



# JWP

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# Planning Proposal

## Facilitating Redevelopment of Existing Residential Flat Building SP 2715 - 3 Ellis Street, Chatswood



### Proposed Amendment to Willoughby Local Environmental Plan 2012

1. Cl. 4.3A Exceptions to Height of Buildings
2. Cl. 4.4A Exceptions to Floor Space Ratio
3. Cl. 6.10 Minimum Lot Sizes for Residential Flat Buildings
4. Associated mapping

**MPG AU Pty Ltd**  
November 2018



**Town Planning**

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**Our Ref: 11517**

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- A. Deposited Plan
- B. Detail Survey
- C. Willoughby Council Pre-DA Meeting Minutes
- D. SEPP 65 Design Quality Statement – Apartment Design Guidelines
- E. SEPP 55 Preliminary Contamination Assessment

## 1.0 EXECUTIVE SUMMARY

This Planning Proposal has been prepared by JW Planning Pty Ltd on behalf of MPG AU Pty Ltd (**'the Applicant'**) pursuant to Cl 3.33(3) of the Environmental Planning & Assessment Act 1979. The proposal seeks to enable the orderly and economic use of land for residential purposes within 200m of a major public transport interchange; land described as SP 2715, 3 Ellis Street, Chatswood (**'the site'**).

The proposal is described as a site specific amendment to the Willoughby Local Environmental Plan 2012 (WLEP 2012), Clauses 4.3A, 4.4A and 6.10, to facilitate the redevelopment of an existing Residential Flat Building (RFB) (**'the Proposal'**). The **Attachments** contain a full copy of each technical investigation report prepared to inform the Proposal.

The Proposal aims to amend the WLEP 2012 in so far as the following clauses relate to the site:

1. Cl. 4.3A Exceptions to height of buildings;
2. Cl. 4.4A Exceptions to floor space ratio;
3. Cl. 6.10 Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing, residential flat buildings and secondary dwellings;

Additionally, for the reasons demonstrated within this document, amendments of the kind described below are sought in respect of related maps within the WLEP 2012, in so far as they relate to the site:

1. Minimum Lot Size map – to permit a maximum building height of 49m;
2. Maximum Floor Space Ratio map – to permit maximum Floor Space Ratio of 5.1:1;
3. Special Provisions Area map – to endorse a Minimum Lot Size of 800m<sup>2</sup> for development for the purpose of residential flat buildings.

The Proposal is justified through its alignment and consistency with the *SEPP 65 Apartment Design Guidelines* (ADG), and its enablement of the *Greater Sydney Regional Plan (GSRP)* 2018, and the objectives of the Willoughby Council *Chatswood CBD Planning and Urban Design Strategy to 2036 (CCBDPUDS)* 2018.

This Planning Proposal consequently includes a Design Quality Statement which addresses the *SEPP 65 Design Quality Principles of Residential Apartment Development*. This statement provides a site-specific assessment of the Proposal against the ADG which

confirms that, subject to amendments of the kind proposed to WLEP 20102, a compliant redevelopment outcome can be achieved for the site, consistent with (and in no way compromising of) Council or State planning objectives.

In particular, the Proposal realises the objectives and recommendations of the *Greater Sydney Regional Plan* and the subsequent *North District Plan (NDP)* (2018) through the provision of additional housing opportunities within 200m of a major public transport interchange. The interchange comprises Chatswood train station, which is involved in the *Sydney Metro* project and contributes to the NDP objective of encouraging a '30 minute city'. Additionally, Willoughby Council has been presented with actions to maximise residential land use opportunities provided by the *Sydney Metro* project, which sets a housing supply target of at least 1,250 dwellings between 2016 and 2021.

The CCDBPUDS, while yet to be endorsed by the Department of Planning, outlines the future direction for development and controls for the greater Chatswood CBD area. The Proposal is consistent with the objectives and relevant directions of the Strategy. The Proposal responds to the challenges currently facing Sydney Councils in the provision of housing for an increasing population; particularly in relation to the provision of infrastructure and the impacts of traffic on surrounding areas.

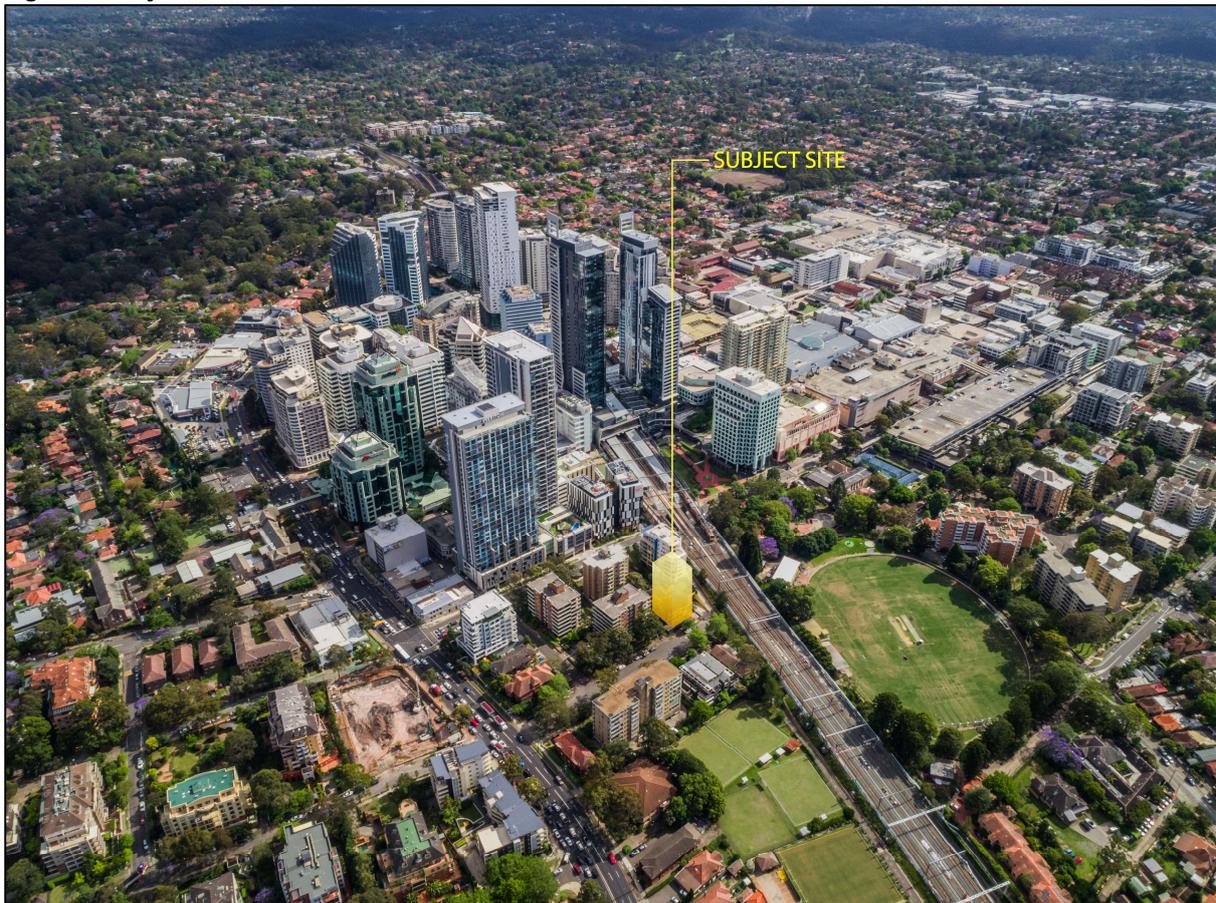
It is noted that some Councils, including Ryde City and Canterbury Bankstown Councils, have implemented restrictions on new development proposals to ease the pressure on local infrastructure and services. This Proposal provides a textbook solution to accommodating population growth and housing demand, while relieving traffic congestion and improving liveability in our cities; that is, locating higher density development to take advantage of the expanding capacity of the local public transport system, and reducing the need for private motor vehicles.

## 2.0 INTRODUCTION

### 2.1 Site Area and Surrounds

The subject land comprises all Lots in SP 2715 at 3 Ellis St, Chatswood (**Figure 1**). The lot has a total area of 808.6m<sup>2</sup> and fronts Ellis Street. The site is bound by residential development of various heights and densities. The lots do not hold any easements, restrictions or encumbrances as shown on the Deposited Plans, included as **Attachment A**. A detail survey of the site and surrounds is included as **Attachment B**.

**Figure 1 Subject Site**



*Source: JWP*

The site currently comprises an existing four storey (13m) residential flat building, incorporating 9 units and car parking (see image in **Figure 2**). This building is approximately 52 years of age.

**Figure 2 Existing Residential Flat Building**



*Source: JWP*

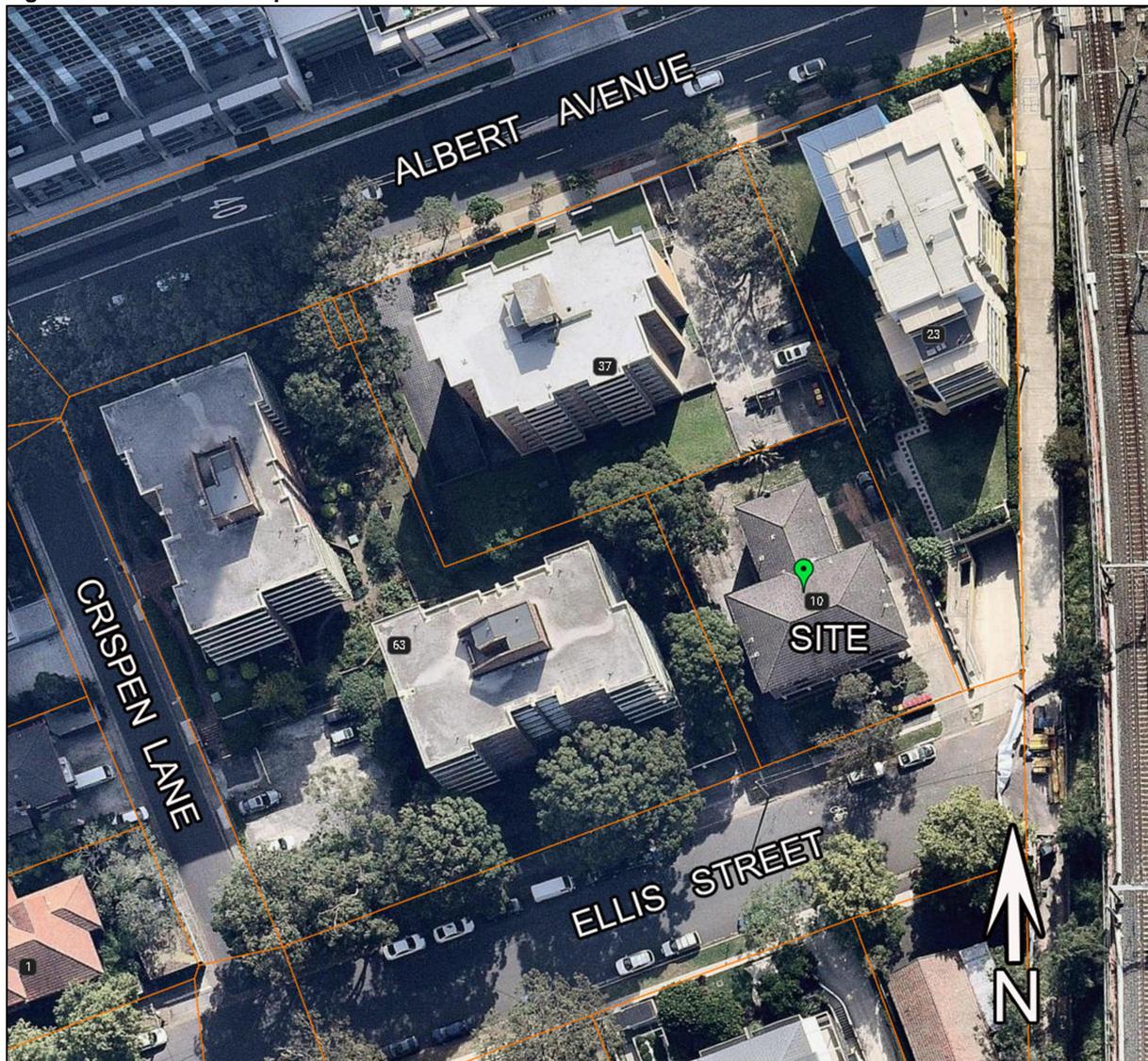
Development in the vicinity varies in age, and height, with 9 storey development on adjoining lots constructed circa 1980s/1990s (western and northern adjoining lots) and as recently as 2012 (eastern adjoining lot). Development on adjoining lots are in Strata ownership involving many members, presenting a challenge in opportunities for redevelopment and land consolidation.

As depicted in **Figure 3** the adjoining lots comprise the following development and Strata Titles:

- Western adjoining lot - 8 Floors constructed mid 1970s - 63 Strata Lots;
- Northern adjoining lot - 9 Floors constructed 1980s - 37 Strata Lots; and
- Eastern adjoining lot - 8 Floors constructed circa 2012 - 23 Strata Lots.

The subject site comprises 4 Floors, constructed in the 1960s and all 10 Strata Lots are now in single ownership, facilitating redevelopment and this Proposal.

