	☒ Unanimous ☐ Not unanimous	Comments: The decision for the proposal to proceed to Gateway is unanimous however the reasoning for the decision is split.

JRPP Advice and Justification for Recommendation:

1. The Panel has considered the Department of Planning and Environment's briefing note, as well as the views of the Council and of the proponent and is unanimous in its view that the subject site is capable of an increased level of development above its current LEP controls and it could reasonably be used for "shop top housing"
2. A majority of the Panel (Gail Giles-Gidney, Linda McClure & Julie Savert Ward) recommends to the Minister that the Planning Proposal as sought, should proceed to the Gateway, subject to the maximum building height being restricted to 80m.

The majority Panel view was based on the existing predominant maximum building height for land in the surrounding street block under the Willoughby LEP 2012 being (AB1) 80 metres (m).

3. The minority Panel (David Furlong & Sue Francis) recommend to the Minister that:

(a) the Planning Proposal as sought, **could** proceed to the Gateway, subject to the maximum building height being restricted to 80m.

or

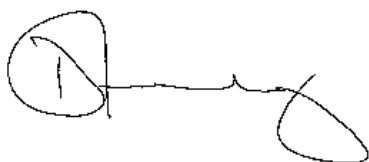
(b) Should the proponent wish to pursue greater building height, the following additional detailed information should be submitted for the Panel's review, prior to the Planning Proposal proceeding to Gateway.

- A strategic planning assessment of the potential for other sites within the B3 zoned land in the Chatswood CBD, to be redeveloped for "shop top housing" with building heights similar to that currently sought.
- An amended urban design study to include consideration of the approved building heights for 14-18 Thomas Street mixed use development and potential overshadowing of the Garden of Remembrance; and
- An updated traffic assessment that considers the cumulative traffic impacts of the Planning Proposal and major developments including Chatswood Interchange towers and the Thomas Street mixed use development and the impact of truck movements via Post Office Lane to Chatswood Interchange

The minority Panel accepted that the prevailing building height under the Willoughby LEP 2012 for this section of Victor Street is 80m. However, it formed the view that subject to the undertaking of detailed assessments mentioned above and their review, the environmental impact of a taller building may not be any greater than that of an 80m building. Additionally, this may be the only site in the CBD (east of the railway station) capable of such a development, thereby avoiding a precedent being set.

4. The Panel as a whole believes that whatever the final uplift obtained as part of this Planning Proposal, the site should be included into "Area 3" as shown on the Special Provisions Area Map within the Willoughby LEP 2012, so that Clause 6.8 of that LEP can be applied to any future Development Application in order to obtain "affordable housing" within the site.

Endorsed by

A handwritten signature in black ink, appearing to read 'David Furlong', with a large loop at the end.

David Furlong
Acting Chair, Sydney East
Joint Regional Planning Panel
12 June 2014