SJB Planning

Joint Regional Planning Panels
Regional Panels Secretariat
23-33 Bridge Street
Sydney NSW 2000

Attention: Angela Kenna, Sydney East JRPP

16 May 2016

Re: 815 Pacific Highway, Chatswood – Pre-Gateway Review: PGR_2015_WILLO_001_00

Dear Angela,

1.0 Background

SJB Planning acts on behalf of the proponent, Linfield Pty Ltd, for the Planning Proposal at 815 Pacific Highway Chatswood (the subject site).

815 Pacific Highway is a unique and strategic site within the Chatswood CBD. The draft planning controls contained within the Planning Proposal have been prepared recognising the locational advantage of the site to achieve a significant increase in both employment and housing outcomes and at the same time result in no unacceptable impacts on adjoining and surrounding land.

The Planning Proposal was considered by the Sydney East JRPP at its meeting on 5 April 2016. The Panel resolved as follows:

1. *The Panel has considered the Department of Planning and Environment's briefing note, as well as the views of the Council and 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;*
    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

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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 Gateway.

Subsequent to the Panel's resolution, the JRPP Secretariat clarified the *broader precinct* required to be considered, as detailed in item No. 3 of the resolution. This broader precinct is identified in the map reproduced below in Figure 1 and extends north to the southern side of McIntosh Street, south to the northern side of Brown Street, east to the western side of Railway Street and west to the eastern side of the Pacific Highway.

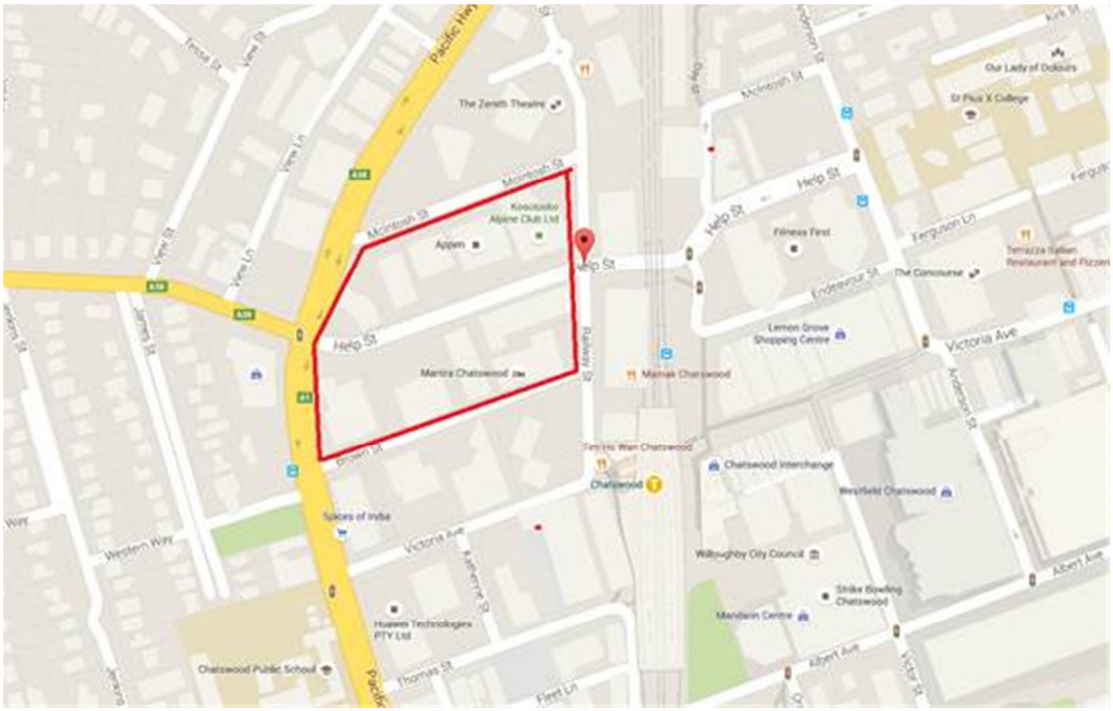


Figure 1: The *broader precinct* identified for consideration by the Sydney East JRPP.

The Planning Proposal is to be further considered by the Panel on 9 June 2016.

2.0 Response to Sydney East JRPP resolution

The proponent's representatives responsible for preparing the Planning Proposal and the subsequent response to the Sydney East JRPP resolution are:

- FJMT Architects
- The Transport Planning Partnership Pty Ltd
- SJB Planning

Collectively the approach taken by the consultant team has been to consider the maximum potential development and built form outcomes for sites within the broader precinct under the existing planning regime (the "existing" scenario) and compare this with potential outcomes for these sites under planning controls envisaged in the Planning Proposal for the subject site (the "after" scenario).

The FJMT Architects analysis of land use, height, yield, visual impact and impacts on the development potential of the adjoining land at 15 Help Street is included as Attachment 1 to this covering letter. This analysis includes the above mentioned "existing" and "after" approach. The analysis also assumes that two of the sites within the broader precinct will not be redeveloped given that they are large scale strata titled buildings. These two buildings are located at 813 Pacific Highway and at 8-10 Brown Street.

In summary, the FJMT consideration of the broader precinct confirms:

- That a range of land uses including commercial and residential can be accommodated within the broader precinct, indicating that a Mixed Use B4 zone could be appropriate for consideration by the Council in undertaking its *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* to be considered as part of that study.

- The mix of land uses proposed on the subject site, with commercial floor space occupying a building podium and a residential tower form above, is able to be achieved on the majority of potential development sites, taking into account those sites unlikely to be available for redevelopment – these sites are also nominated in the analysis.

- The broader precinct is capable of accommodating buildings of a similar height to that proposed on the subject site, assuming a similar building typology consisting of a street wall commercial podium and residential tower above, while at the same time meeting SEPP 65 principles and Apartment Design Guide (ADG) guidelines.

- Depending on specific site characteristics including lot size and orientation, a minority of sites may be constrained in terms of achieving a high residential component but are not constrained in terms of built form outcomes.

In relation to the impact on the development potential of the adjoining land at 15 Help Street, the FJMT analysis confirms that this property would be capable of being developed at a scale and density similar to that proposed on the subject site, assuming a similar mix of commercial and residential land use.

Most notably, the FJMT analysis reaffirms that the location and site characteristics of the subject site will mean that a scale and form of development as proposed will not have any unacceptable impacts on adjoining sites in terms of development potential or environmental impacts such as loss of solar access or view impacts.

In our opinion this is a key matter for the Panel's consideration – that the site does have strategic merit and is capable of the proposed form development without unacceptable impacts.

Included in Attachment 1 is an analysis of traffic generation prepared by The Transport Planning Partnership.

3.0 Concluding comments

As identified by the Sydney East JRPP in their decision of 5 April 2016, 815 Pacific Highway Chatswood has strategic merit and may proceed to Gateway.

The matters raised by the Panel have been thoroughly considered and analysed within the broader precinct. This information is included with this letter and Attachment 1 will be further presented at the Panel meeting scheduled for 9 June 2016.

The analysis of the broader precinct confirms that the scale and form of development proposed in the Planning Proposal may be achieved within the broader precinct and at the same time will have no unacceptable external impacts and will not impact on the development potential of adjoining land – in particular on the immediately adjoining site at 15 Help Street.

On behalf of the proponent we request that the Panel recommend that the Planning Proposal should proceed to the Minister.

Yours sincerely

Stuart McDonald
Director

Attach: FJMT analysis

SJB Planning
SJB Planning (NSW) Pty Ltd ACN 112 509 501

815 Pacific Highway Chatswood | Planning Proposal

JRPP - Pre Gateway Review

JUNE 2016

Francis-Jones Morehen Thorp fjmt

- Introduction
- Study Precinct
- Existing Controls & Development
  - Land Use
  - Height
- Projected Development : Existing Controls
  - Existing Site
  - Current LEP and DCP
  - Future Character
  - Solar Studies
- Projected Development: Planning Proposal Study
  - Height Determinations
  - Form & Use Determinations
- Projected Development
  - Study Precinct
  - Traffic

Introduction

This report has been prepared to address the following concerns raised by the Joint Regional Planning Panel:

"The site on its own is too small to sustain the height and quantum of but form and the mix of land uses proposed, particularly with regard to it's potential impact on adjoining land"

"The change in permissible uses and retail tenancy sizes are matters that need to be considered on a CBD wide basis"

"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 strategy"

"The Planning Proposal would need to consider a 'broader precinct' in terms of zoning, land use, height and yield, it's traffic and visual impact and any impacts to the development potential of surrounding land."

The following items have been studied within the designated 'broader precinct' study area of Help Street to review and address the concerns made by the panel:

- Review of the existing precinct development with regard to mix, height and street address;
- Compliant development under the DCP and LEP utilising amalgamated sites which offer a larger site area for development;
- Precinct wide controls that limit height, land use and form development on the Help Street precinct;
- Impacts existing development has on future development to ensure they receive equal or improved solar access, natural ventilation, building separation and privacy;
- Visual impact of projected development

Study Precinct

The precinct zone has been designated in conjunction with the JRPP as the adjacent development along Help Street.

The planning proposal site has been excluded from the site so it can be used to assess it's impact as a development on the remaining precinct.

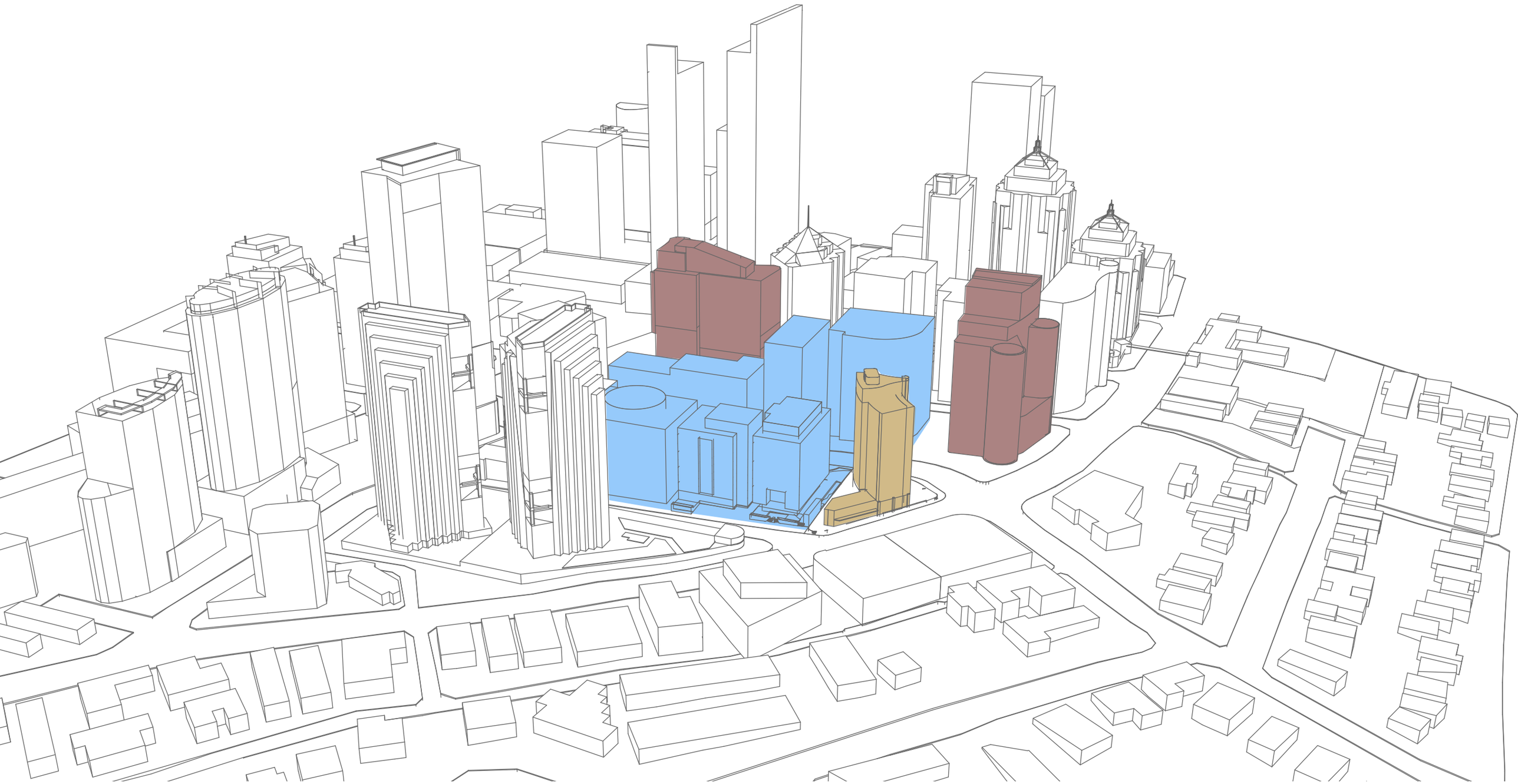
Two residential buildings have been identified with residential strata apartments that would make future development upon these sites difficult within the future. As such these two sites are shown excluded from the development area and projected development opportunity is assessed with regard to their uses and compliance.