**Figure 3 Strata Ownership**



Source: Nearmaps annotated by JWP

It should be noted that the process to secure the 10 Strata Title into a single ownership took well in excess of 12 months, and when this complexity is coupled with limited potential in the WLEP 2012 to increase height and floor space, the prospect of redevelopment on adjoining sites is highly unlikely.

**Figure 4 Site and Surrounding Development - Aerial**



Source: JWP

**Figure 5 Surrounding Development – Viewed from Chatswood Oval**



Source: JWP

**Figure 6 Surrounding Development - Chatswood Centre**



**Source: JWP**

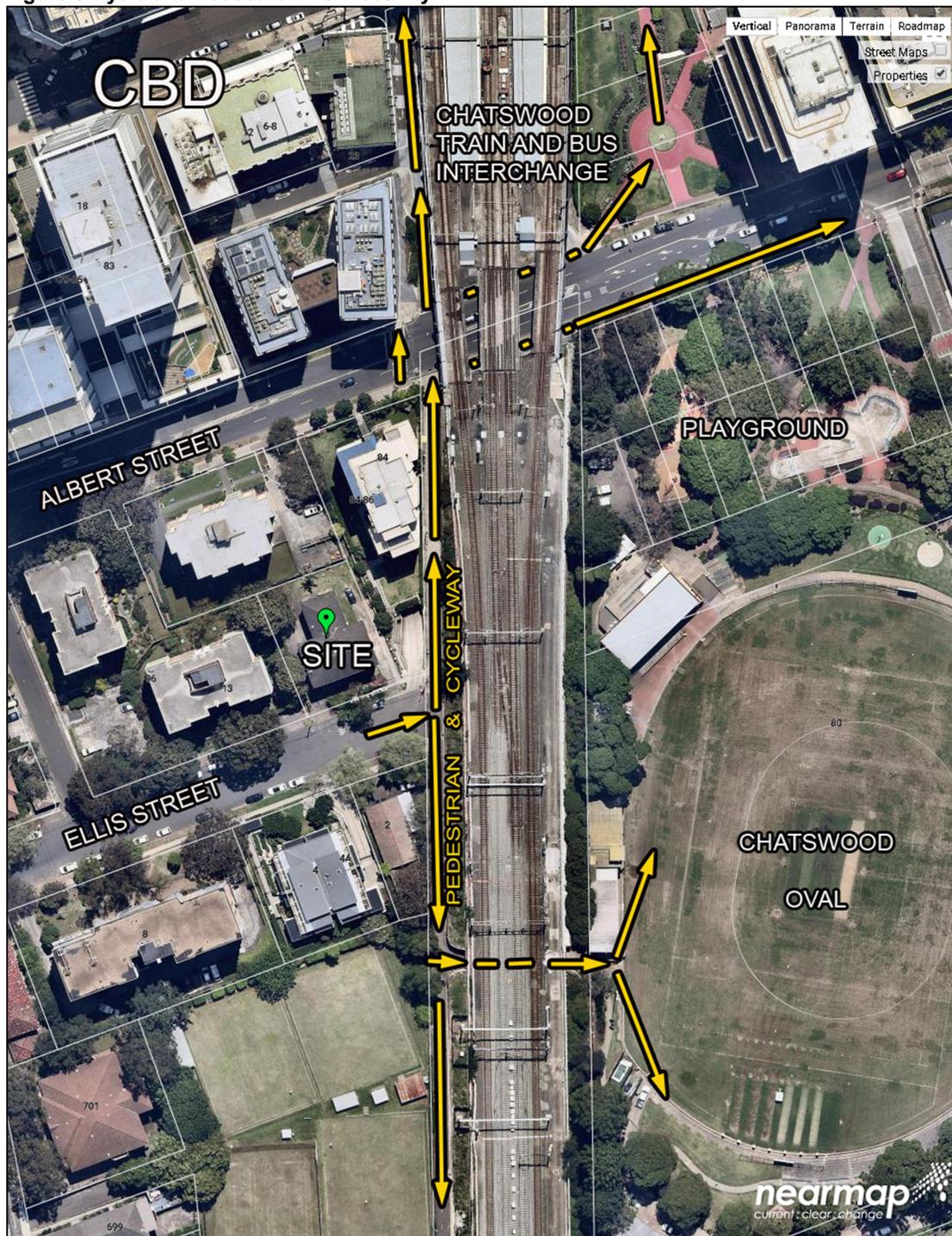
**Figure 7 Surrounding Development - Chatswood Train Station**



**Source: JWP**

The site is at the eastern end of Ellis Street, which is approximately 130m in length. Ellis Street is accessed via an intersection with the Pacific Highway at the western end, and terminates at the eastern end near the site. A busy and well supervised pedestrian and cycle path runs past the eastern end of Ellis Street, alongside the railway line. The pathway is within 20m of the site, and links to nearby suburbs, the CBD, the railway station, and Chatswood Oval via an underpass within 80m of the site.

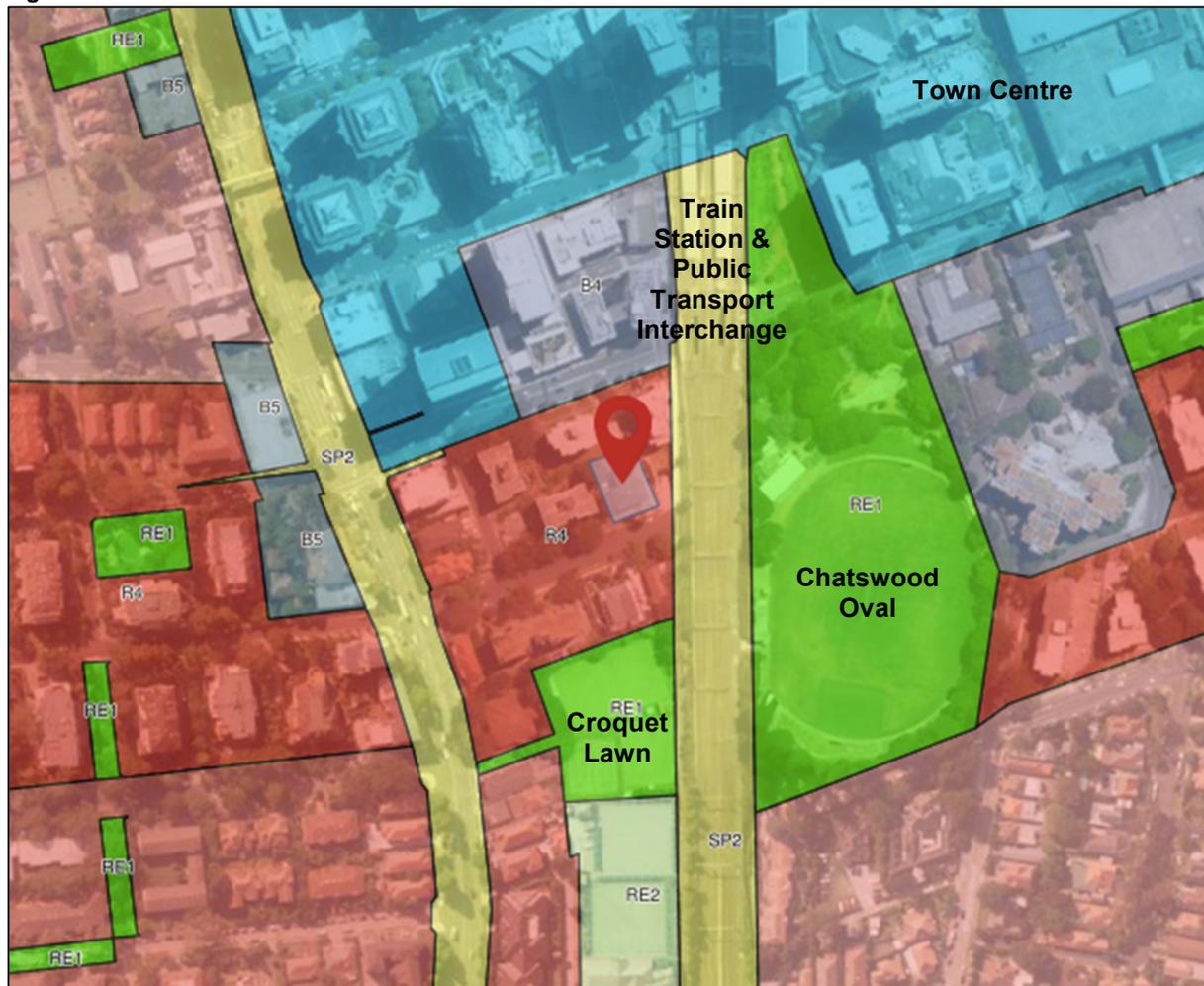
**Figure 8 Cycle and Pedestrian Connectivity**



Source: Nearmaps annotated by JWP

The site is within a precinct that is zoned R4 to encourage High Density residential development for reason that it is within the walkable catchment of the Chatswood Central Business District (CBD). The CBD is characterised by progressive residential and commercial development of increasing heights and densities. The site is located near the Chatswood railway line, in a residential precinct that sits between the CBD to the north, and a number of popular public recreation areas to the south (see **Figure 9**).

**Figure 9 Land Use Context**



*Source: NSW DPE Planning Portal*

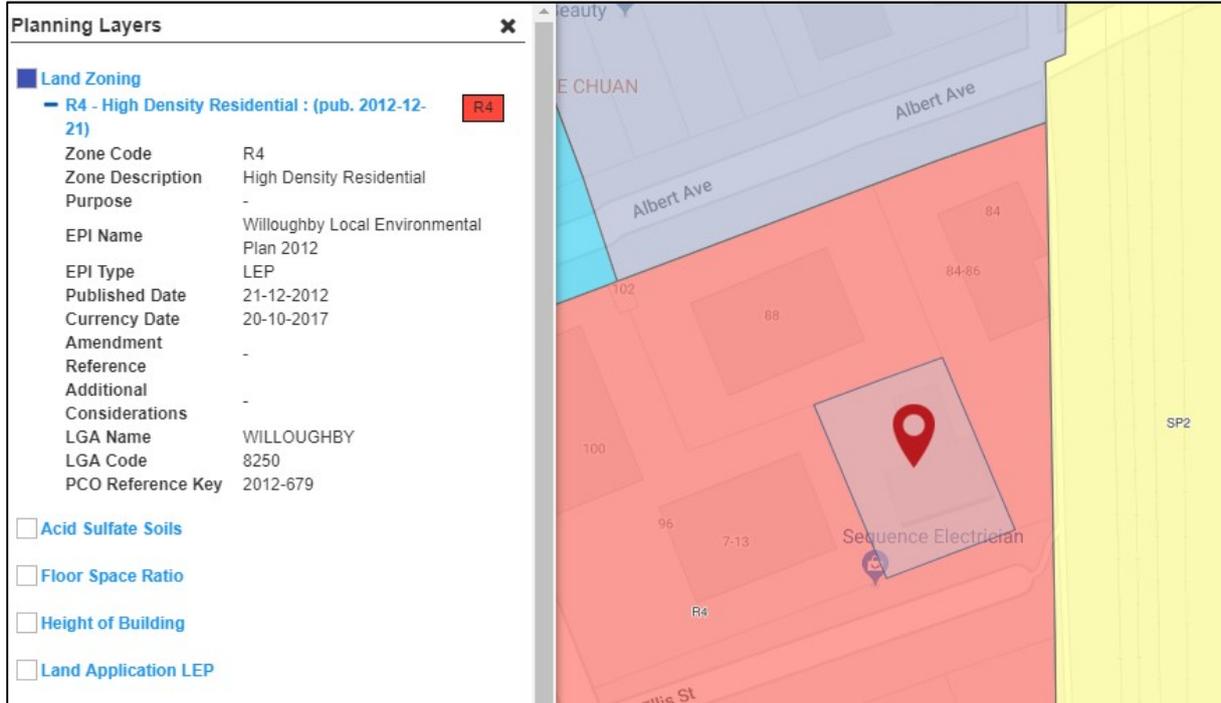
## 2.2 Planning Framework

- The site is currently zoned R4 High Density Residential under the WLEP 2012.
- The site is subject to a 'Nil' Minimum Lot Size, however CI 6.10 of the WLEP 2012 provides that development consent for the purpose of a Residential Flat Building may be granted if the area of the lot is equal to or greater than a lot size of 1,100sqm. The existing Residential Flat Building pre-dates the WLEP2012 provision, and Existing Use Rights therefore apply.

- The prescribed Floor Space Ratio (FSR) for the site is 1.7:1 and maximum building height is 34 metres. The site is currently underutilised, with the existing RFB being at a height of 13 metres and FSR of approximately 0.88:1.

