

Joint Regional Planning Panel – Pre-Gateway Review – Recommendation Report

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

The Pre-Gateway Review:

Dept. Ref. No:	PGR_2015_WILLO_001_00
LGA:	Willoughby
LEP to be Amended:	Willoughby Local Environmental Plan 2012
Address / Location:	815 Pacific Highway, Chatswood
Summary of Proposal:	The proposal seeks to amend Willoughby Local Environmental Plan 2012 as follows: - include 'shop top housing' as an additional permitted land use on the site - increase the maximum building height for the site from 60 metres to 130 metres - increase the maximum floor space ratio (FSR) for the site from 5:1 to 17.5:1 - provide a maximum FSR for shop top housing of 12:1 - extend the active street frontage along the Pacific Highway side of the site - remove the maximum gross floor area restriction of 100 square metres for shops on the site
Panel Chair:	David Furlong
Panel Members:	Sue Francis, Tim Moore, Linda McClure, Gail Gidney
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 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
	☐	The proposed instrument should not be submitted for a Gateway determination

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. Each member is familiar with the site.
2. The Panel raised the following concerns with the proposal:
 - a) The site on its own is too small to sustain the height and quantum of built form and the mix of land uses proposed, particularly in regard to its potential impact on the development opportunities on adjoining land;
 - b) The change in permissible uses and retail tenancy sizes are matters that need to be considered on a CBD wide basis; and
 - c) The Council is currently undertaking a strategic review of its CBD Planning controls and the potential for mixed use development and the role of the residential component in achieving viable commercial space should be considered as part of that study.

3. Notwithstanding the concerns expressed in point 2 above, the majority of the Panel (David Furlong, Sue Francis, Tim Moore and Gail Giles-Gidney) formed the view that the site does have strategic merit and consider that proceeding to Gateway may be acceptable if further detail were provided by the applicant in relation to the concerns raised by the majority of the Panel.

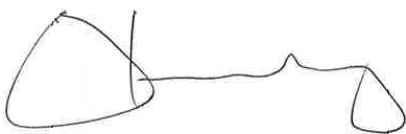
To achieve this, the Planning Proposal would need to consider a broader precinct in terms of zoning, land use, height and yield, its traffic and visual impact and any impacts to the development potential of adjoining land. This information should be provided back to the Panel for consideration as to the suitability of the Proposal prior to proceeding to Gateway.

4. Linda McClure formed the view that in light of:

- (i) the concerns raised by the Panel in point 2 above;
- (ii) the significant concerns of the Roads and Maritime Services, supported by the officers of Council and the Department, regarding traffic and vehicular access issues at the site and the “pinch point” intersection;
- (iii) the medium term potential for site consolidation with the adjoining property, encouraged by clause 4.4A (12) of Willoughby Local Environmental Plan 2012;
- (iv) the approval of this planning proposal would pre-determine the strategic review of the Chatswood CBD currently being undertaken by the Council; and
- (v) the potential for this planning proposal to establish the precedent for future planning proposals in the B3 zone in Chatswood CBD,

The planning proposal should not proceed to the Gateway.

Signed by:

A handwritten signature in black ink, appearing to read 'David Furlong', with a stylized, elongated horizontal stroke extending to the right.

David Furlong
Acting Chair
Sydney East Joint Regional Planning Panel