- Precinct Zone - excludes planning proposal site and strata residential development

- Planning Proposal Site

- Current Residential Sites with Strata Apartments

Study Precinct



- Precinct Zone - excludes planning proposal site and strata residential development
- Planning Proposal Site
- Current Residential Sites with Strata Apartments

Existing Controls & Development

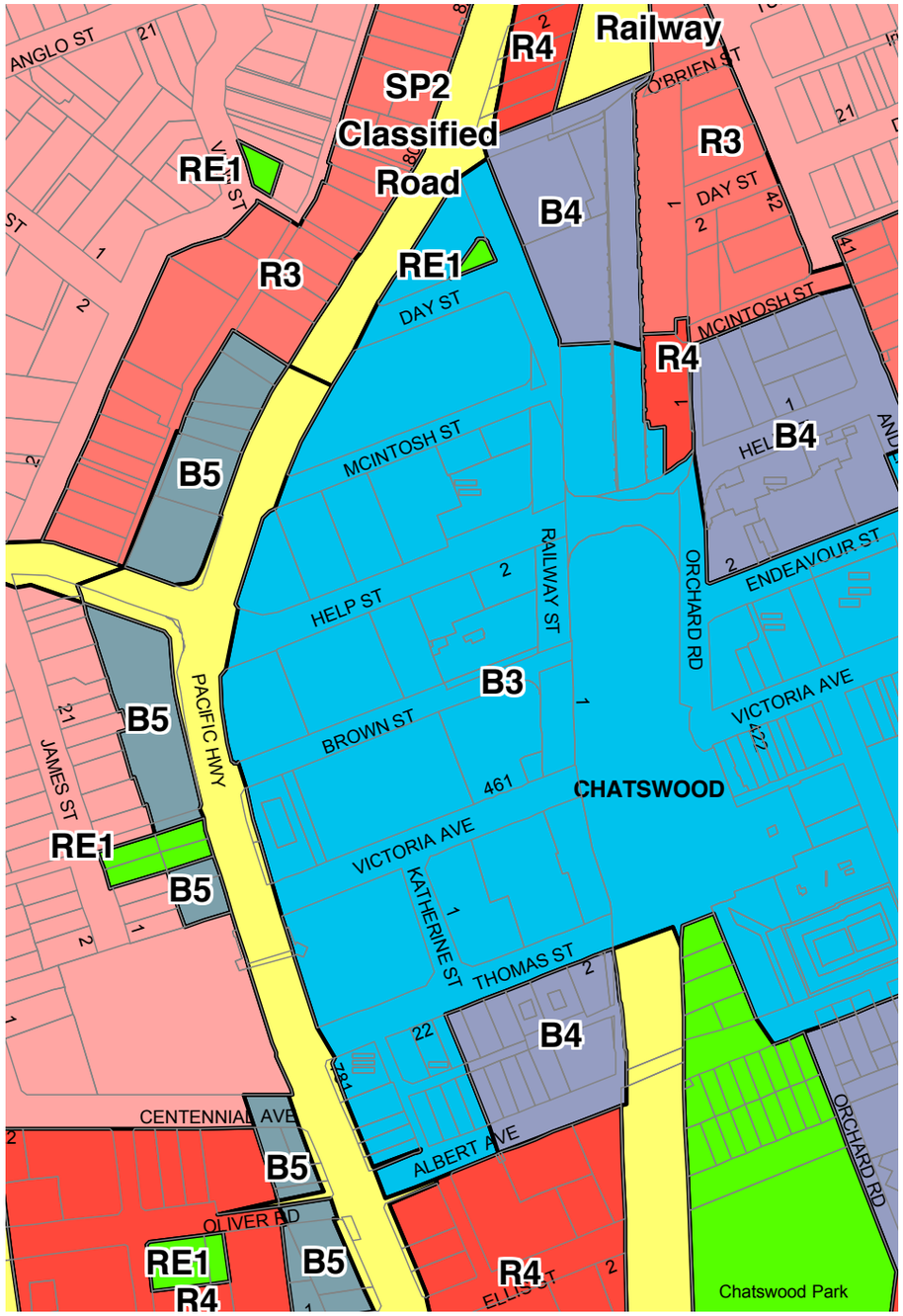
Land Use

The precinct is current zoned as ‘B3’ Commercial Core.

Within this zone a series of residential developments have been highlighted as shown in the right hand diagram.

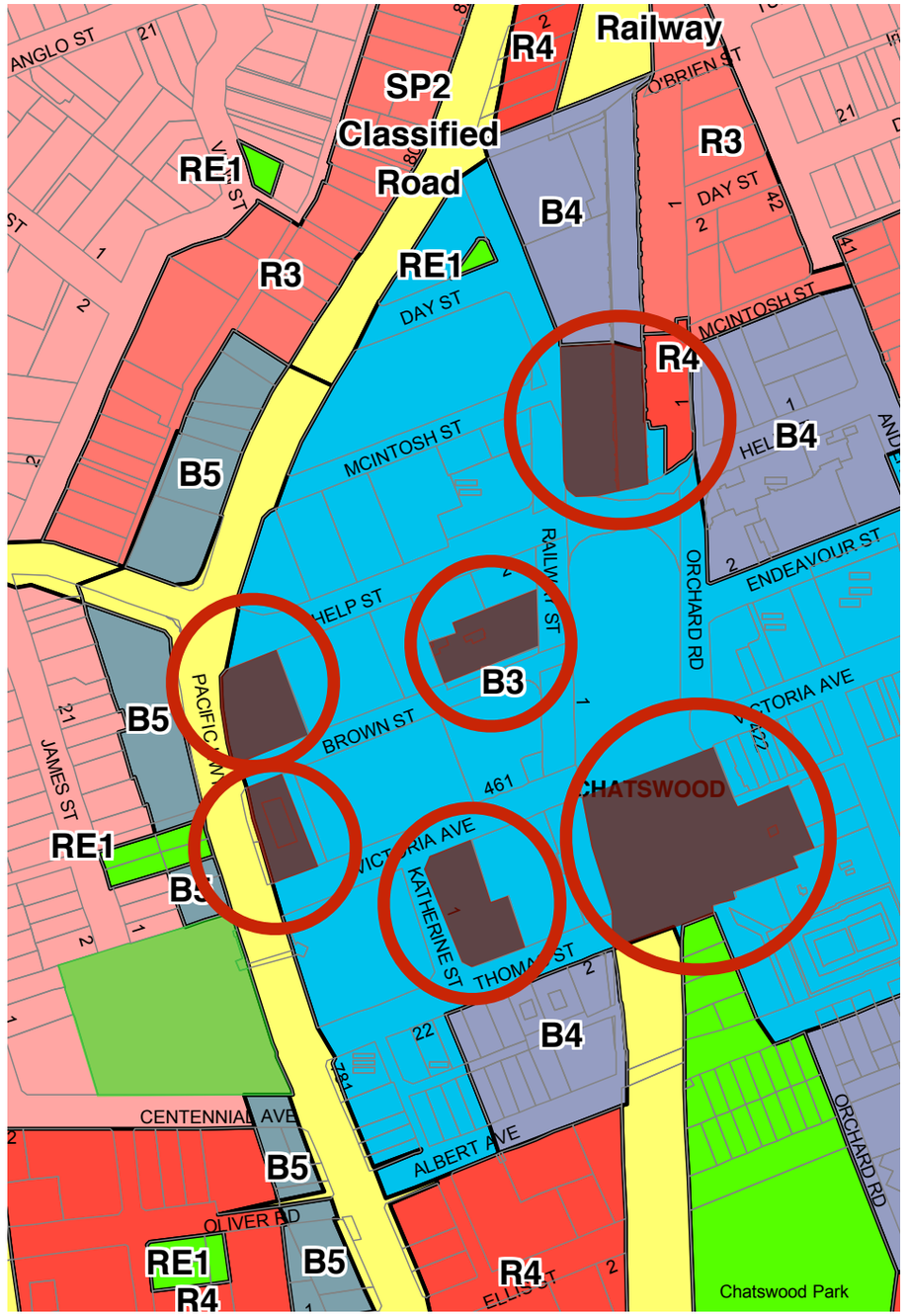
Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B7 Business Park
- E1 National Parks and Nature Reserves
- E2 Environmental Conservation
- E4 Environmental Living
- IN1 General Industrial
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- SP1 Special Activities
- SP2 Infrastructure



- Current Zone & Land Use Control in Willoughby Council LEP 2012

- Current Zone - B3 Commercial Core



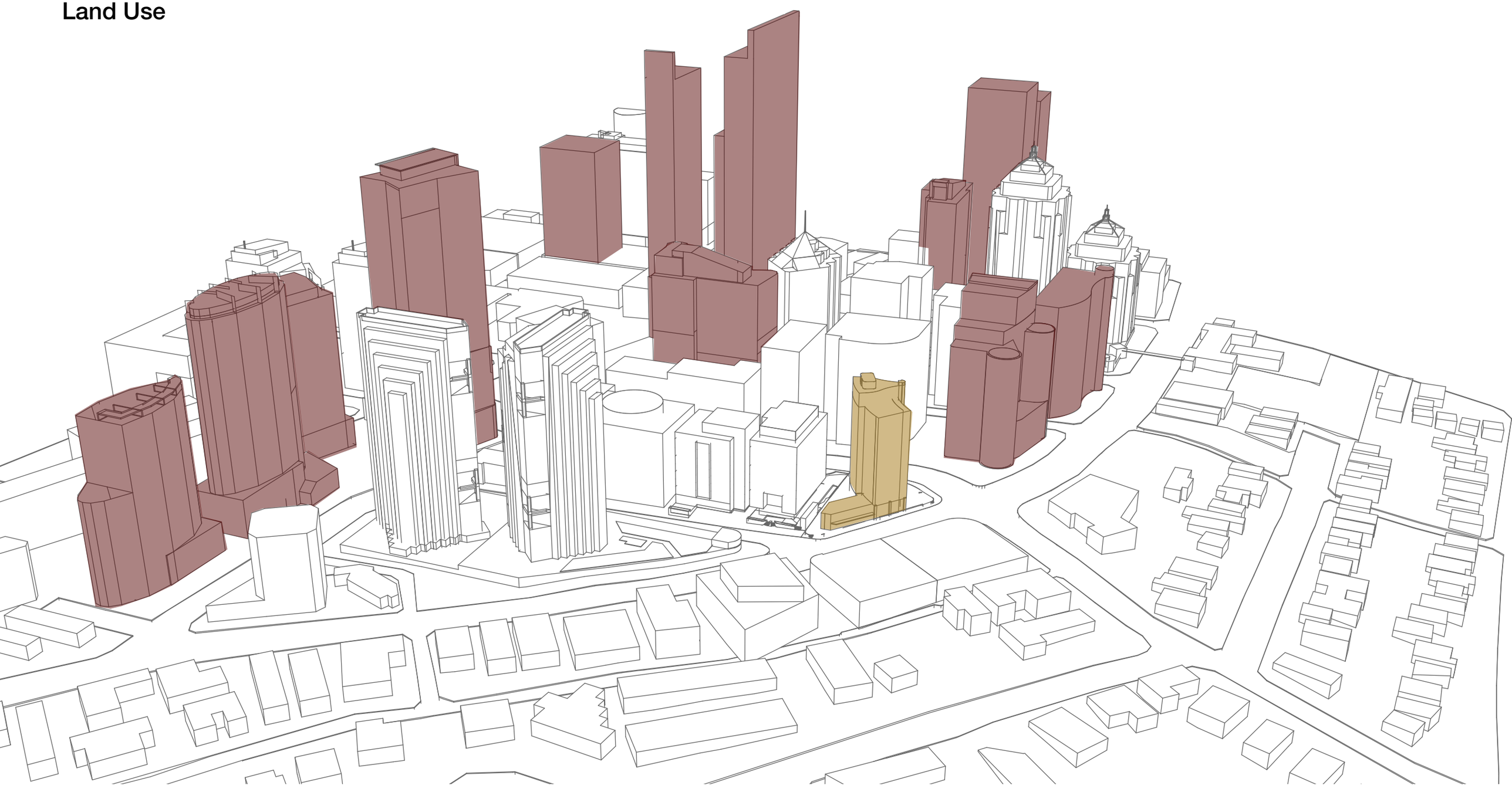
- Residential Uses within Commercial Core