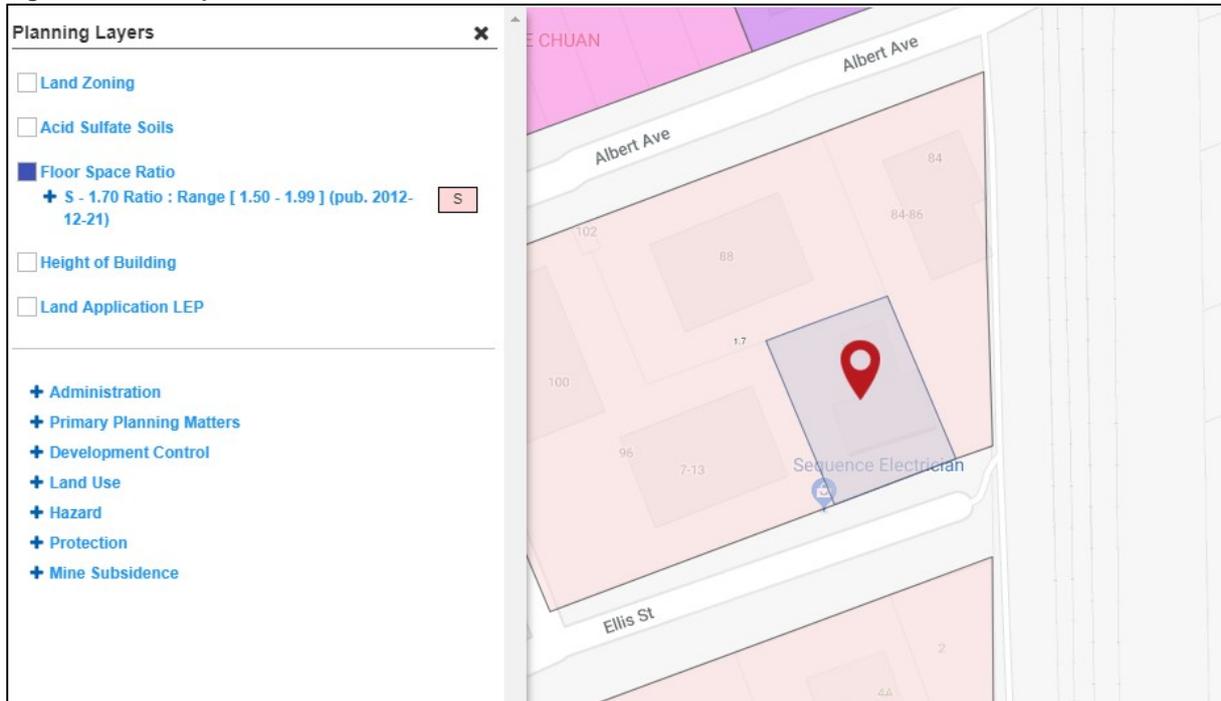
See relevant WLEP20102 maps in **Figures 10-12** below.

**Figure 10 Current Zoning**



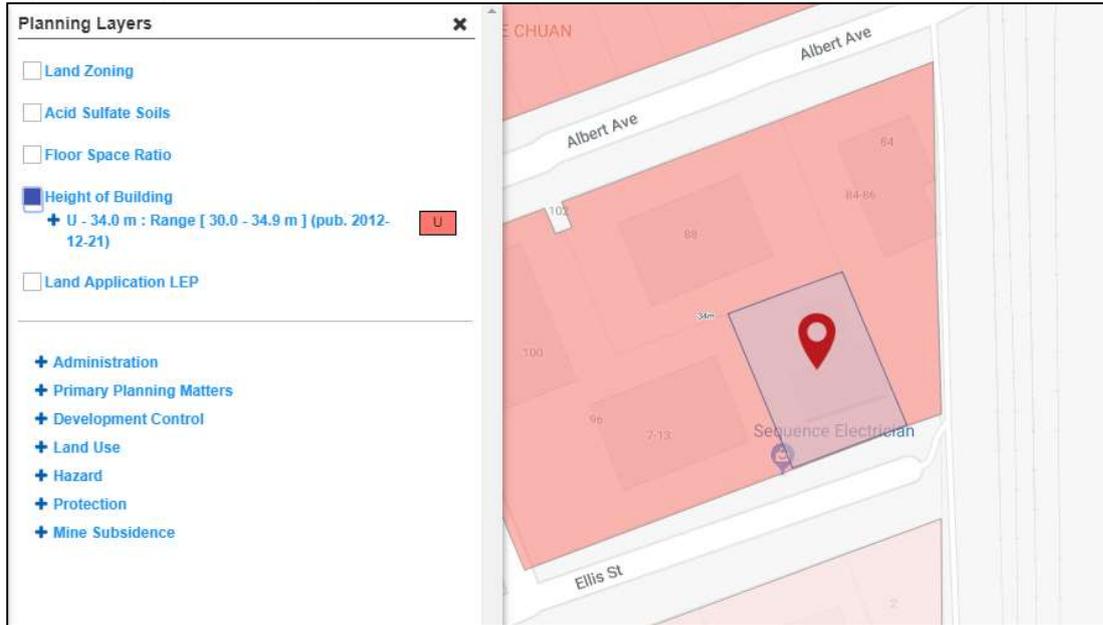
**Source: NSW DPE Planning Portal**

**Figure 11 Floor Space Ratio**



**Source: NSW DPE Planning Portal**

**Figure 12 Height of Building**

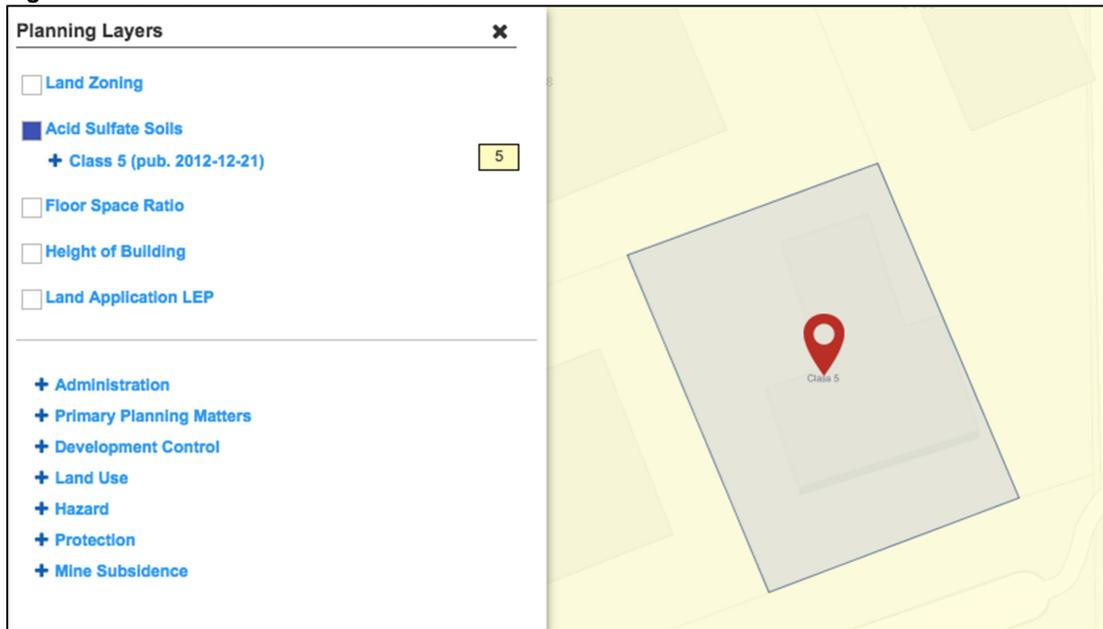


**Source: NSW DPE Planning Portal**

### 2.3 Natural Hazards

The site is identified as being affected by Acid Sulfate Soils. Mitigation measures can be taken to protect the environment during the construction of the development. These measures can be identified through a Soil and Erosion Management Plan, which will be provided with the lodgment of the subsequent Development Application.

**Figure 13 Acid Sulfate Soil Classification**



**Source: NSW DPE Planning Portal**

## **2.4 Background and Consultation**

### **Initial Enquiry by Design Process**

Upon acquisition of the site, MPG Pty Ltd sought advice on the potential for redevelopment. This advice was sought during Council's preparation and exhibition of the Chatswood CBD Planning and Urban Design Strategy in 2017.

On review of the exhibited draft Strategy prepared on behalf of Council by Architectus, and in consideration of various objectives of the Council, MPG engaged Stanasic Architects to carry out an Enquiry by Design process. This exercise was to verify the observations of Architectus on a site specific basis, and to determine whether redevelopment could be facilitated within the existing development standards of the WLEP 2012, or whether other development standards ought to apply.

A very detail design exercise was undertaken to ensure confidence with matters such as BCA compliance, water and sewer provision, fire flow and internal floor plan fire compliance, booster and electrical transformer provisions, tree preservation, and car parking and loading facilities – among other things.

Overshadowing investigations and ADG compliance were items specifically investigated to confirm compliant redevelopment outcomes.

A built form consisting of a 14 Level Residential Flat Building was derived from the above exercise, and subsequently tested against the recommendations of the Architectus draft Strategy, and later against the resolutions of Council in their adoption of the Strategy.

### **Consultation with Council**

The resulting built form was taken before a pre DA meeting with Council in March 2018 to discuss the prospect of Development Consent in reliance on a Clause 4.6 Exception to the Development Standards relating to height, FSR, and Minimum Lot Size. The minutes of the pre DA meeting are presented in Attachment C to this Planning Proposal, which are self-explanatory.

In summary, Council indicated they would not support a departure of the kind proposed to accommodate the built form proposed (which was compliant with Council's resolution to adopt the CPUDS Strategy). Council identified that an appropriate pathway would be via a Planning Proposal, however this avenue would not be progressed by Council until the

Chatswood Strategy was endorsed by the Department of Planning and Environment. Furthermore, Council advised that the lot size of 808sqm is considerably less than the minimum lot size within the WLEP 2012, so Council would not support a Planning Proposal to enable a Residential Flat Building of the kind proposed.

Council was advised that an existing Residential Flat Building occupied the site, and whilst a permissible use, Existing Use Rights provided an avenue to expand, enlarge or intensify that use notwithstanding the LEP lot size provision. The existing building is beyond its economic life, and the location of the site warrants more intensive use of the land for residential purposes.

Council stated that they prefer to see the site amalgamated with an adjoining lot to achieve a more consolidated built form, however Council was informed that the number of Strata Titles on adjoining lots, coupled with the younger age of buildings on those lots, and the fact that such buildings were already 8 and 9 Levels (compared to only 4 Level on the subject Site) meant that consolidation was unlikely in for decades, if not longer.

Council indicated it was prepared to wait 30 years or more to see the site consolidated, so we should only consider a DA in the context of existing Development Standards (which would represent a considerable underutilisation of the site).

### **Meeting with DPE**

Deeming Council's position to be inconsistent with the objectives of the relevant state government strategic Plans, representatives of the MPG Pty Ltd, including JWP and architect, Frank Stanisic, met with the Department of Planning & Environment.

Based on the same information presented to Council, DPE indicated that they would not hinder progress of a Planning Proposal in the absence of their endorsement of the Council adopted Chatswood Strategy. The relevant *Greater Sydney Regional Plan* and the subsequent *North District Plan (NDP)* (2018) were noted as the basis on which decisions would be made in respect of a Planning Proposals, and MPG Pty Ltd was encouraged to progress the proposal in the knowledge that an LEP review process was available in the absence of Council progressing the matter.

### 3.0 PLANNING PROPOSAL

The following statements address the criteria set in the Planning & Environment: *A Guide to Preparing Planning Proposals*.

This document was prepared by the Secretary for Planning pursuant to CI 3.33(3) of the Environmental Planning & Assessment Act 1979 to detail requirements for the making of a Planning Proposal, including:

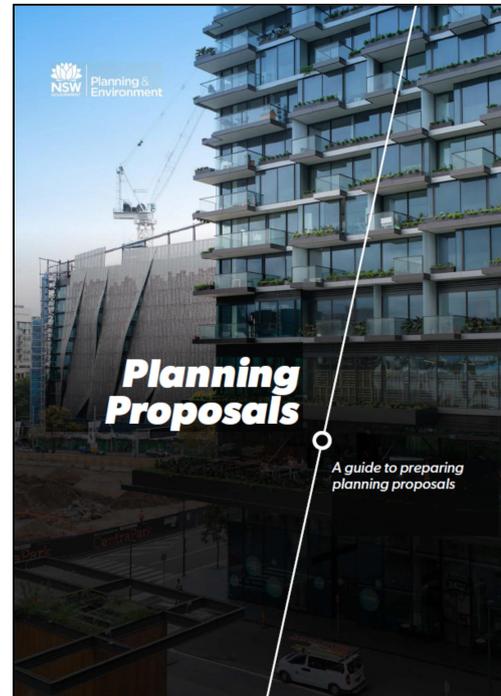
**Part 1 - Objectives or Intended Outcomes**

**Part 2 - Explanation of Provisions**

**Part 3 – Justification**

**Part 4 – Mapping**

**Part 5 – Community Consultation**



#### 3.1 Part 1 - Objectives or Intended Outcomes

The objective of the proposal is to amend the WLEP 2012 to enable suitable redevelopment of the land for high density residential development.

This Proposal will facilitate:

1. High quality residential development adjacent to Chatswood CBD and within the walkable catchment of the Chatswood Rail Station.
2. Accommodation and home ownership options for the projected increase in population in Sydney's North District.

### 3.2 Part 2 - Explanation of Provisions

The proposed outcome can be achieved by:

1. Amending Cl. 4.3A Exceptions to height of buildings of the WLEP 2012 to include the land as an “Area” on the Height of Buildings Map to permit development to a height of 49m.
2. Amending Cl. 4.4A Exceptions to Floor Space Ratio of the WLEP 2012 to include the land as a Lot to permit development to a maximum FSR of 5.1:1.
3. Amending Cl. 6.10 (4) Minimum lot sizes for residential flat buildings in the WLEP 2012 to include the land as a Lot to permit development for a residential flat building on land that is at least 800 square metres. This will reflect the existing use rights of the existing RFB.