- Current Zone - B3 Commercial Core

-Existing Residential (B4) Development in B3 Zone

EXISTING CONTROLS & DEVELOPMENT

Land Use



-Existing Residential (B4) Development in B3 Zone

Existing Controls & Development

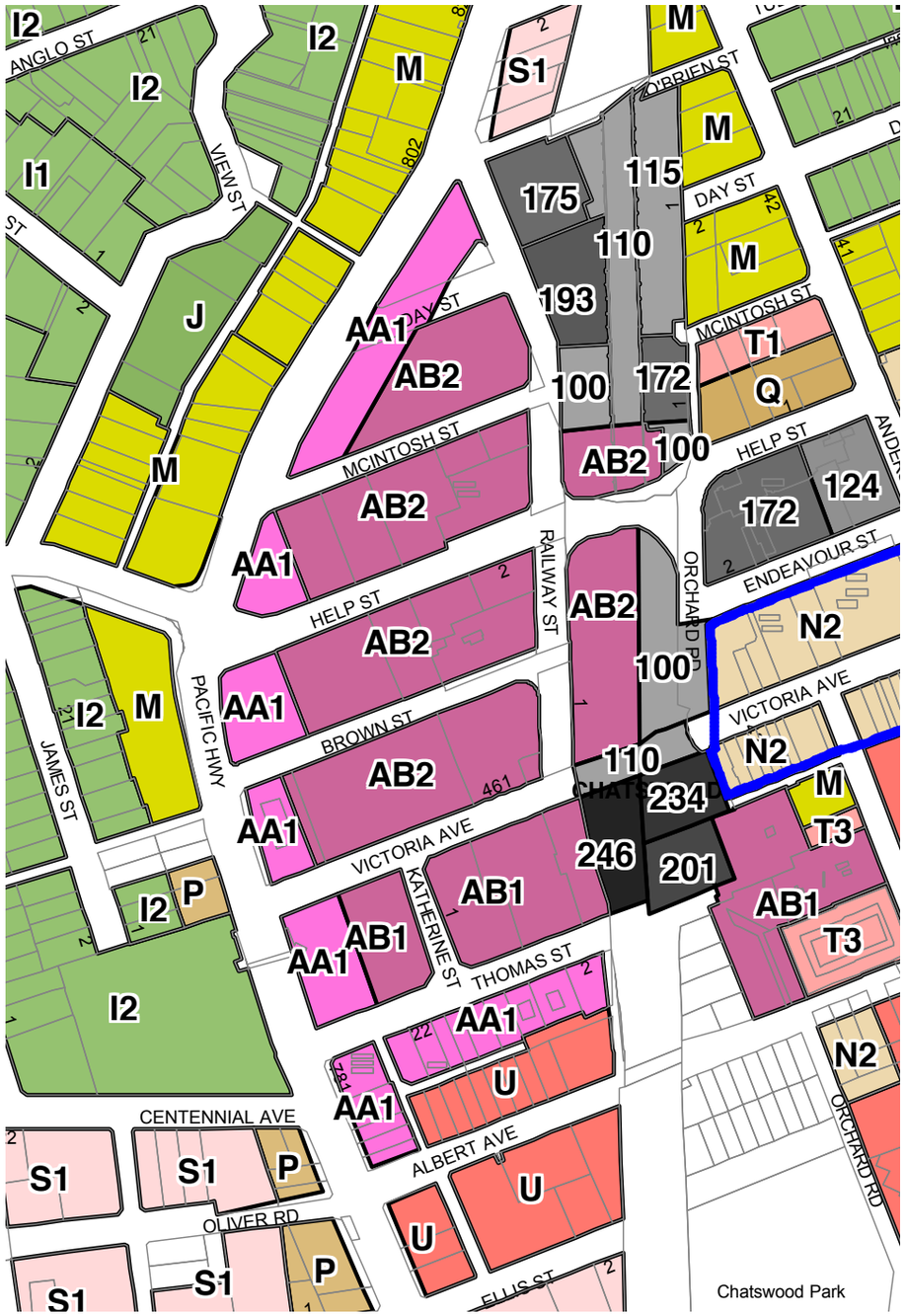
Height

The precinct is current zoned as ‘60m’ along the Pacific Highway and ‘90m’ for the remaining CBD area.

Within this zone a series of buildings that exceed their height limits have been highlighted as shown in the right hand diagram.

Maximum Building Height (m)

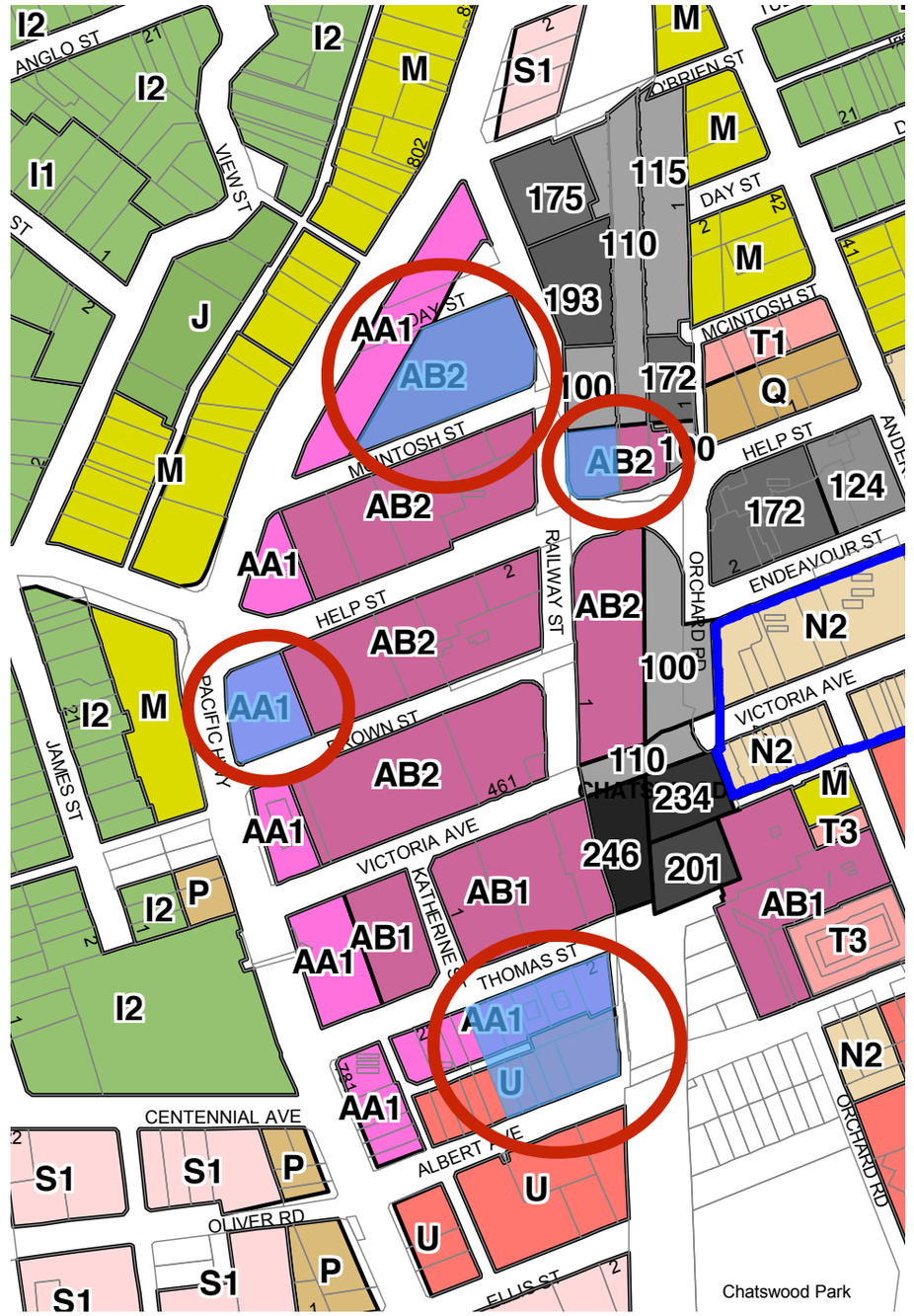
A	3.5	S2	24.5
G	7	T1	25
I1	8	T2	26
I2	8.5	T3	27
J	9	U	34
L	11	V1	36
M	12	V2	38.5
N1	13.5	W	40
N2	14	AA1	60
O	15.5	AB1	80
P	18	AB2	90
Q	20	Area 1	Refer Cl 4.3A
R	21	Area 2	Refer Cl 4.3A
S1	24	Area 3	Refer Cl 4.3A



- Current Height Control in Willoughby Council LEP 2012

- Current Height Limit to AA1 - 60m

- Current Height Limit to AB1 of 90m

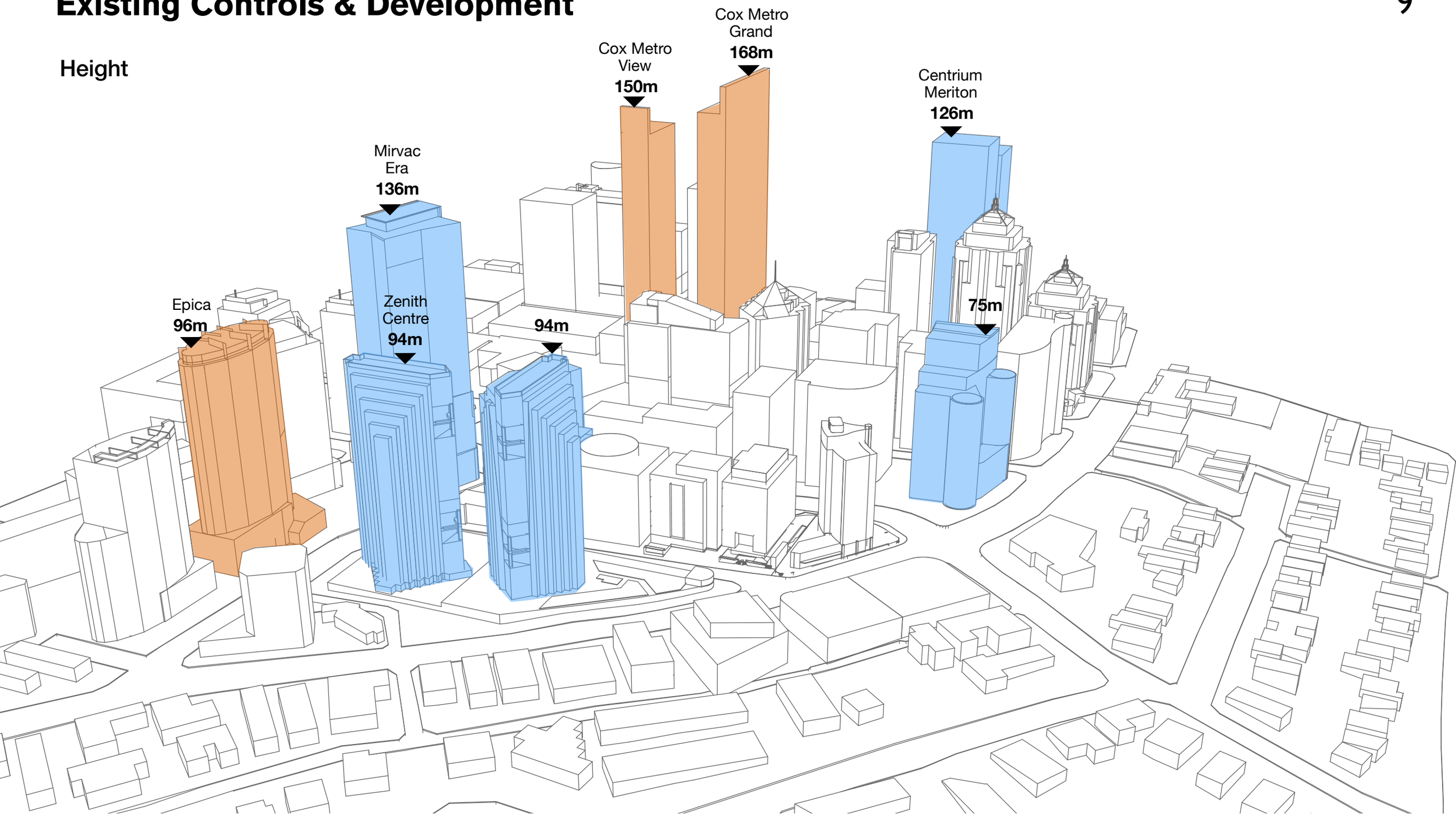


- Buildings exceeding lEP Height limits

- Current Buildings that exceed height limit

Existing Controls & Development

Height



- Current Buildings that exceed height limit

- Existing Significant Towers in CBD

Projected Development : Existing Controls

The current WDCP and WLEP controls have been assess and applied to amalgamated sites within the pricing zone as follows:

- Sites have been amalgamated to ensure all lots are greater than 2,500m2;

- Sites have a maximum coverage of 60% of the site area and the FSR bonus of up to 10.5:1 applied;

- The podium design allows for through site links between the buildings as part of the 40% publicly available space;

- Podium designs comply with the DCP requirements for setbacks for Level 2 of the podium and again for the tower;

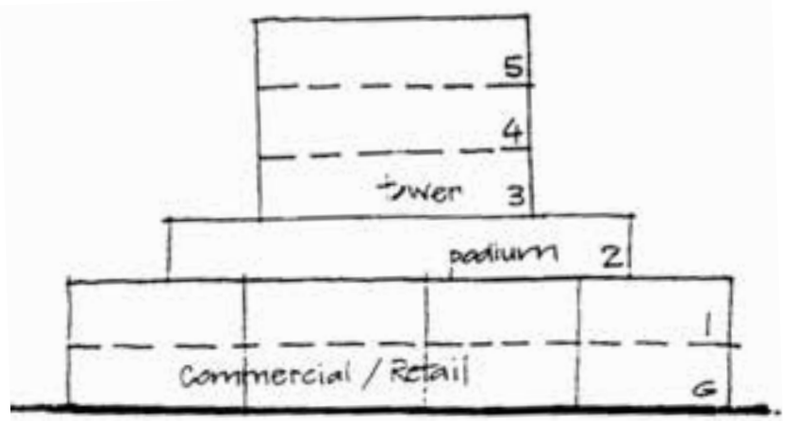
- Tower floor plates are sized to comply with maximum plate sizes to achieve daylighting to commercial spaces;

- Towers are located to ensure adequate SEPP 65 building separation to adjacent residential development;

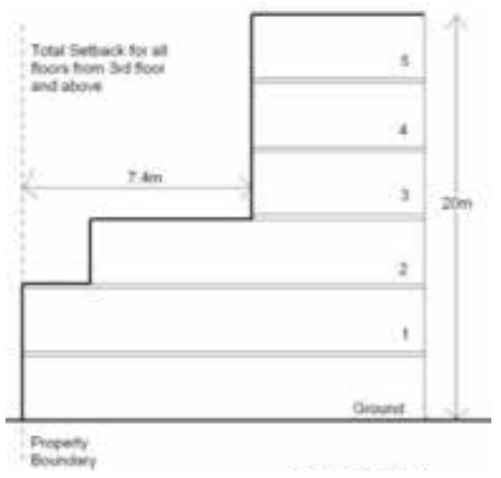
- Towers are located to provide compliant separation between commercial buildings

- Tower heights are limited to the LEP Height limit of 90m

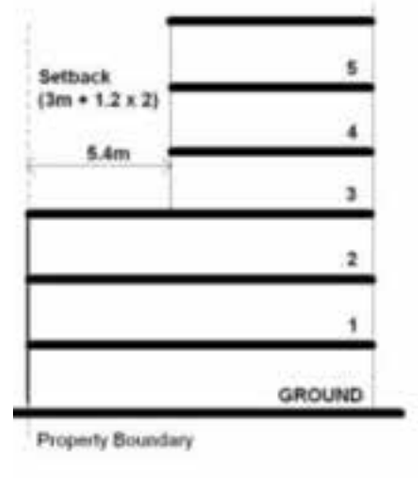
- Where additional height is required to reach an allowable FSR of 10.5:1, this is shown in the perspective as a darker red.



Building Massing for Development over 11metres (DCP Diagram E1-14)



Front Setbacks (DCP Diagram E1-18)



Side Setback Diagram (DCP Diagram E1-19)

(12) The total floor space ratio for all buildings on land identified as "Area 8" on the Floor Space Ratio Map may exceed 5:1 if:

(a) the site area exceeds 2,500 square metres, and

(b) the floor space ratio will not exceed 10.5:1, and

(c) a minimum of 40% of the site is available for landscaping, publicly accessible space and through site links, and

(d) site coverage does not exceed 60%.

Front Setbacks (DCP Diagram E1-18)