**Figure 14 Indicative Built Form Facilitate by the Proposal**



*Source: Stanistic Architects*

### 3.3 Part 3 - Justification

#### A. Need for the Planning Proposal

##### 1. *Is the planning proposal a result of any strategic study or report?*

The proposal is not the result of a strategic study or report.

##### 2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The objectives of the proposal may be achieved through the support of a Development Application including variations to the applicable development standards under Clause 4.6 of the WLEP 2012.

An alternate development proposal for the site of similar characteristics to this Planning Proposal was presented to Willoughby Council in the form of a Pre-DA meeting, expressing the intentions to apply for variations to the required development standards to achieve the objectives of this proposal. These variations were not supported by Council. See **Attachment C** for the resulting minutes from this meeting.

Particularly, Council noted:

- *The site is in a proposed mixed use zone and should provide a 1:1 commercial component.*
- *A 2.5:1 FSR has been identified in the Strategy for this location and surrounding small area within the CBD – this has had to do with ensuring minimal sun impacts to the key public space to the south.*
- *Height is limited in the Strategy for this location and surrounding small area within the CBD - this has had to do with ensuring minimal sun impacts to the key public space to the south.*
- *The importance of the key public space to the south was emphasized.*

**Table 1 Development Standards Comparison**

Development Standard	Prescribed Standard (WLEP)	Pre-DA Meeting Proposed Standards	Percentage Variation	Planning Proposal Proposed Standards	Percentage Variation
Minimum Lot Size	Nil (1,100m <sup>2</sup> for Residential Flat Buildings)	800m <sup>2</sup>	33%	800m <sup>2</sup>	33%
Maximum Building Height	34m	46.9m	27%	49	44%
Floor Space Ratio	1.7	4.89	287%	5.1	300%

## B. Relationship to Strategic Planning Framework

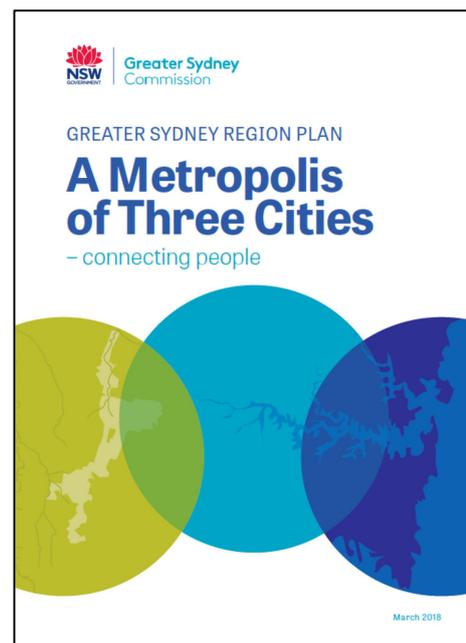
3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy?*

The proposal can demonstrate consistency with the Greater Sydney Regional Plan (GRSP) 2018 and the North District Plan (NDP) 2018, published by the Greater Sydney Commission as described below.

### A. Greater Sydney Regional Plan (2018)

The Greater Sydney Regional Plan divides the metropolitan area into three 'Cities'; being Western Parkland City, Central River City and Eastern Harbour City. The subject site is located within Chatswood and the '**Eastern Harbour City**' area of the Plan. This City is characterised by the Harbour CBD as a Metropolitan Centre; Macquarie Park, St Leonards and Randwick as health and education precincts, and Chatswood itself as a **Strategic Centre**.

These focus points are all linked by the **Eastern Economic Corridor**, facilitated by connectivity which encourages a '**thirty minute city**'; referring to predicted travel times to centres of employment, business, education and services.



Broadly, the objectives of the GSRP are to:

- Prioritise infrastructure towards achieving the Plan,
- Provide infrastructure which encourages and accommodates population growth, and
- Utilise existing infrastructure to its best and highest capacity.

The Eastern Harbour City is predicted to experience an increase in population of approximately 900,000 residents to 2036. Noting as this area is largely well established; sympathetic infill development is being encouraged.

The GSRP aims to increase connectivity, collaboration and infrastructure to support the population growth. Chatswood has a committed train link to Macquarie Park to the west and St Leonards and the City CBD to the south via the Sydney Metro project.

### *Liveability*

The liveability of the City and the resident's quality of life relates to the accessibility, housing affordability and facilities available to the residents.

The Plan aims to:

- Provide opportunities for housing for increasing populations,
- Provide options for affordable housing,
- Invest in education and health services for residents,
- Encourage connectivity through walkable catchments, public transport opportunities to education, health, recreation and retail services, and
- Provide housing opportunities to identified targets within appropriate locations, whether by urban renewal, local infill or land release areas.

Noting the distribution of the increasing population in the Northern District and the strategic centre of Chatswood, ***it is pertinent that opportunities for housing, including affordable housing, are provided in areas of high connectivity.***

The Proposal on the subject site is able to assist in providing these housing opportunities located within the walkable catchment of the Chatswood CBD and public transport opportunities.

### *Productivity*

The City's productivity is linked to its income through manufacturing, tourism and trade links. An increase in productivity is a result of increased efficiency and skills base of workers in the City. Specifically, the GSRP aims to:

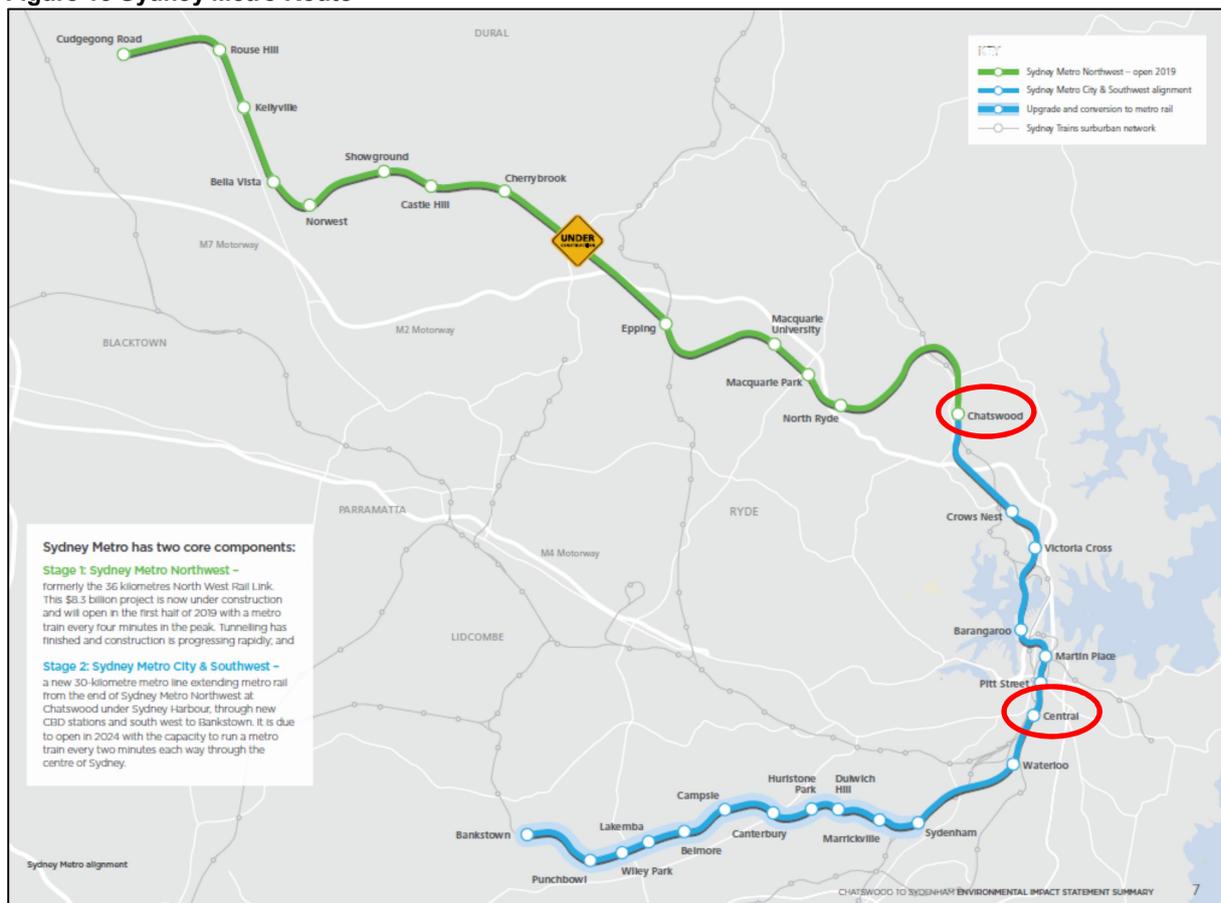
- Create walkable and 30 minute cities to encourage movement of goods, people and businesses to customers locally and internationally,
- Encourage investment in strategic centres for mixed uses,
- Establish the strategic centre of Chatswood as a commercial office precinct, and
- Set principles for growing Sydney, including expanding the existing centres.

The Chatswood CBD contributes to this objective through its opportunities for connectivity, being proactive in the provision of pedestrian and cycle tracks which connect to major rail transport links (see **Figure 8**).

The site benefits from close connectivity (less than 5 minute walk) to the Chatswood railway station which is earmarked to be upgraded as part of the Sydney Metro projects. See **Figure 15** below.

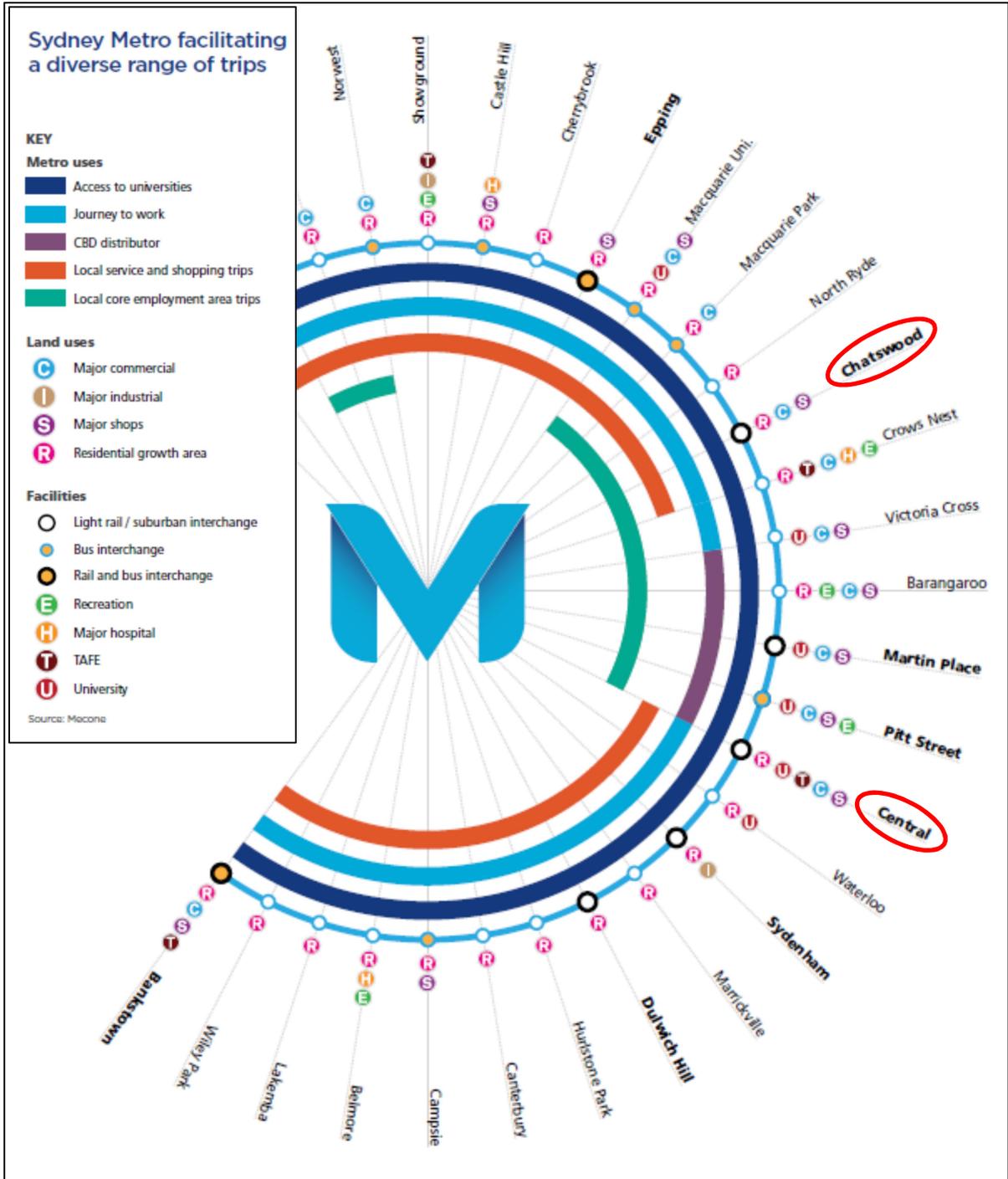
This project aims to reduce travel time from **Chatswood to Central Station from 26 to 15 minutes**. From this interchange, connectivity with regional centres is achieved via intercity and regional train lines, with a trip to Newcastle predicted to take 1 hour and 45 minutes; and the Sydney Domestic and **International Airports being a predicted 23 (reduced from 40) minute** journey. **Figure 16** identifies the notable facilities and services along this route.