Projected Development : Existing Controls

Allowable development to amalgamated sites

PACIFIC HIGHWAY

815 Pacific Hwy

11-15 Help St

Site:3,729m2
60% coverage
Max GFA: 39,155m2

18M

7-9 Help St &
4-6 McIntosh St

Site:5,696m2
60% coverage
Max GFA: ~~59,808m2~~

HELP STREET

813 Pacific Hwy

22M

12 Help St

Site:3,460m2
60% coverage
Max GFA: 36,330m2

20M

2-10 Help St

Site:3,606m2
60% coverage
Max GFA: 37,863m2

12M

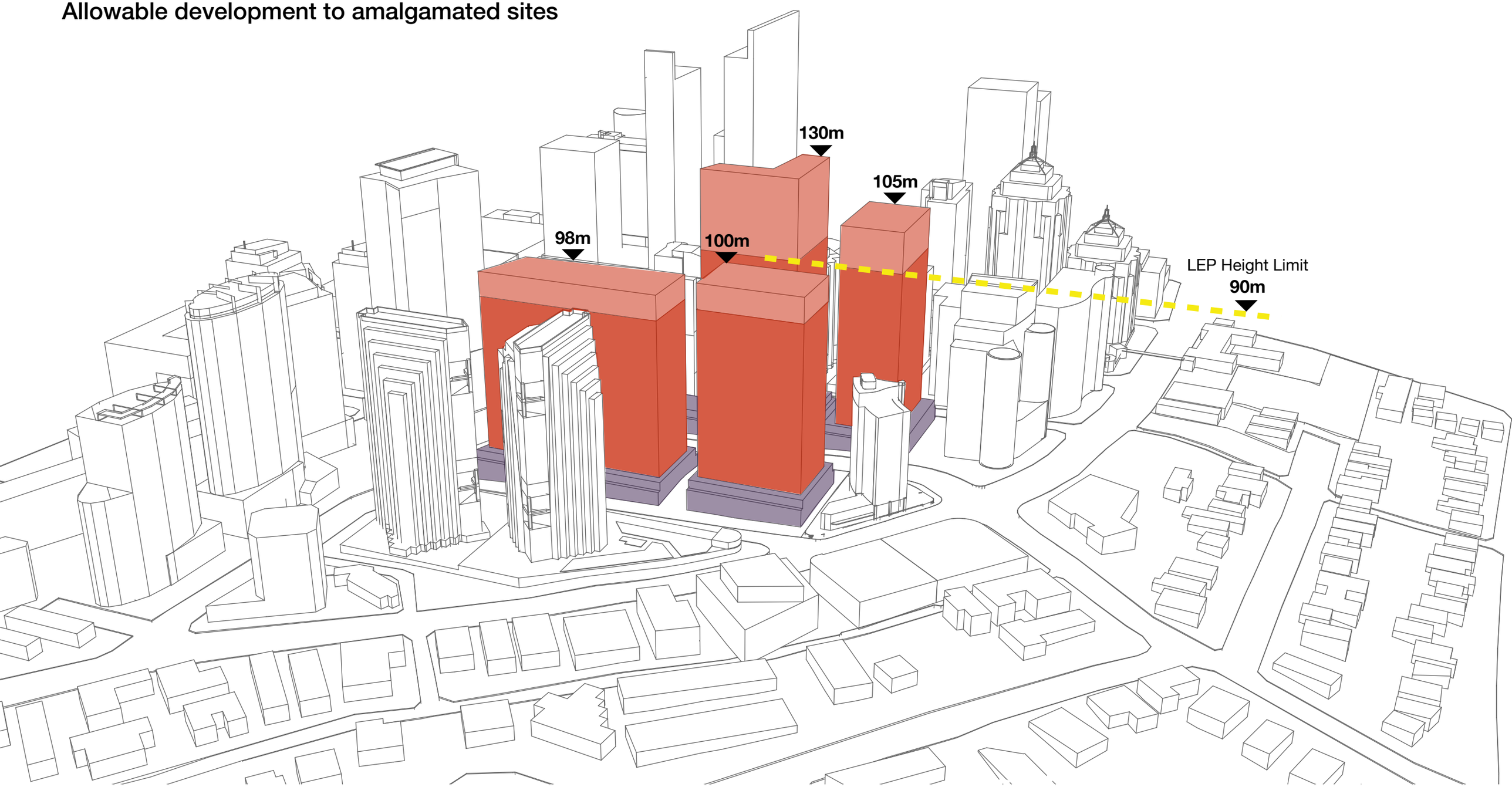
12M

8-10 Brown St

- Commercial Tower
- Podium

Projected Development : Current Controls

Allowable development to amalgamated sites



-Commercial

-Commercial/Retail Podium

-Commercial above 90m Height Restriction

Projected Development : Planning Proposal Study

Height Determinants - Solar Access

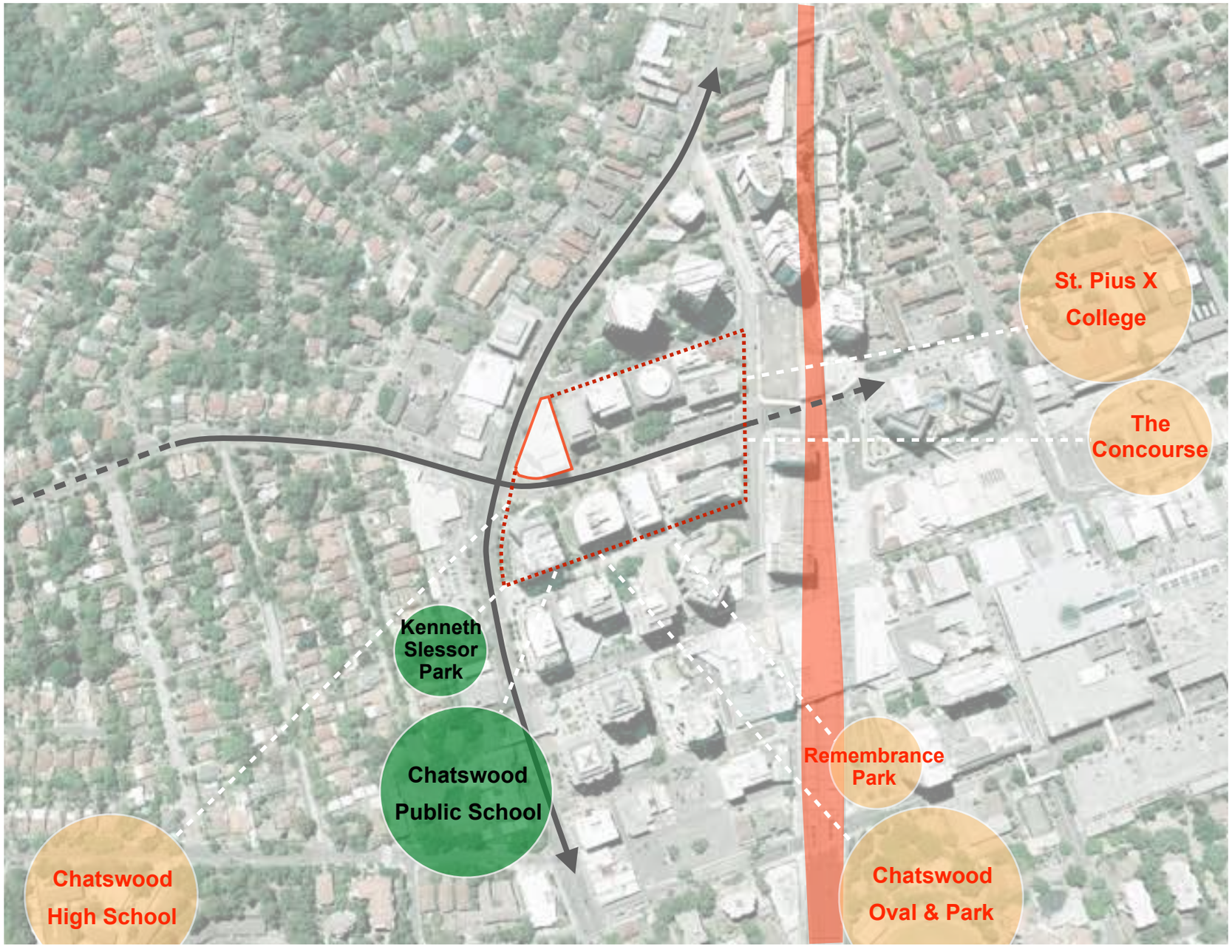
Solar access to public open space, including school playgrounds, is to be maintained or improved.

Sites of potential impact from the study precinct have been highlighted in green.

Detailed analysis of the sites should be undertaken to ensure shading is not increased to the usable spaces between 9am and 3pm.

Kenneth Slessor Park is significantly shaded by existing development between 9-10am. New development should ensure no additional impact to overshadowing and/or a minimum of 50% of the park receives sunlight after 10am.

The Public School has outdoor actives between 11- 11:20am and 12:40-1:40pm. New development should not increase overshadowing to the play areas during this time. In addition there should little to no additional overshadowing to the play areas between 10:30am and 3pm.



- Building massing and height restrictions require detailed overshadowing analysis to outdoor spaces
- No additional overshadowing to Kenneth Slessor Park after 10am
- No additional overshadowing to Chatswood Public School between 10:30am and 3pm
- St. Pius College, The Concourse and Chatswood Oval and Remembrance Park to maintain solar access between 9am & 3pm

Projected Development : Planning Proposal Study

Height Determinants - Solar Access

Kenneth Slessor Park

shaded until 10am

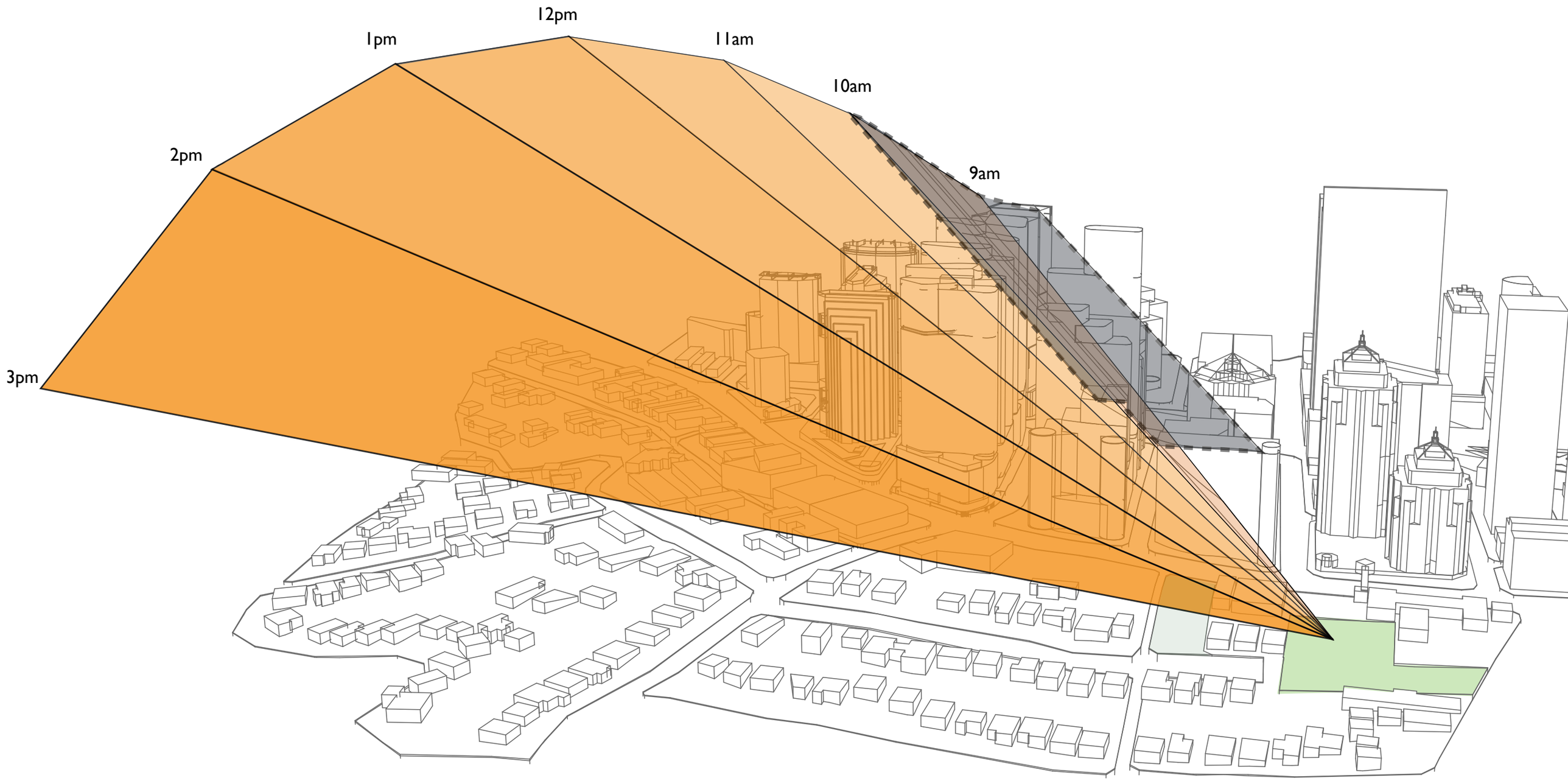
Landscape Open Space

shaded until 10:30am

Chatswood Public School

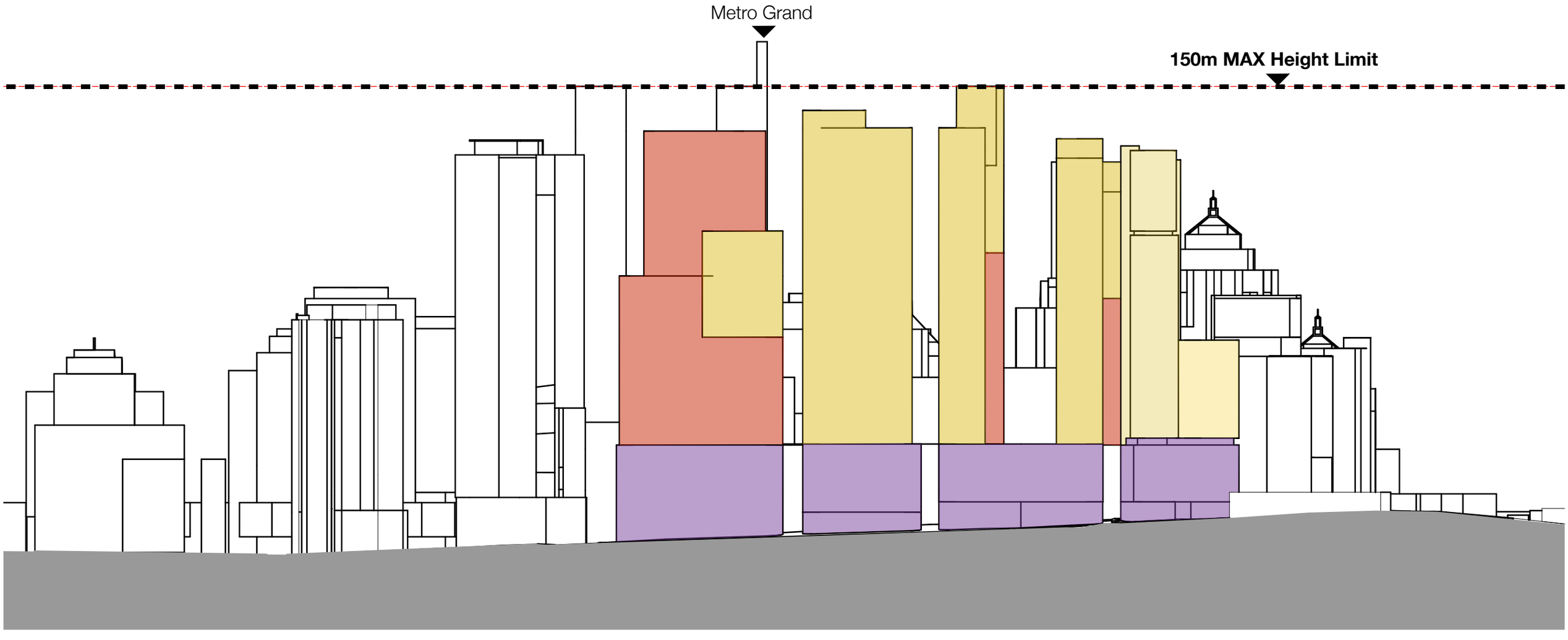
Projected Development : Planning Proposal Study