**Figure 15 Sydney Metro Route**



**Source: Sydney Metro EIS (Annotated by JWP)**

Figure 16 Journey Options for Sydney Metro



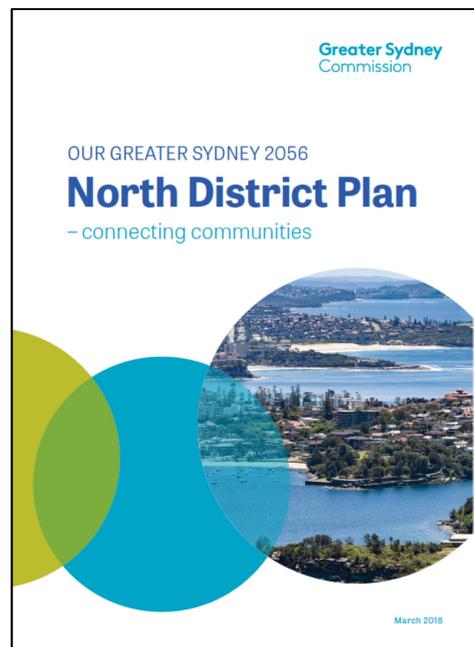
Source: Sydney Metro EIS (Annotated by JWP)

## **B. North District Plan (2018)**

The implementation of the GSRP is detailed in the individual District Plans. The North District Plan identifies that approximately 92,000 homes will be required in the District by 2036. Additionally, both the current and anticipated primary household structures are couples, couples with children and single persons. Subsequently, Planning Priority N5 aims to “provide housing supply, choice and affordability with access to jobs, services and public transport”.

Using the proposed locational criteria, Urban Renewal opportunities in Chatswood are supported through:

- *Alignment with investment in regional and district infrastructure which acknowledges the catalytic impacts of infrastructure such as Sydney Metro Northwest and Sydney Metro City and Southwest, NorthConnex, and the Northern Beaches Hospital*
- *Accessibility to jobs, noting that over half of Greater Sydney’s jobs are generated in metropolitan and strategic centres*
- *Accessibility to regional transport, noting that high-frequency transport services can create efficient connections to local transport services and expand the catchment area of people who can access regional transport*
- *Efficient interchanges with a comprehensive walking and cycling network*
- *Catchment areas within walking distance (up to 10 minutes) of centres with rail, light rail or regional bus transport*
- *Areas of high social housing concentration where there is good access to services, transport and jobs*
- *Distance from special land uses such as ports and airports.*

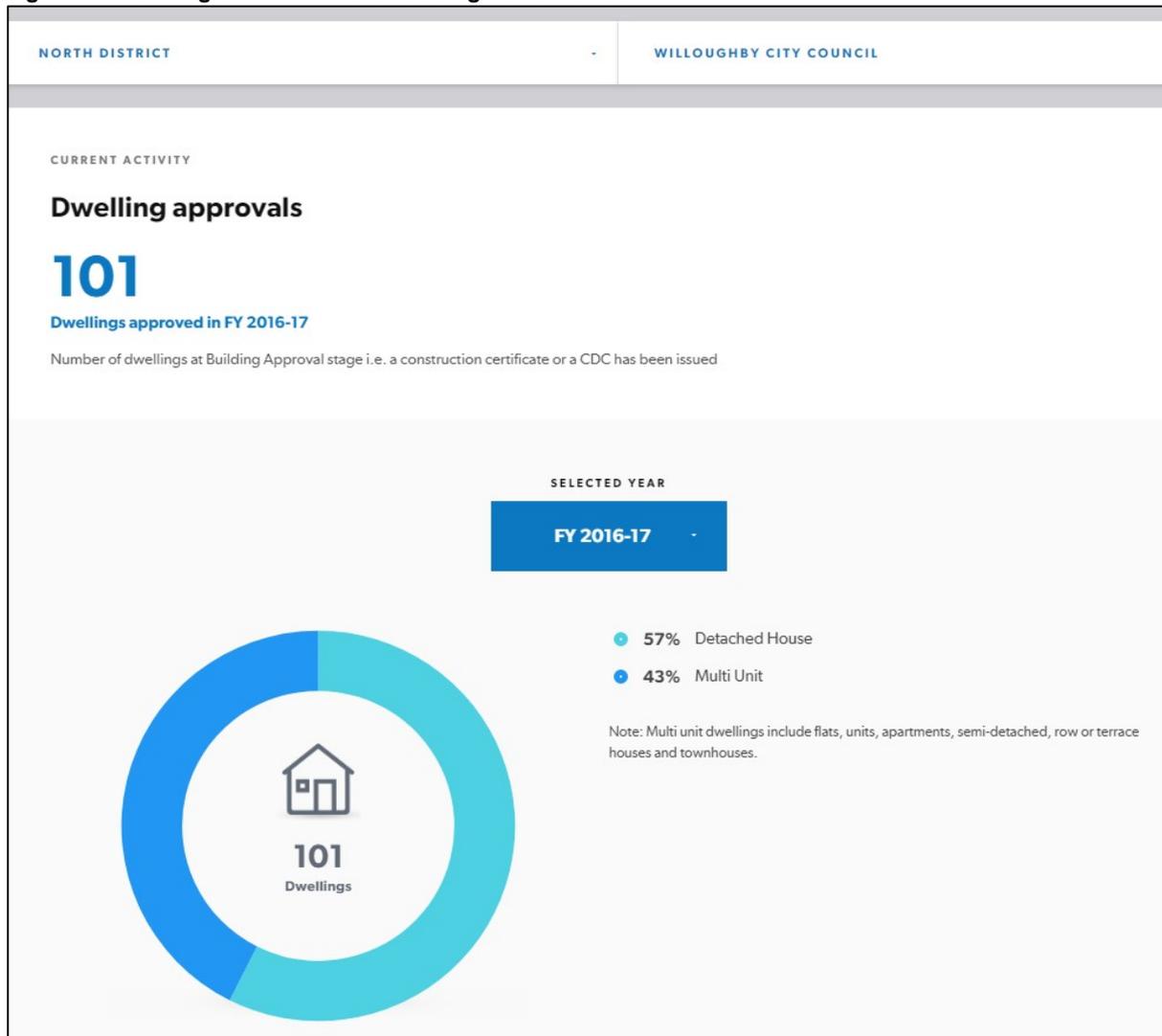


**Willoughby Council** has been presented with actions to maximise land use opportunities provided by the Sydney Metro project and a target housing supply target of **at least 1,250 dwellings between 2016 and 2021**. The Council will then be required to prepare a Housing Strategy for the further 6-10 year period.

The North District Plan also identifies a number of actions for Willoughby Council and others, including a target of 6,000-8,000 additional jobs in the Chatswood area.

For the 2016-17 financial year, Councils records show that 101 dwellings have been approved via development applications with Council or Complying Development Certificates, 189 via a JRPP and a future 64 facilitated through planning proposals (2016-2018) (Source: Willoughby Council Reports to May 2018). See **Figure 17** below.

**Figure 17 Planning & Environment Housing Performance**



*Source: Planning & Environment*

This brings the total potential dwellings to 351 for the period (assuming no subsequent applications have been determined from JRPP approvals). This Proposal could enable ADG compliant development with a yield of around 38 units, depending on the dwelling mix.

4. *Is the proposal consistent with a Councils local strategy or other local strategic plan?*

The proposal is consistent with elements of the Chatswood CBD Planning & Urban Design Strategy to 2036 as adopted by the Willoughby Council in January 2018. This Strategy has not yet been endorsed by the Department of Planning.



The subject site is captured in the Strategy, as it is located within the proposed boundaries of the Chatswood CBD. See **Figure 18**.

**Figure 18 Proposed CBD Boundary and Land Uses**



Source: Willoughby Council (Annotated by JWP)

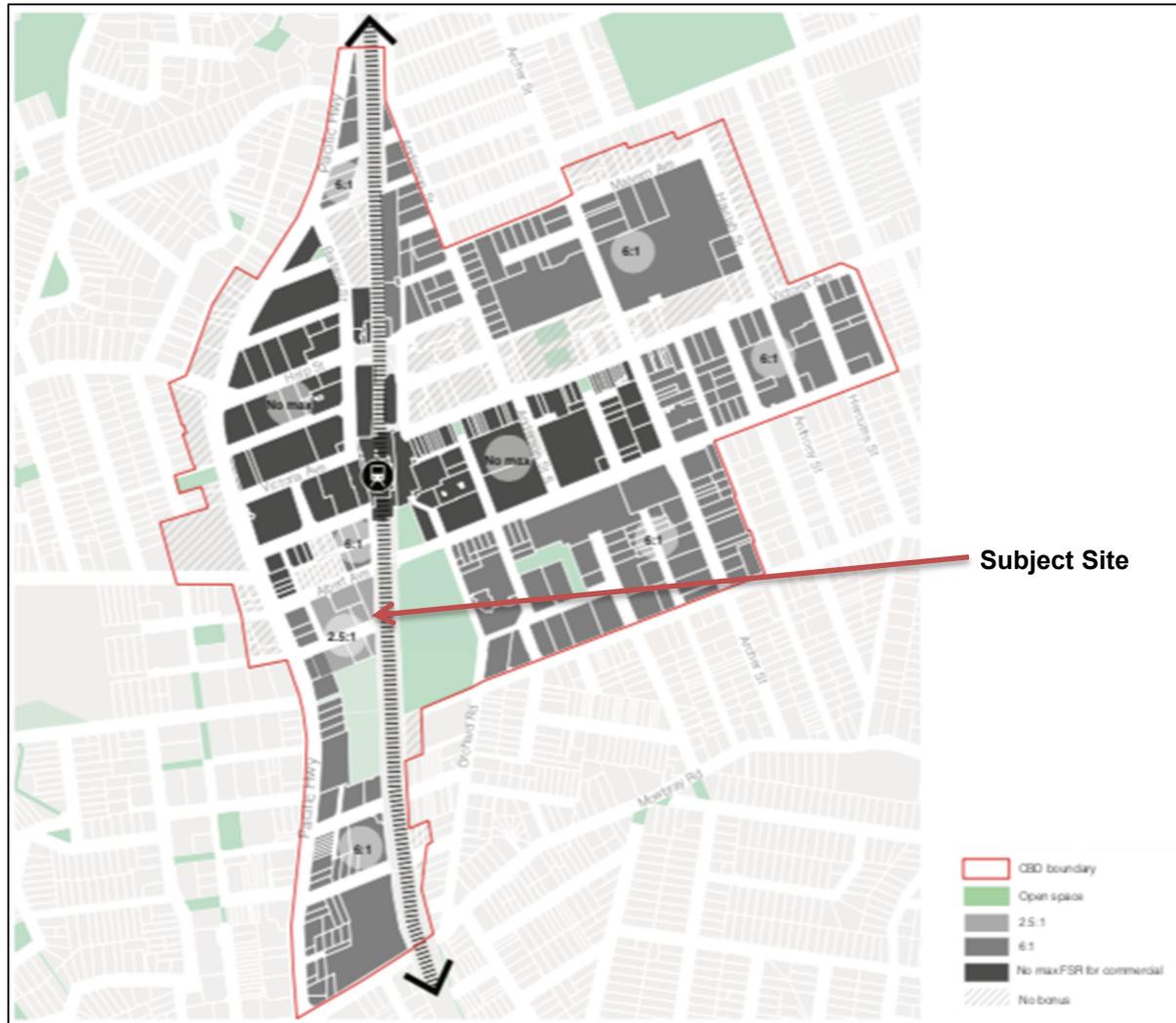
The recommended base FSR of the site is 1.7:1, while the proposed maximum FSR is 2.5:1. These figures are derived from the potential threat of development overshadowing the nearby public open spaces. See **Figures 19** and **20** below. It is noted that beyond the immediate area, the recommended maximum FSR is 6:1. The Proposal demonstrates that a site specific, ADG compliant built form with a maximum FSR of 5.1, can be achieved on the site without triggering overshadowing the public open space areas Council seek to protect.