Height Determinants - Solar Access



Projected Development Control : Planning Proposal Study

Height Determinants - Maximum Height Limit



-Proposed Commercial

-Proposed Commercial/Retail Podium

-Proposed Residential Tower

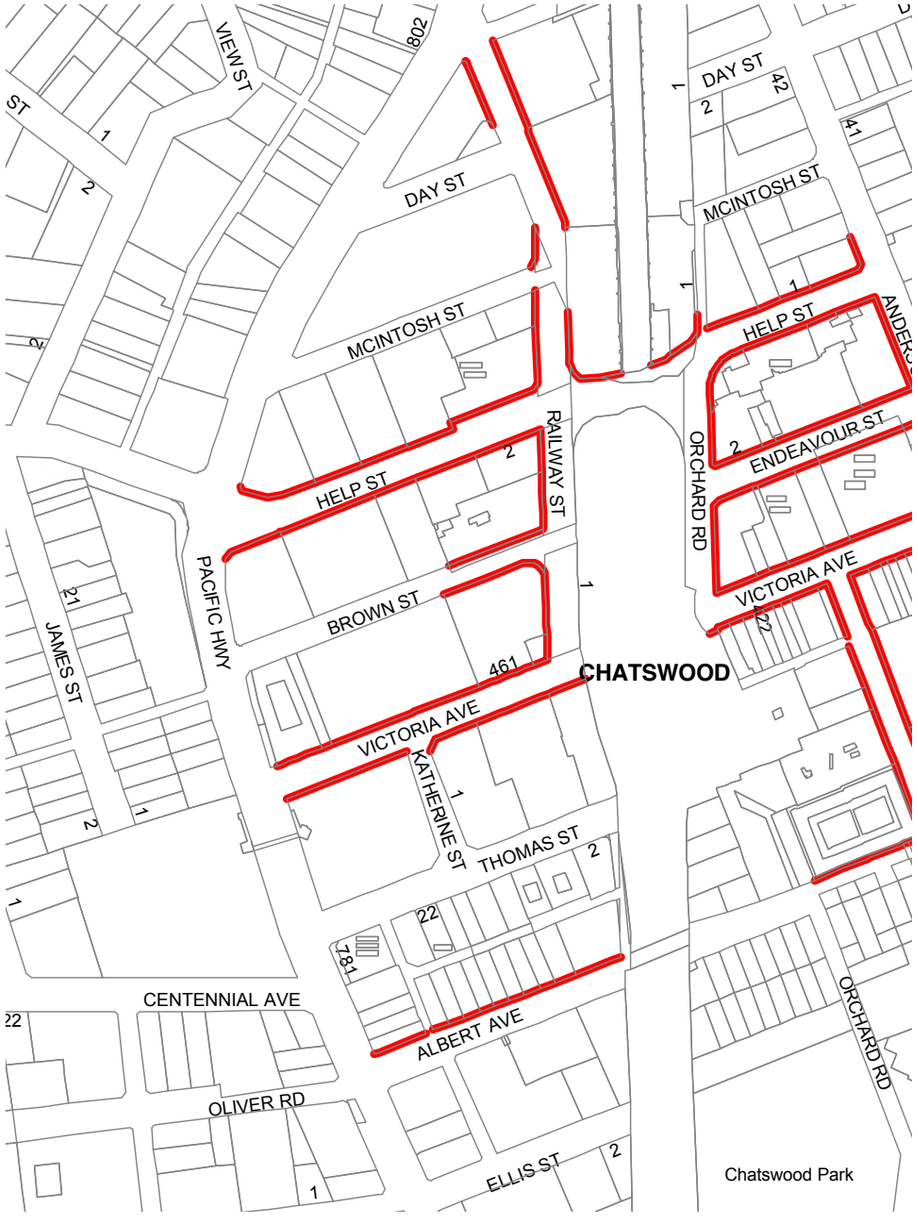
Projected Development : Planning Proposal Study

Use & Form Determinants - Street Forming

Help, Brown and Railway Streets are currently designated for active street frontages and therefore the forming of the street walls and podiums edges becomes very important in providing a critical engagement with the streets and pedestrian environment.

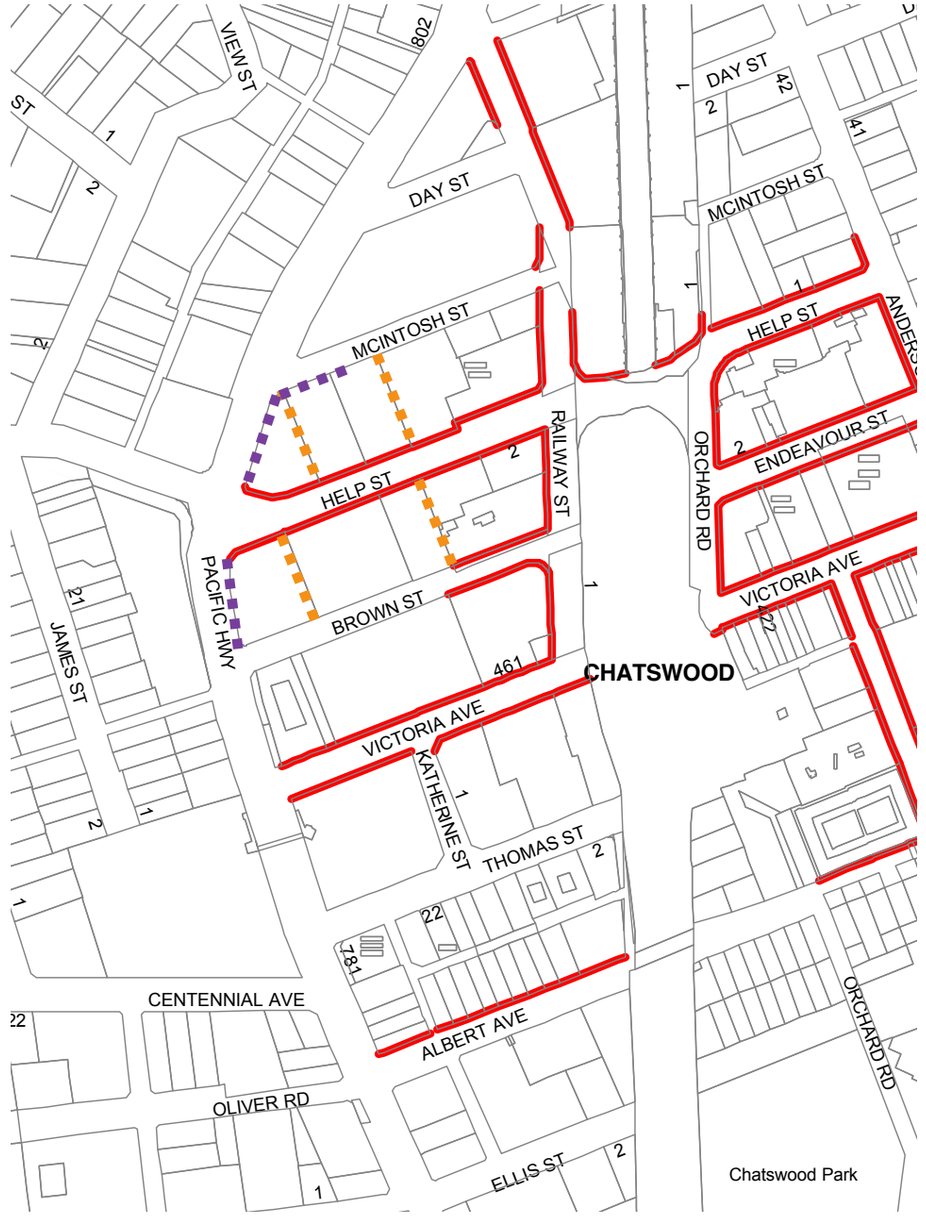
By defining the boundaries with the line of the podium as a street wall the pedestrian engages more immediately with the built environment. The street wall alignments relate to the existing built environment using cues from the existing buildings and providing transitioning to lower development.

A finer grain can be added through variation in the GF level facade and additions of through site links between developments.



- Current Active Street Frontages Control in Willoughby Council LEP 2012

- Activation to Help, Brown and Railway Streets



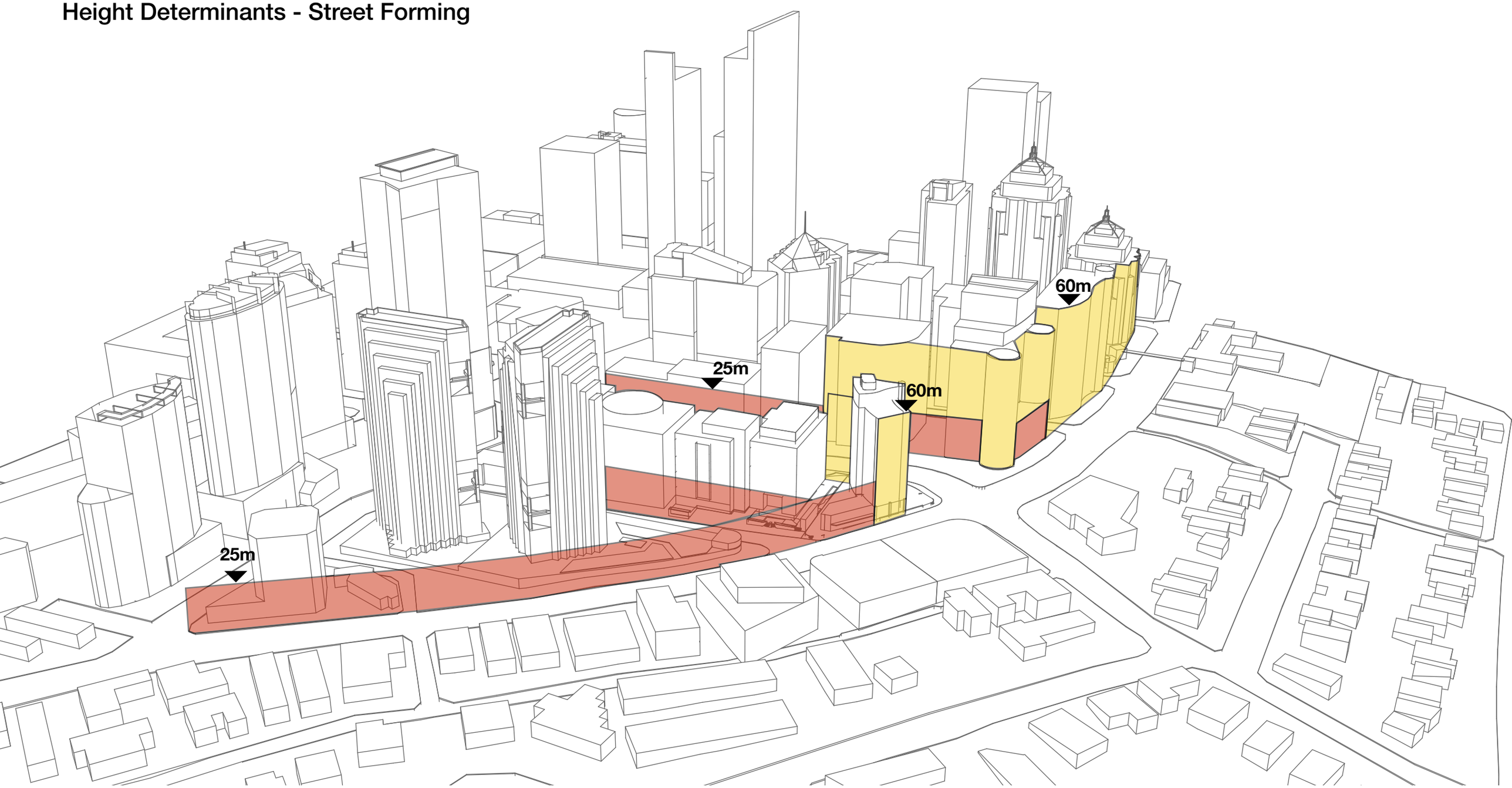
- Opportunities for laneways / through site links and additional active frontage

- Extension of active frontages

- Potential for through site links and activation on desire lines toward the station and retail hub

Projected Development : Planning Proposal Study

Height Determinants - Street Forming



- 60m Street Wall
- 25m Street Wall

Projected Development : Planning Proposal Study

Use & Form Determinants - SEPP 65 ADG Requirements

In determining building envelopes relative to both the proposed site and surrounding residential development the ADG principles are to be followed. Building separations, depths, orientation, placement and articulation are all dependant upon the ADG principles for solar access, cross ventilation and privacy.

Particular regard is to be undertaken to ensure that solar access is preserved or enhanced to the existing residential buildings.

Tower setbacks should be considered from existing buildings and site boundaries to enable development on adjacent sites with non habitable facades being able to be located closer to side boundaries than living rooms and balconies.