**Figure 19 Recommended Base FSR**



*Source: Willoughby Council (Annotated by JWP)*

**Figure 20 Recommended Maximum FSR**

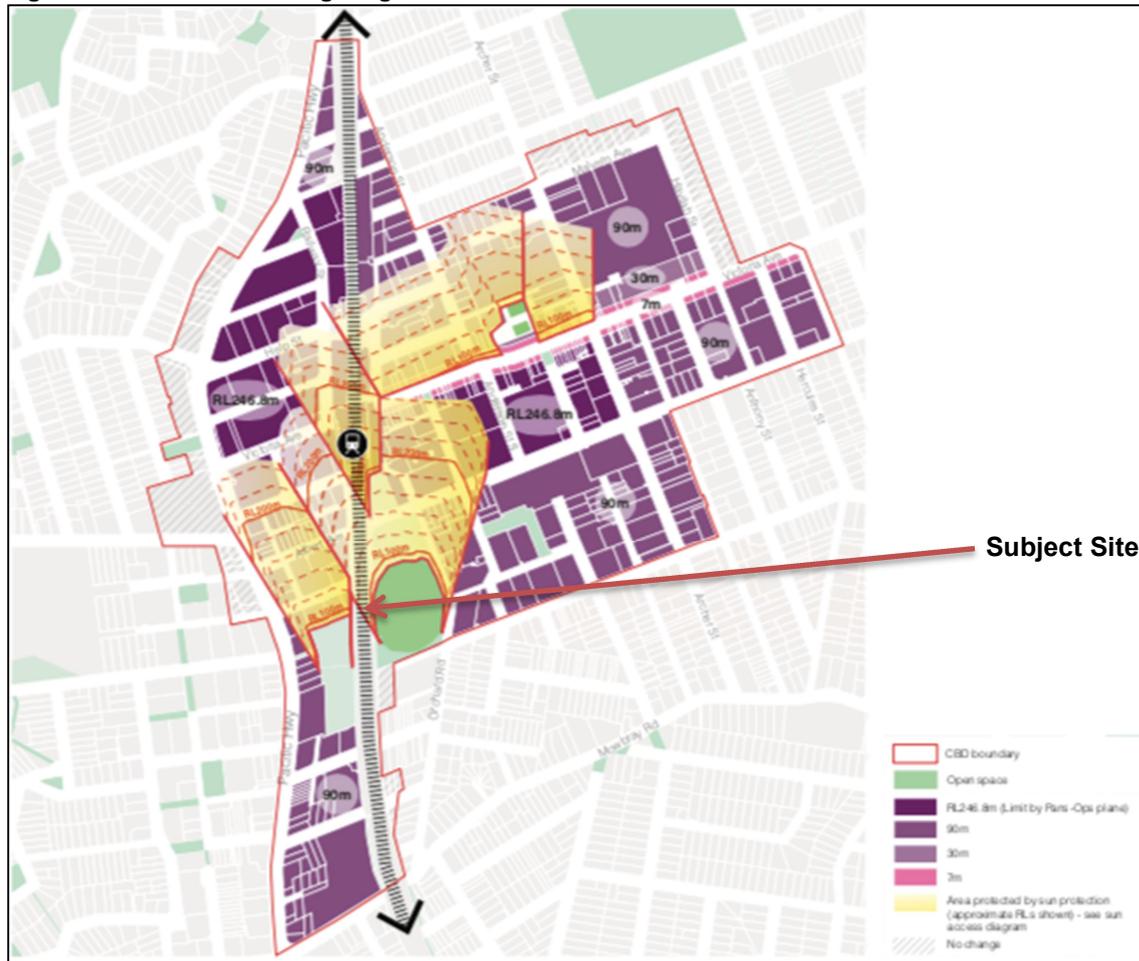


*Source: Willoughby Council (Annotated by JWP)*

The Strategy provides a height limitation of RL120-160m on development in the area to reduce the risk of further overshadowing of the surrounding public open spaces during critical activity times. See **Figure 21** below.

It is demonstrated in **Attachment D** that a built form with a maximum height of 49m (RL144m) would not create any additional overshadowing of these open space areas.

**Figure 21 Maximum Building Height**

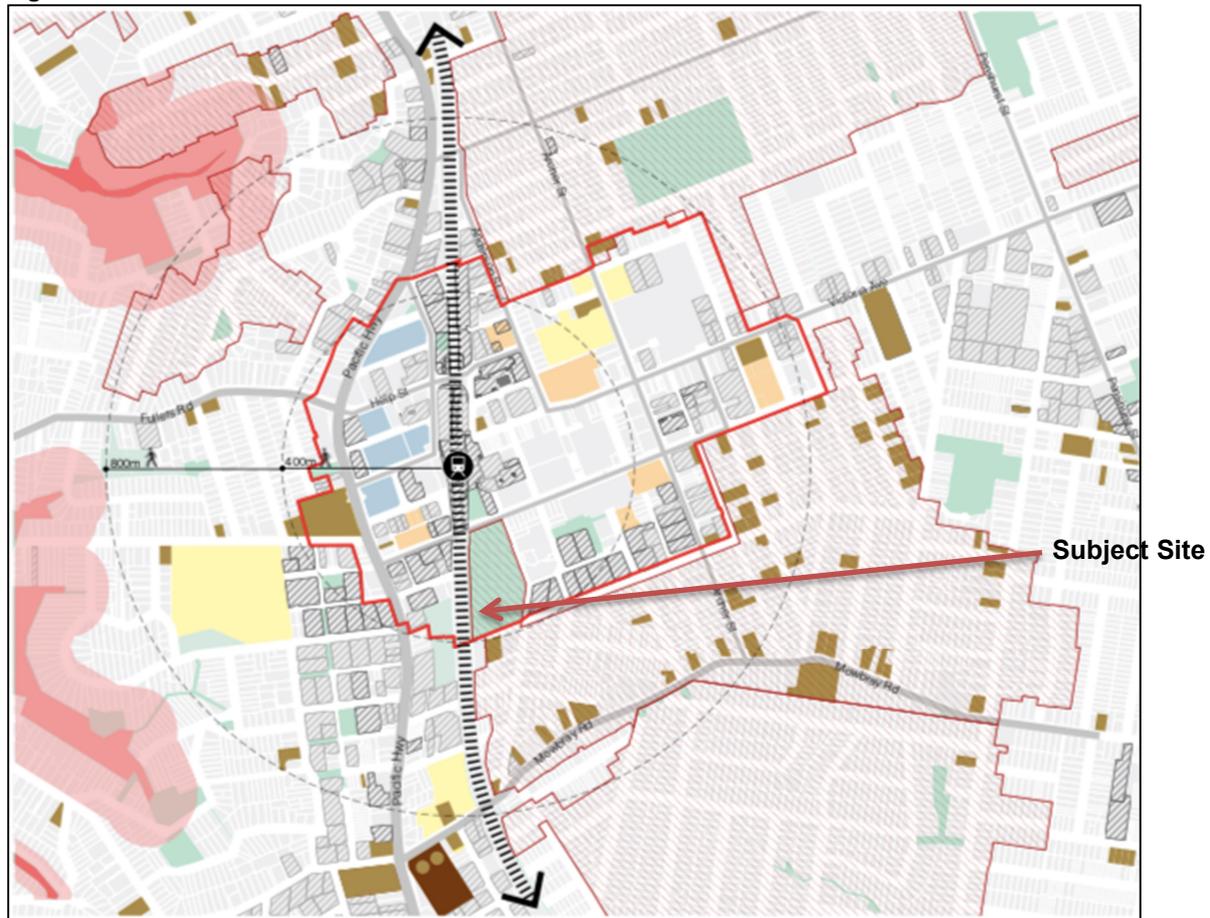


*Source: Willoughby Council (Annotated by JWP)*

The Strategy is informed by studies conducted by Architectus Group Pty Ltd, which, on a macro level, made assumptions as to the suitability or likelihood of development for sites within the Chatswood CBD. Architectus identifies the site as both a Constrained Site and an Opportunity Site; see **Figures 22** and **23** below. These classifications are based on a number of assumptions, including the following:

- a. That the site is suitable for mixed use development
- b. Development on the site will overshadow the adjoining Public Open Space at a height of RL120-160m
- c. Development on the site may be difficult as it is a Strata Title with many owners
- d. A suitable minimum lot size for a residential flat building is 1,200sqm, based on 3, 6 and 12m setbacks and 450sqm floorplate
- e. That the land would be able to be consolidated with an adjoining lot to increase the lot size

Figure 22 Constrained Sites



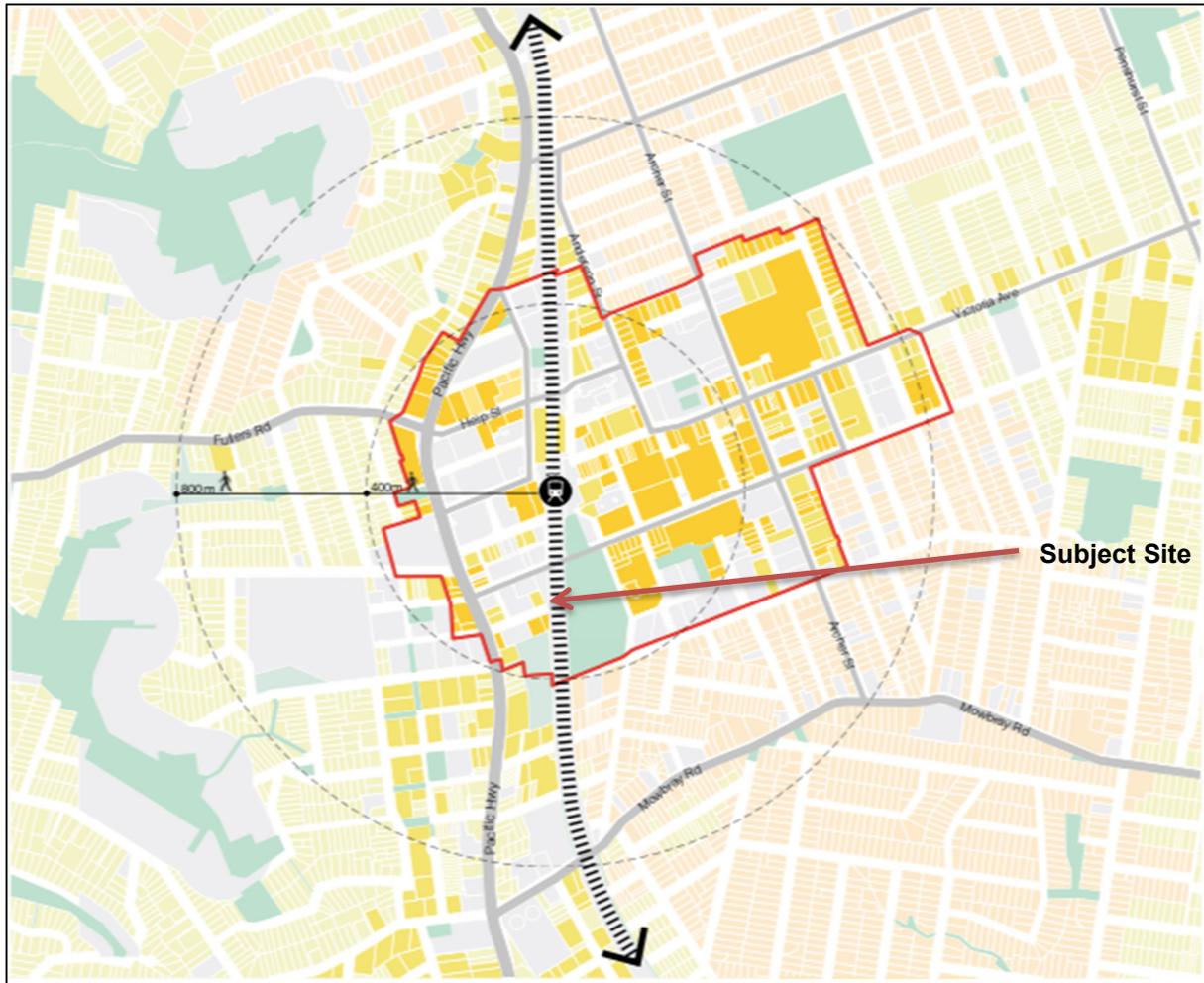
Source: Architectus (Annotated by JWP)

The legend identifies the site as a 'Site where development is difficult' as it is an existing strata titled building of residential development less than 3 storeys. Additionally, as the site is 808sqm in area, an assumption was made that the lot size is not suitable for higher density development such as a residential flat building.

However, in the same publicly exhibited *Chatswood CBD Planning and Urban Design Strategy*, Architectus specifically noted at pages 178 and 179 that (underline added for emphasis):

- The minimum lot size for towers in Central Sydney (decided following over 40 representative site tests) was concluded at 800sqm.
- If other site sizes are to be considered for additional FSR, detailed site testing is necessary to demonstrate this.
- Particularly for central locations, a long term view should be taken and strategic land in centres which is close to transport should not be artificially limited to an extent that in the future, houses and jobs have to be provided further from centres and transport.

Figure 23 Opportunity Sites



Source: Architectus (Annotated by JWP)

The land is also identified as an Opportunity Site, suitable for redevelopment, providing the density controls were varied. Again, the lot was identified as challenging due to the number of landowners potentially involved in the redevelopment. As noted above, the site is now in a single ownership.

The site is currently an isolated lot, with the adjoining lots either recently redeveloped or developed to their maximum capacity. It is proposed that amalgamation with either adjoining lots is not practical or of any gross benefit to either lot. The subject site would otherwise remain under the minimum prescribed lot size for a residential flat building in an area of High Density Residential zoning (or proposed Mixed Use zoning). This is would not be an orderly or economic use of the land.

The site is unique in that the surrounding lot layout and constraints could provide options for atypical building envelopes, outside of the standard assumptions made, such as setbacks and lot sizes as displayed in the Design Quality Statement in **Attachment D**.

The following is an assessment of the Proposal against Councils nominated controls within the Strategy. These comments are derived from the SEPP 65 design assessment conducted in **Attachment D**.

**Table 2 Assessment Against the Unendorsed Chatswood CBD Strategy to 2036**

No.	Element	Comment	Justified
1	The Chatswood CBD boundary is expanded to the north and south as per Figure 3.1.1. to accommodate future growth of the centre.	The site is located within the proposed Chatswood CBD boundary.	Yes
2	Land uses in the LEP will be amended as shown in Figure 3.1.2, to: <ul style="list-style-type: none"> <li>a) Protect the CBD core around the Interchange as commercial, permitting retail throughout to promote employment opportunities (with no residential permitted).</li> <li>b) Enable other areas to be mixed use permitting commercial and residential.</li> </ul>	The proposal does not intend for any change to the zoning or land uses as existing or proposed by the Strategy.	Yes
3	The existing DCP limits on office and retail use in parts of the Commercial Core to be removed.	Not applicable	NA
4	Serviced apartments to be removed as a permissible use from the B3 Commercial Core zone.	Not applicable	NA
5	The existing FSR controls are to be simplified and be retained as a 'base' FSR (Figure 3.1.3).	The 'Base' FSR for the site is proposed to be 1.7:1. The 'Base' FSR, is intended to be maintained as per the strategy.	Yes

No.	Element	Comment	Justified
6	<p>Increased FSR between the base FSR and the maximum FSR is to be linked to a contributions scheme that will provide the public and social infrastructure in the Chatswood CBD necessary to support an increased working and residential population.</p> <p>The scheme would:</p> <ul style="list-style-type: none"> <li>a) Apply to residential uses above base FSR</li> <li>b) Apply to commercial uses above 10:1 FSR</li> <li>c) Operate in addition to any adopted Section 94 or 94A contributions scheme and separate from Affordable Housing requirements within Willoughby Local Environment Plan (WLEP).</li> <li>d) Contribute to public domain improvements in the centre (including streets and parks) that would enhance amenity and support residential and commercial uses.</li> <li>e) Apply a Value Uplifting Sharing rate identified in Council's Voluntary Planning Agreement (VPA) Policy.</li> </ul>	<p>The nominated maximum FSR for the site is 2.5:1, which would require additional contributions to public domain improvements and a VPA for 'Value Uplifting Sharing'.</p> <p>The proposal aims to increase the maximum FSR on the site to 5.1:1. Subsequently and additionally, the proposed development would require the above contributions following the submission of a development application.</p>	Yes
7	<p>All developments in Chatswood Centre achieving a FSR uplift through this strategy should contribute public art in accordance with Council's Public Art Policy, which is separate to the value uplift contributions scheme above.</p>	<p>Based on the proposed Maximum FSR for the site, a contribution to public art would be required with any subsequent development application.</p>	Yes
8	<p>Design excellence is to be required for all developments exceeding the base FSR, based on the following process:</p> <ul style="list-style-type: none"> <li>a) A Design Review Panel for developments up to 35m high.</li> <li>b) Competitive designs for developments over 35m high.</li> </ul>	<p>The planning proposal aims to increase the maximum building height to 49m. This would require the competitive design process for any future development.</p>	Yes

No.	Element	Comment	Justified
9	Achievement of design excellence will include achievement of higher building sustainability standards.	The resulting development would be required to address the higher building sustainability standards.	Yes
10	The Architects for design excellence schemes should be maintained through the development application process and can only be substituted with written agreement of Council.	This can be addressed at the Development Application stage.	Yes
11	Figure 3.1.3 shows a simplified FSR diagram to that in the existing LEP. It provides a maximum base FSR which: a) Is the maximum FSR for sites below the minimum site areas identified in Point 12 below. b) Forms the base above which value uplift sharing and design excellence applies.	The base FSR for the site is 1.7:1, which is proposed to be the maximum FSR for undersized lots in accordance with Point 12.  The proposal aims to amend the prescribed MLS as described in Point 12, along with the maximum FSR.	Justified
12	Minimum site area of: a) 1800sqm for commercial development in the B3 Commercial Core zone b) 1200sqm for mixed use development in the B4 Mixed Use zone to achieve maximum FSR as indicated in Figure 3.1.4. Site amalgamation is encouraged to meet this minimum requirement. In addition sites should not be left isolated.	The site is 808m <sup>2</sup> which is below the indicated Minimum Lot Size for Mixed Use development. Amalgamation of the lot with adjoining land is not practical as due to the recent age of those developments and the existing lot sizes, any potential gross lot size would not facilitate any additional development opportunities and result in the subject site being isolated.  The Strategy's underlying document identified the site as being constrained for future development due to its organisation as a Strata development. This lot is now in single ownership, facilitating redevelopment opportunities. The lot is also identified as an opportunity site.  As shown in the analysis of the ADG, site specific consideration of setbacks, adjoining development and potential development plate shows that the assumption of a 1,200m <sup>2</sup> lot for suitable High Density Residential development is not consistent with the development potential of the lot.	Justified

No.	Element	Comment	Justified
13	<p>The FSRs in Figure 3.1.4, should be considered as maximums achievable in the centre subject to minimum site area and appropriate contributions, and are as follows:</p> <ul style="list-style-type: none"> <li>a) No maximum FSR for commercial development in the centre,</li> <li>b) 6:1 FSR in outer centre.</li> <li>c) Retention of 2.5:1 FSR along northern side of Victoria Avenue east.</li> </ul> <p>Floor space ratio maximums are not necessarily achievable on every site, and will depend on addressing site constraints, surrounding context and other aspects of this Strategy in addition to satisfying SEPP 65 and the associated Apartment Design Guidelines.</p>	<p>The indicated maximum FSR for the site is 2.5:1. However as shown in <b>Attachment D</b>, a design compliant with the Apartment Design Guidelines and without overshadowing impacts is possible to facilitate an acceptable FSR of 5.1:1.</p>	Justified
14	<p>Affordable housing is to be provided within the maximum floor space ratio, and throughout a development rather than in a cluster.</p>	<p>The designation of affordable housing units is to be addressed with the subsequent Development Application.</p>	Yes
15	<p>The minimum commercial floor space ratio sought in development in a Mixed Use zone is 1:1 in order to deliver a reasonable amount of employment floor space.</p>	<p>The subsequent development is able to incorporate commercial floor space in the subsequent approved development although development could proceed under Existing Use Rights for an RFB.</p>	Yes
16	<p>In order to achieve the slender tower forms sought by Council the maximum floor plate at each level of a development should be no more than:</p> <ul style="list-style-type: none"> <li>a) 2000sqm GFA for office and</li> <li>b) 700sqm GFA for residential towers above Podium within Mixed Use zones.</li> </ul>	<p>The maximum potential floor plates of 400m<sup>2</sup> on the site are less than the maximum prescribed sizes for both commercial and residential development.</p>	Yes
17	<p>In pursuit of the same goal of slender tower forms, the width of each side of any tower should be minimised to satisfactorily address this objective. To the same end, design elements that contribute to building bulk are not supported, and should be minimised.</p>	<p>The potential widths of the sides of the development are not intended to exceed 18m.</p>	Yes

No.	Element	Comment	Justified
18	<p>If there is more than one residential tower on a site, sufficient separation is to be provided in accordance with setbacks required in this Strategy, SEPP 65 and the Apartment Design Guidelines, to ensure that the slender tower form objective is achieved. Council will seek to avoid an outcome where two towers read as one large tower. Towers are not to be linked above Podium and should operate independently regarding lifts and services.</p>	<p>The site is capable of producing a single, slender tower design.</p>	<p>Yes</p>
19	<p>The sun access protection in Figure 3.1.5 will be incorporated into LEP controls, to ensure no additional overshadowing and protection in mid winter of:</p> <ul style="list-style-type: none"> <li>a) Victoria Avenue (between interchange and Archer St) 12pm - 2pm.</li> <li>b) Concourse Open Space 12pm - 2pm.</li> <li>c) Garden of Remembrance 12pm - 2pm.</li> <li>d) Tennis and croquet club 12pm - 2pm.</li> <li>e) Chatswood Oval 11am - 2pm (which in turn also protects Chatswood Park).</li> </ul>	<p>As shown on the Shadow Diagrams included as <b>Attachments D.E</b> and <b>D.F</b>, the development will not provide any overshadowing of the public open space areas.</p>	<p>Yes</p>
20	<p>Maximum height of buildings in the CBD will be based on Figure 3.1.6, up to the airspace limits (Pans Ops plane), except as reduced further to meet:</p> <ul style="list-style-type: none"> <li>a) Sun access protection. Achievement of nominated height maximums will depend on addressing site constraints, surrounding context and other aspects of this Strategy in addition to satisfying SEPP 65 and Apartment Design Guidelines.</li> </ul>	<p>The site is affected by a varied maximum height of RL120m to RL160m in accordance with Figure 3.1.6 in efforts to protect the sunlight access to the Chatswood Oval. As shown in Point 19 above, a development at a height of RL144m is not anticipated to have any impact on the open space.</p> <p>The Proposal demonstrates potential compliance with the SEPP65 Apartment Design Guidelines.</p>	<p>Justified</p>
21	<p>All structures located at roof top level, including lift over runs and any other architectural features are to be:</p> <ul style="list-style-type: none"> <li>a) Within the height maximums.</li> <li>b) Integrated into the overall building form.</li> </ul>	<p>This item will be addressed with the resulting Development Application.</p>	<p>Yes</p>

No.	Element	Comment	Justified
22	The links and open space plan in Figure 3.1.7 will form part of the DCP. All proposals should have regard to the potential on adjacent sites. Pedestrian and cycling linkages will be sought in order to improve existing access within and through the CBD. New linkages may also be sought where these are considered to be of public benefit. All such links should be provided with public rights of access and designed with adequate width, sympathetic landscaping and passive surveillance.	The proposal takes advantage of adjoining, existing pedestrian and cycle linkages.	Yes
23	Publicly accessible open space and green landscaping such as street trees will be required by all development, subject to design principles.	The resulting development can incorporate communal open space and landscaping in the setbacks and any podium areas.	Yes
24	All roofs up to 30 metres from ground to be green roofs. These are to provide a balance of passive and active green spaces that maximise solar access.	The proposed development seeks a maximum height of 49m. A podium may be translated to a green roof as part of the future development.	Yes
25	A minimum of 20% of the site is to be provided as soft landscaping, which may be located on Ground, Podium and roof top levels or green walls of buildings.	The resulting development can incorporate communal open space and landscaping in the setbacks on ground level and any podium areas.	Yes
26	Any communal open space, with particular regard to roof top level on towers, should be designed to address issues of quality, safety and usability.	This item will be addressed with the resulting Development Application.	Yes
27	Street frontage heights and setbacks are to be provided based on Figure 3.1.8, which reflect requirements for different parts of the Chatswood CBD. With setbacks of 3 metres or more, including the Pacific Highway, deep soil planting for street trees is to be provided. d) Mixed use frontage with commercial Ground Floor i. 6-14 metre street wall height at front boundary. ii. Minimum 3 metre setback above street wall.	The site is located within the proposed Mixed Use area which prescribes a 6-14m street wall at the front boundary and 3m Setback following. The proposed building envelope can incorporate these measures.	Yes

No.	Element	Comment	Justified
28	All buildings are to be setback from all boundaries a minimum of 1:20 ratio of the setback to building height (e.g. 3m setback for a 60m building, and 6m setback for a 120m building).	This standard provides that a 49m building may be setback 2.45m from each boundary. The ADG provides recommended setbacks from and between residential and non-residential land uses. As shown in <b>Attachment D</b> , the proposal is consistent with the Guidelines.	Yes
29	Building separation to neighbouring buildings is to be: a) In accordance with the Apartment Design Guide for residential uses. b) A minimum of 6 metres from all boundaries for commercial uses above street wall height.	As described in <b>Attachment D</b> , the criteria of the ADG are met in respect of building separation.	Yes
30	At ground level, to achieve the vibrant CBD Council desires, buildings are to maximise active frontages. Blank walls are to be minimised and located away from key street locations.	This item will be addressed with the resulting Development Application.	Yes
31	Site Isolation will be discouraged and where unavoidable joined basements and zero-setback podiums should be provided.	As discussed in Point 12 above, the proposal will facilitate development on the site which will avoid site isolation.	Yes
32	Controls will be applied to ensure the traditional lot pattern along Victoria Ave east (building widths of between 6-12m) is reflected into the future.	Not applicable to this proposal.	NA
33	Floor space at Ground level is to be maximised, with supporting functions such as car parking, loading, garbage rooms, plant and other services located in Basement levels.	This item will be addressed with the resulting Development Application.	Yes
34	Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages.	This item will be addressed with the resulting Development Application.	Yes

No.	Element	Comment	Justified
35	<p>The CBD Strategy employs a Travel Demand Management approach seeking to modify travel decisions to achieve more desirable transport, social, economic and environmental objectives. A new CBD Transport Strategy will build on the approach. In addition, site specific traffic and transport issues are to be addressed as follows:</p> <ul style="list-style-type: none"> <li>a) Vehicle entry points to a site are to be rationalised to minimise streetscape impact, with one entry into and exiting a site. To achieve this objective loading docks including garbage and residential removal trucks, are to be located within Basement areas.</li> <li>b) In order to facilitate rationalisation of vehicle entry points on neighbouring sites, all development sites are to provide an opportunity within Basement levels to provide vehicle access to adjoining sites when they are developed.</li> <li>c) All vehicles are to enter and exit a site in a forward direction. In this regard vehicle turntables should be provided where necessary.</li> <li>d) All commercial and residential loading and unloading is required to occur on-site and not in public streets.</li> <li>e) Car parking should be reduced by utilising RMS car parking rates for sites close to public transport, as well as reciprocal parking and car share strategies.</li> </ul>	<p>This item will be addressed with the resulting Development Application.</p>	<p>Yes</p>

The above assessment confirms that the Proposal meets the requirements of the *Chatswood CBD Urban Design Strategy to 2036* or is otherwise acceptable due to its compliance with the Apartment Design Guide as addressed in **Attachment D**.