Figure 2A.1 Key considerations when testing development controls and establishing a three-dimensional building envelope

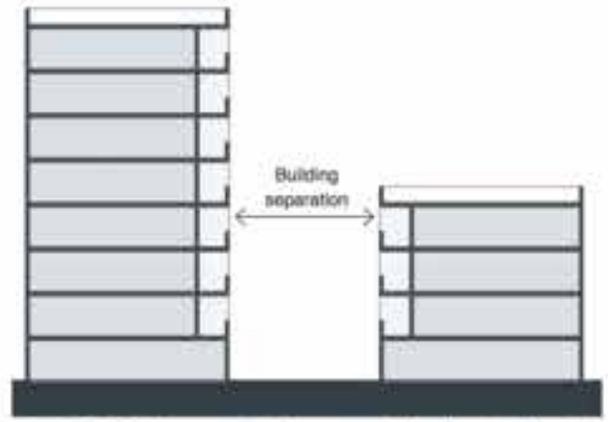


Figure 2F.1 Building separation is measured from the outer face of building envelopes which includes balconies

Table 1 Minimum building separation increases proportionally to the building height

Building height	Separation distance
9 storeys and above	12-24m
Up to 8 storeys	9-18m
Up to 4 storeys	6-12m

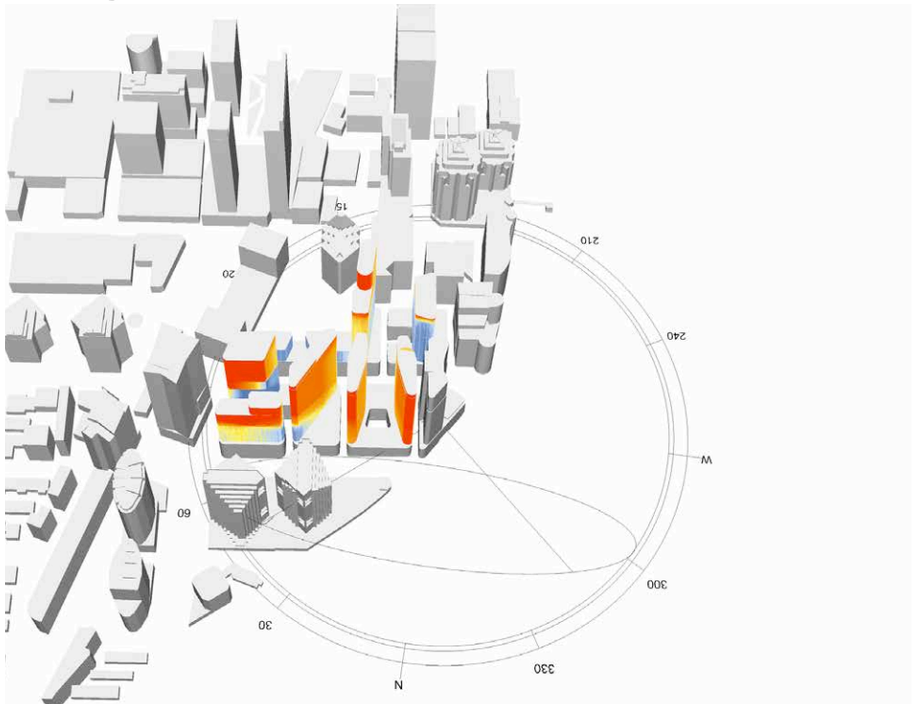
Projected Development Control : Planning Proposal Study

Use & Form Determinants - Site Suitability

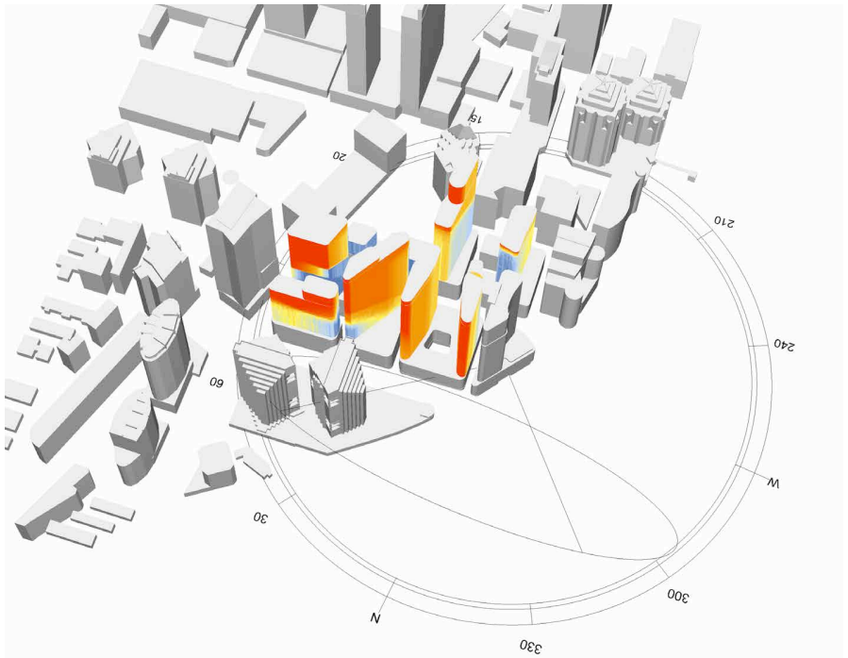
A series of studies on the sites with relation to setbacks from adjacent development, solar access to adjacent development and solar access to the site will determine the best mix of development on the site with regard to the percentage and location of commercial and residential uses in the projected development.

Analysis of the precinct area shows that the sites to the East have limited solar access that limits residential development to upper levels of the tower where greater than 2hrs of sunlight can be achieved to apartments between 9am and 3pm.

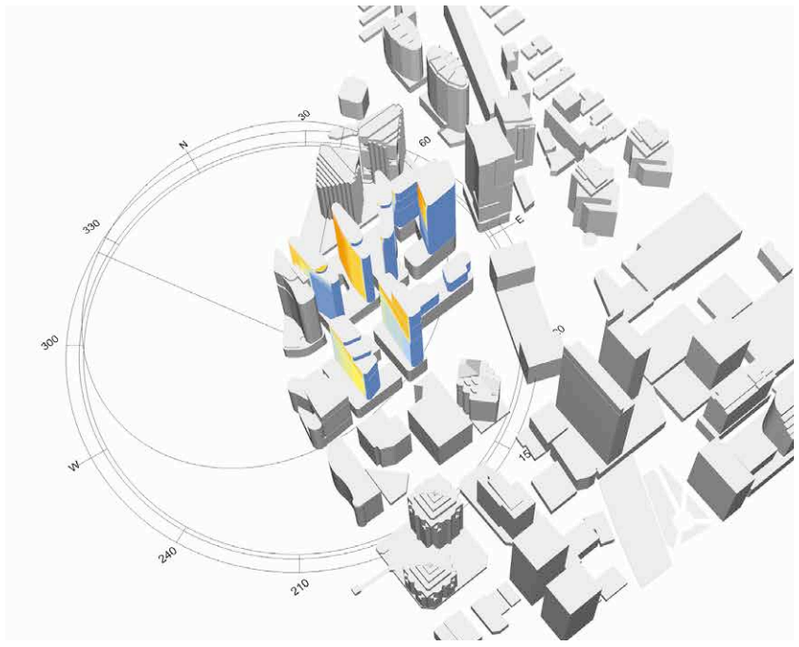
Additionally, development is more suited to commercial adjacent the existing residential development where living areas have been located close to boundaries.



Residential Solar Study - Northern View



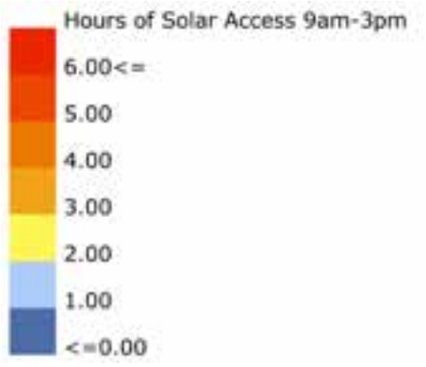
Residential Solar Study - North West View



Residential Solar Study - South East View

Hours of Sunlight in contact with facade between 9am and 3pm on June 21

-43% of all facades receive >2hrs sunlight between 9am & 3pm on June 21



Projected Development

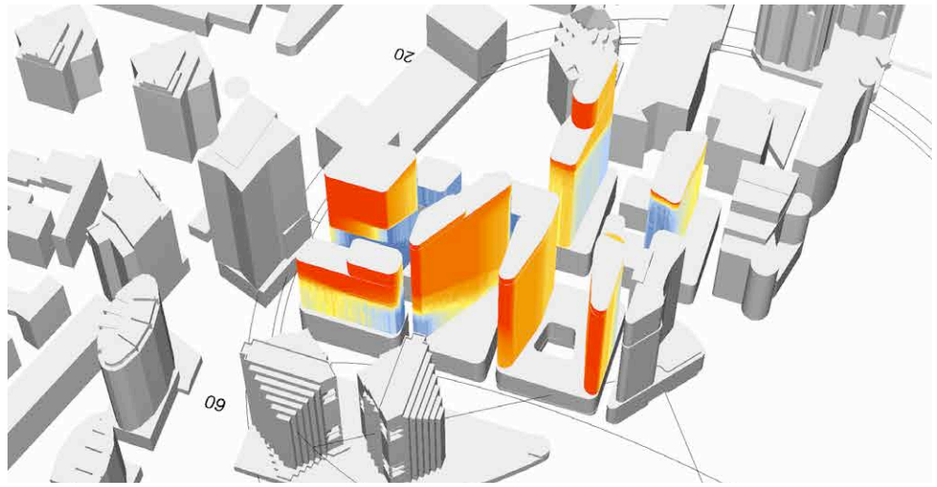
Assumptions

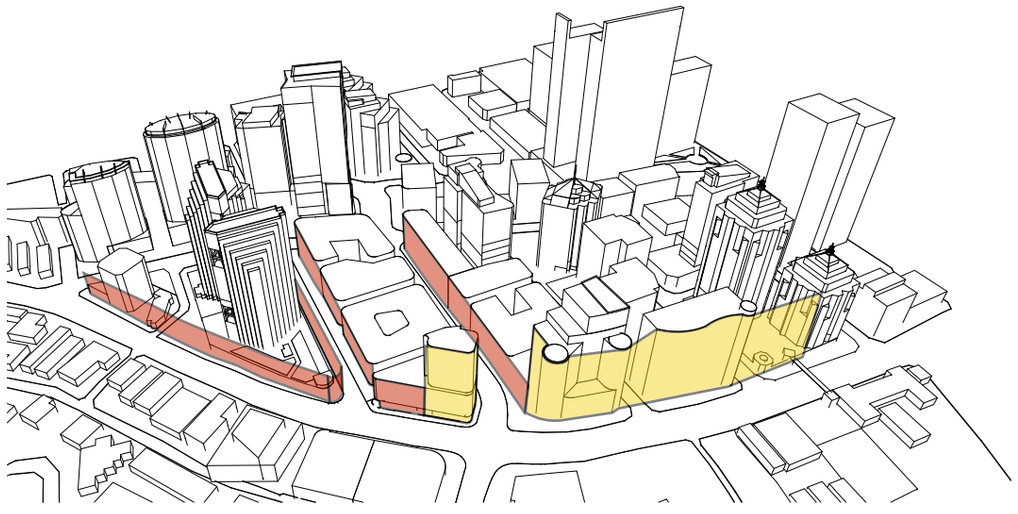
The projected development for the study precinct has been assessed upon the individual sites, without amalgamation. which simplifies future development and ensures a dynamic mix of development suited to the variety of site orientations, dimensions and areas.

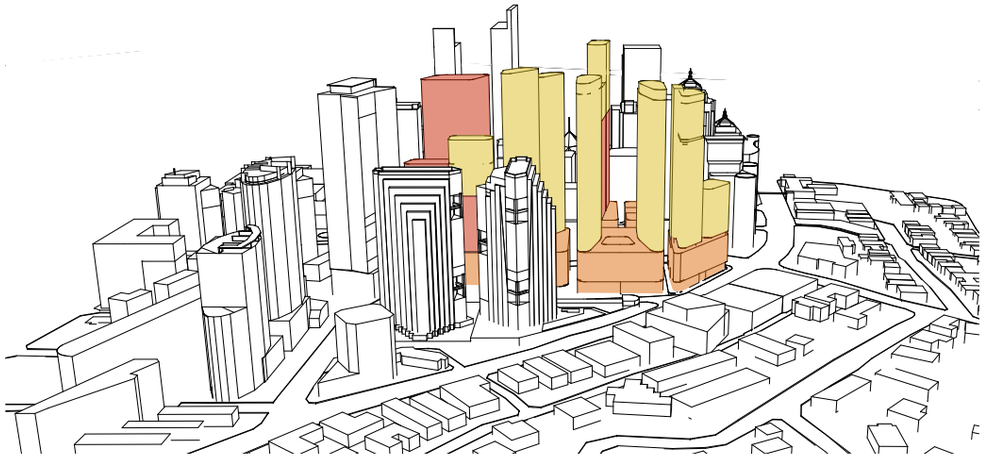
Preliminary solar analysis studies of the site have been undertaken to best locate the mix of uses with residential towers being located predominantly to the northern most sites receiving ample solar access and to the upper levels of commercial towers where solar access and cross ventilation are improved. Commercial and hybrid (commercial with residential above) towers are located within sun access challenged sites and at lower levels of towers where footprints are larger to suit commercial floor plate requirements.