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

The following table provides justification of the planning proposal against the relevant and applicable State Environmental Planning Policies.

Relevant SEPPs	Relevant Standard/s	Is the Proposal Consistent?	Comments
1 – Development Standards	Nil	N/A	Although this SEPP states that it applies to the land State, the Willoughby LEP states that SEPP 1 does not apply in the Willoughby LGA. It is therefore not relevant to this proposal.
19 – Bushland in Urban Areas	Nil	N/A	This SEPP does apply in the Willoughby LGA; however there is no existing bushland on the site.
21 – Caravan Parks	Nil	N/A	This SEPP is not applicable to this proposal.
30 – Intensive Agriculture	Nil	N/A	This SEPP is not applicable to this proposal.
33 – Hazardous and Offensive Development	Nil	N/A	This SEPP is not applicable to this proposal.
36 – Manufactured home estates	Nil	N/A	This SEPP is not applicable to this proposal.
44 - Koala Habitat Protection	Nil	N/A	This SEPP is not applicable to this proposal.
47- Moore Park Showground	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
50 – Canal Estate Development	Nil	N/A	This SEPP is not applicable to this proposal.
52 – Farm Dams and other works in Land and Water Management Plan areas	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
55 - Remediation of Land	Clause 6	Yes	Due to the potential for redevelopment of the land, this SEPP will apply. Investigations conducted by Douglas Partners suggest that the land is not contaminated. Refer to <b>Attachment E</b> .
62 – Sustainable Aquaculture	Nil	N/A	This SEPP is not applicable to this proposal.
64 – Advertising and Signage	Nil	N/A	This SEPP is not applicable to this proposal.

65 – Design Quality of Residential Flat Development	Nil	N/A	This SEPP is applicable to this proposal. An assessment of the site against the Apartment Design Guidelines is included in <b>Attachment D</b> . This assessment concludes that the proposed design, and subsequently, proposed development standards are acceptable on the site.
70 – Affordable Housing (Revised Schemes)	Clauses 6-10	Yes	Development subsequent to this proposal will be subject to this SEPP. If the Planning Authority chooses to impose a condition of consent pursuant to CI 7.32 of the EP&A Act, this SEPP will apply. The Consent Authority may impose a condition to the effect of CI 7.32 (1) (a)-(d) of the Environmental Planning and Assessment Act 1979 to development subsequent to this proposal, providing they are consistent with the Affordable Housing Principles.
Affordable Rental Housing 2008	Nil	N/A	If the Planning Authority chooses to impose a condition of consent pursuant to CI 7.32 of the EP&A Act, this SEPP will apply.
Building Sustainability Index: BASIX 2004	Nil	N/A	This SEPP is not applicable to this proposal.
Coastal Management 2018	Nil	N/A	This SEPP is not applicable to this proposal.
Educational Establishments and Childcare Facilities 2017	Nil	N/A	This SEPP is not applicable to this proposal.
Exempt and Complying Codes 2008	Nil	N/A	This SEPP is not applicable to this proposal.
Housing for Seniors or People with a Disability 2004	Nil	N/A	This SEPP is not applicable to this proposal.
Infrastructure 2007	Nil	Yes	This SEPP is not applicable to this proposal.
Integration and Reveals 2016	Nil	N/A	This SEPP is not applicable to this proposal.
Kosciuszko National Park – Alpine Resorts 2007	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
Kurnell Peninsula 1989	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
Mining, Petroleum Production and Extractive Industries 2007	Nil	N/A	This SEPP is not applicable to this proposal.
Miscellaneous Consent Provisions	Nil	N/A	This SEPP is not applicable to this proposal.
Penrith Lakes Scheme	Nil	N/A	This SEPP does not apply in the Willoughby LGA.

SEPP (Rural Lands) 2008	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
State and Regional Development 2011	Nil	N/A	This SEPP is not applicable to this proposal.
State Significant Precincts 2005	Nil	N/A	This SEPP does not apply to the subject site.
Sydney Drinking Water Catchment 2011	Nil	N/A	This SEPP is not applicable to this proposal.
Sydney Region Growth Centres 2006	Nil	N/A	This SEPP does not apply to the subject site.
Three Ports 2013	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
Urban Renewal 2010	Nil	N/A	This SEPP does not apply to the subject site.
Western Sydney Employment Area 2009	Nil	N/A	This SEPP does not apply in the Willoughby LGA.
Western Sydney Parklands 2009	Nil	N/A	This SEPP does not apply in the Willoughby LGA.

6. *Is the planning proposal consistent with applicable Ministerial Directions?*

The following table provides justification of the planning proposal against the relevant and applicable Section 9.1 (2) (cf s117 (2)) Ministerial Directions.

<b>Relevant Ministerial Directions</b>	<b>Relevant Standard/s</b>	<b>Comments</b>	<b>Is the Proposal Consistent?</b>
1.1 Business and Industrial Zones	Nil	N/A	N/A
1.2 Rural Zones	Nil	N/A	N/A
1.3 Mining, Petroleum & Extractive Industries	Nil	N/A	N/A
1.4 Oyster Aquaculture	Nil	N/A	N/A
1.5 Rural Lands	Nil	This direction does not apply to this Local Government Area.	N/A
2.1 Environment Protection Zones	Nil	N/A	N/A
2.2 Coastal Protection	Nil	N/A	N/A
2.3 Heritage Conservation	Clause 4	No items of environmental heritage are identified on or adjacent to the site as identified by the AHIMS database. The site is significantly disturbed from previous development.	Yes
2.4 Recreation Vehicle Areas	Nil	N/A	N/A

<b>Relevant Ministerial Directions</b>	<b>Relevant Standard/s</b>	<b>Comments</b>	<b>Is the Proposal Consistent?</b>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Nil	N/A	N/A
3.1 Residential Zones	Clause 4 - 5	The proposal will enable development that incorporates additional housing of various sizes within an established residential area. The land is able to be adequately serviced with existing and upgraded infrastructure. The development encourages the use of public transport, and facilitates infill development of good design. The proposal does not contain provisions which reduce the density of residential land.	Yes
3.2 Caravan Parks and Manufactured Home Estates	Nil	N/A	N/A
3.3 Home Occupations	Nil	N/A	N/A

Relevant Ministerial Directions	Relevant Standard/s	Comments	Is the Proposal Consistent?
3.4 Integrating Land Use and Transport	Clause 4	<p>As the proposal aims to alter a provision of the LEP relating to urban land, this Direction applies. The proposal must demonstrate that it is consistent with the Integrating Land Use and Transport documents – <i>The Right Place for Business and Services</i> and <i>Improving Transport Choice</i>.</p> <ul style="list-style-type: none"> <li>• <i>Households should be within an 800–1000 metres walk of an existing or programmed metropolitan railway station or equivalent mass transit node, served at least every 15 minutes, or within a 400 metre walk of a bus route, accessing a metropolitan railway station, or equivalent mass transit node, served at least every 20–30 minutes — in denser urban areas with higher frequency services, the walking catchment may be 600–800 metres</i></li> <li>• <i>The highest appropriate housing densities should be located close to major public transport stops and corridors, such as railway stations and high frequency bus routes</i></li> <li>• <i>Higher density housing should be encouraged to mix in centres with offices, services and retail developments.</i></li> </ul> <p>The location of the proposal is entirely consistent with the above criteria.</p>	Yes
3.5 Development near licensed Aerodromes	Nil	N/A	N/A
3.6 Shooting Ranges	Nil	N/A	N/A
4.1 Acid Sulfate Soils	Nil	The site is identified as subject to Acid Sulfate Soils at a Class 5. Referring to the LEP controls for this land, the site is not within 500m of adjacent Classes 1-4 land and therefore a soils management plan is not required.	N/A
4.2 Mine Subsidence and Unstable Land	Nil	N/A	N/A
4.3 Flood Prone Land	Nil	The land is not identified in the Willoughby LEP as being flood prone.	N/A
4.4 Planning for Bushfire Protection	Nil	The land is not identified in the Willoughby LEP as being bushfire prone.	N/A

Relevant Ministerial Directions	Relevant Standard/s	Comments	Is the Proposal Consistent?
5.2 Sydney Drinking Water Catchment	Nil	N/A	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Nil	N/A	N/A
5.4 Commercial and Retail Development Along the Pacific Highway, North Coast	Nil	N/A	N/A
5.8 Second Sydney Airport: Badgerys Creek	Nil	N/A	N/A
5.9 North West Rail Link Corridor Strategy	Nil	N/A	N/A
5.10 Implementation of Regional Plans	Clause 4	The planning proposal is consistent with the <i>Greater Sydney Regional Plan</i> as described in Section 3.3 B.3.	Yes
6.1 Approval and Referral Requirements	Clause 4	The proposal does not require or contain any provisions in which consultation with any Minister or public authority is required (other than the Department of Planning & Environment).	Yes
6.2 Reserving Land for Public Purposes	N/A	This draft LEP is not creating, altering or reducing land reserved for public purposes and so does not apply.	N/A
6.3 Site Specific Provisions	Clause 4	This direction aims to discourage unnecessarily restrictive site specific planning controls. The controls proposed are consistent with those existing in the WLEP 2012.	Yes
7.1 Implementation of A Plan for Growing Sydney	Clause 4	The planning proposal is consistent with <i>A Plan for Growing Sydney (2014)</i> as described in Section 3.3 B.3.	Yes
7.2 Implementation of Greater Macarthur Land Release Investigation	Nil	N/A	N/A
7.3 Parramatta Road Corridor Urban Transformation Strategy	Nil	N/A	N/A
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Nil	N/A	N/A

Relevant Ministerial Directions	Relevant Standard/s	Comments	Is the Proposal Consistent?
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Nil	N/A	N/A
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Nil	N/A	N/A
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Nil	N/A	N/A

### C. Environmental, Social and Economic Impact

7. *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?*

As the site is developed and thus significantly disturbed, there is unlikely to be any critical or threatened species on the land.

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

The Proposal is unlikely to contribute any additional environmental impacts. A development resulting from this Proposal may also incorporate environmental mitigation and sustainability measures.

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

The Attached Design Quality Statement in **Attachment D** addresses the potential social and economic impacts of the development. Briefly, a relevant extract:

*The Department of Planning & Environment population projections predict that the average household size will decrease to 2.52 persons by 2036, yet the total number of implied dwellings will increase by 6,450 from 2016.*

*Median Personal and Household incomes of residents of Chatswood are higher than the Australian average, yet around 23% of households commit more than 30% of their household income to rental payments and 7% commit more than 30% of their*

*income to mortgage payments. The median mortgage payment in the Chatswood area is 140% of the Australian average, possibly reflecting a premium in property prices for that location.*

*This proposal and the resulting potential development includes flexibility to incorporate a range of apartment types and sizes. These can include 1, 2 and 3 bedroom units and accessible variations of each which can contribute to the overall supply and affordability of accommodation in the area.*

#### **D. State and Commonwealth Interests**

##### *10. Is there adequate public infrastructure for the planning proposal?*

The proposal would require the extension of local water, sewer, electricity and telecommunication services. The proposal would not generate population numbers that would exceed the existing capacity of local education and health facilities. Subsequent development would be required to contribute to additional or ongoing improvement of local public open spaces. It is envisaged that consultation with Council and Roads and Maritime Services would be required following a favourable Gateway Determination.

##### *11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?*

No Agency consultation was conducted in the drafting of this document, however it may be suggested that the local water, electricity and traffic authorities may be involved in post-gateway consultation.

#### **3.4 Part 4 - Mapping**

It is envisaged that the lot will be highlighted on the LEP maps through a bold outline and assigned an Area reference i.e. "Area 10". These maps will be prepared in accordance with the DPE specifications.

#### **3.5 Part 5 – Community Consultation**

The proposal would be required to be placed on public exhibition under direction from the Minister for Planning & Environment. This is not considered a low impact proposal and as such, may be publicly exhibited in accordance with section 3.22 of the EP&A Act 1979.

This exhibition may be notified in the local newspapers and on Councils website. Hard copies of the proposal may be available for viewing at the offices of the Council and at other locations at their discretion.

## 4.0 CONCLUSION

The Proposal consists of site-specific provisions to enable redevelopment in an orderly and economic manner, consistent with the objectives of the Greater Sydney Regional Plan (GRSP) 2018 and the North District Plan (NDP) 2018, published by the Greater Sydney Commission.

The Proposal is informed by an Enquiry by Design process undertaken in accordance with SEPP 65 and the associated *Apartment Design Guidelines* (see **Attachment D**).

Amending the Willoughby LEP in the manner requested in this Planning Proposal will incentivise redevelopment that *inter alia*, will in turn:

- Encourage new and aesthetically interesting additions to the urban fabric of Chatswood, without detracting from the established treed streetscapes;
- Enable modern floor space with contemporary architectural expression to provide a sense of place and pride to residents and the broader community; and
- Provide capacity for an additional 23 or so households to reside in a location that is not dependant on car ownership or usage, thus catering for population growth in a central location without adding to the congestion which is not in the broader public interest.

The Proposal to amend the LEP in the manner indicated enables ADG compliant redevelopment without creating any additional overshadowing impact on the public recreation areas. Consequently, the proposed LEP amendments are in the broader public interest to accommodate population growth in serviced and accessible areas.