Podiums have been aligned with the existing development datums and the proposed project podiums, sited to create a street wall that defines the public domain and provides opportunity for street activation.

Towers are formed and sited to maximise solar access and daylighting, enhance cross ventilation and maximise privacy both to the individual site and the neighbouring projected and existing development.

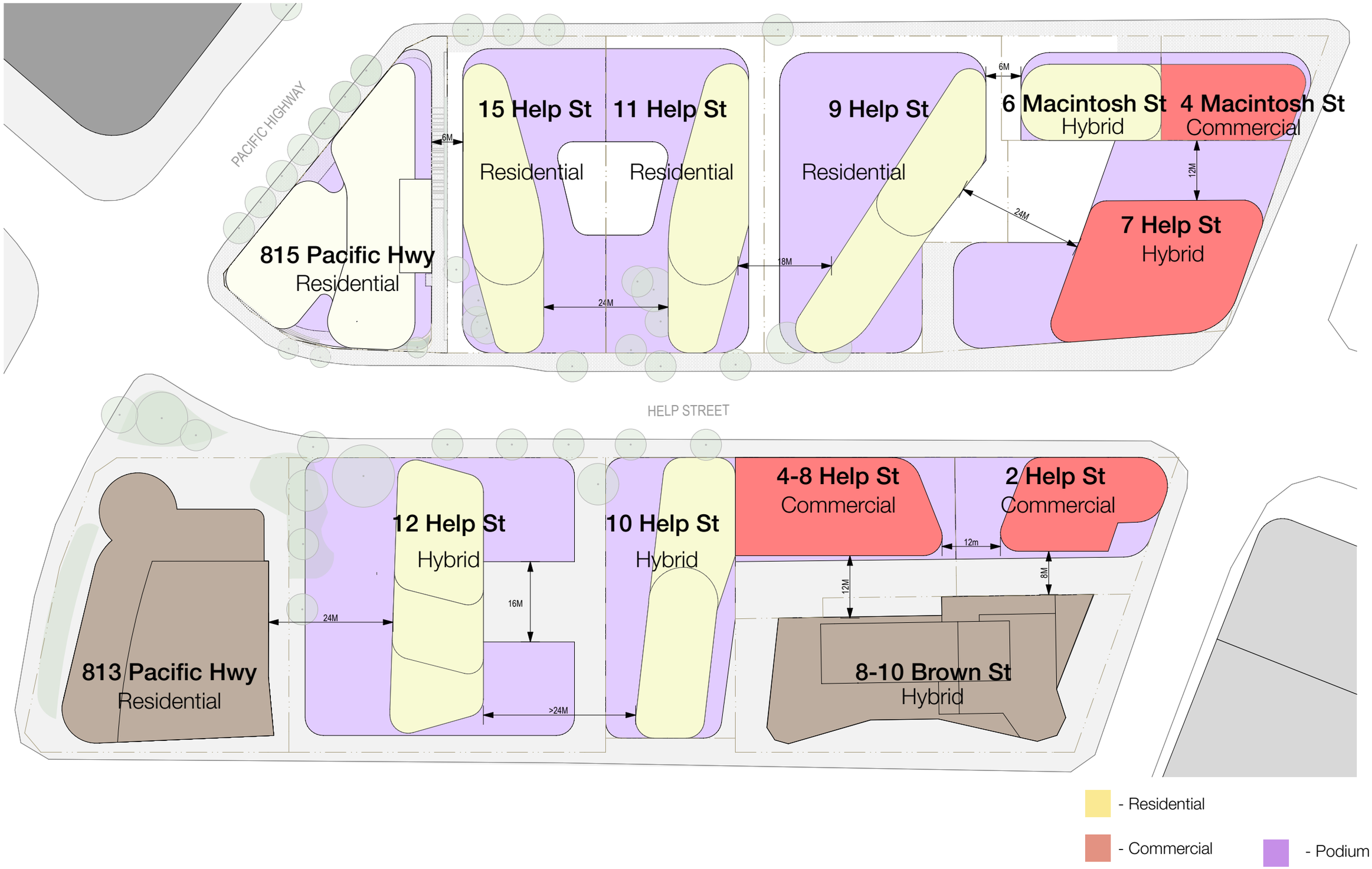






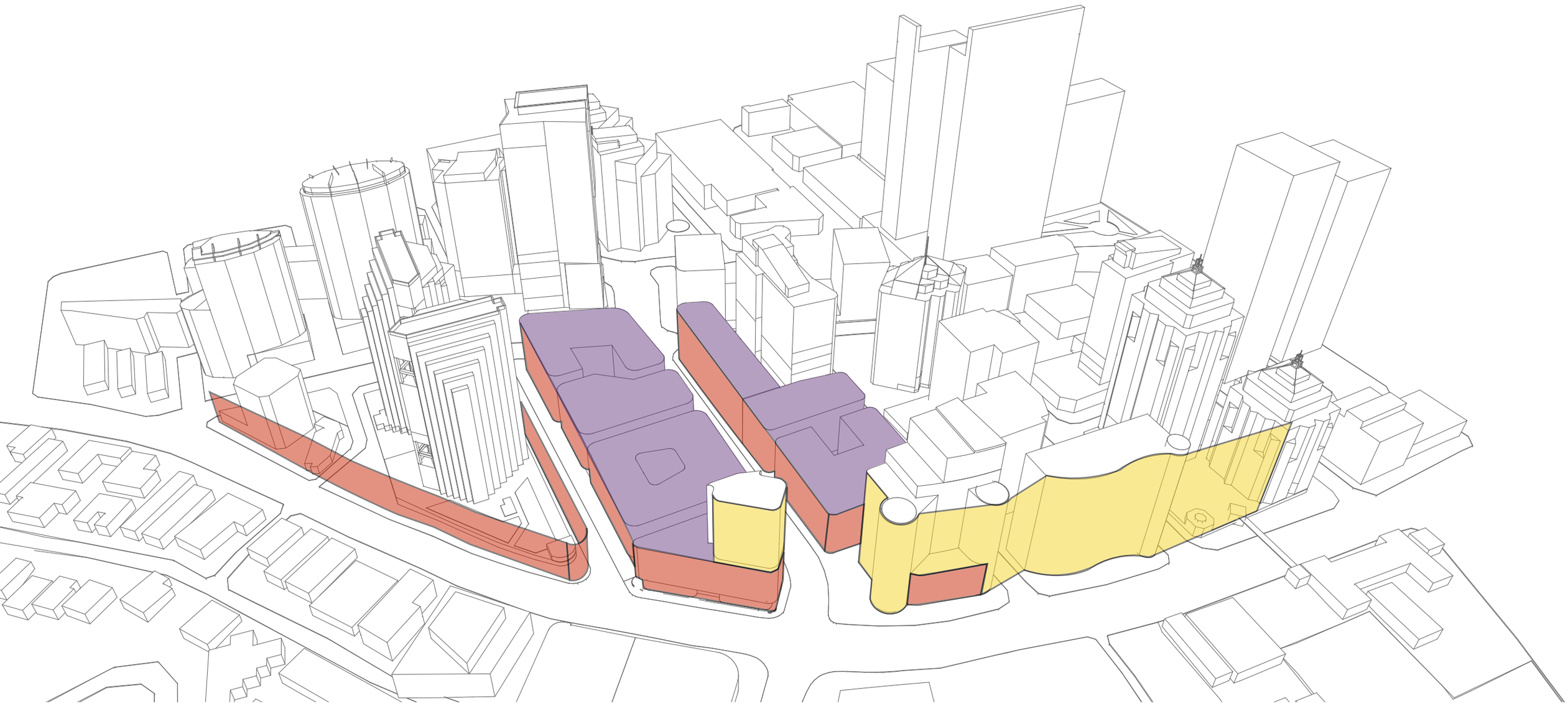
Projected Development

Use, Forms and Separations



Projected Development

Street Forming



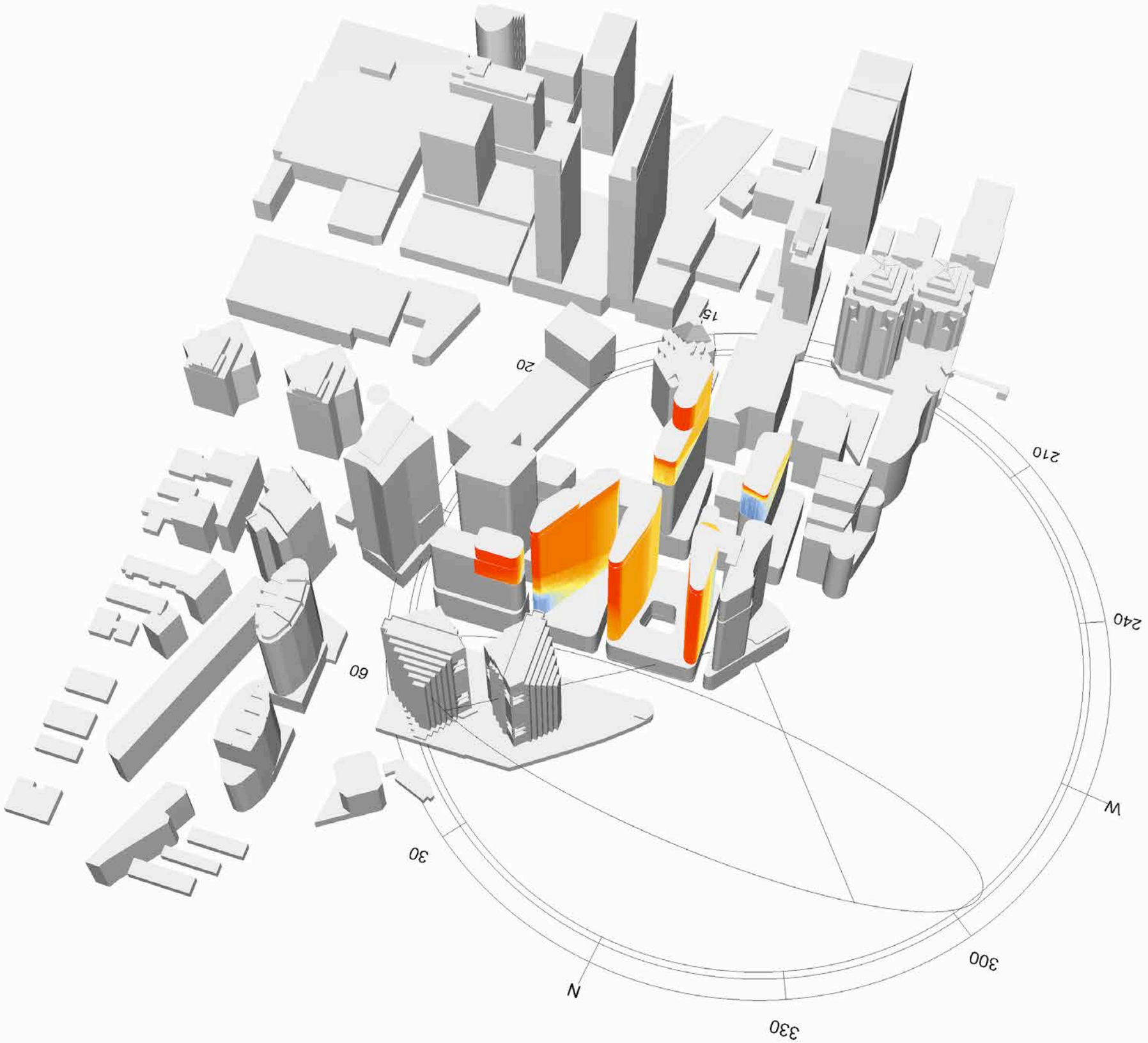
- Commercial Podium
- 60m Street Wall
- 25m Street Wall

Projected Development

Solar Studies

Hours of Sunlight in contact with facade between 9am and 3pm on June 21

-57% of all residential facades receive >2hrs sunlight between 9am & 3pm on June 21. This equates to solar compliance for ADG



Projected Development

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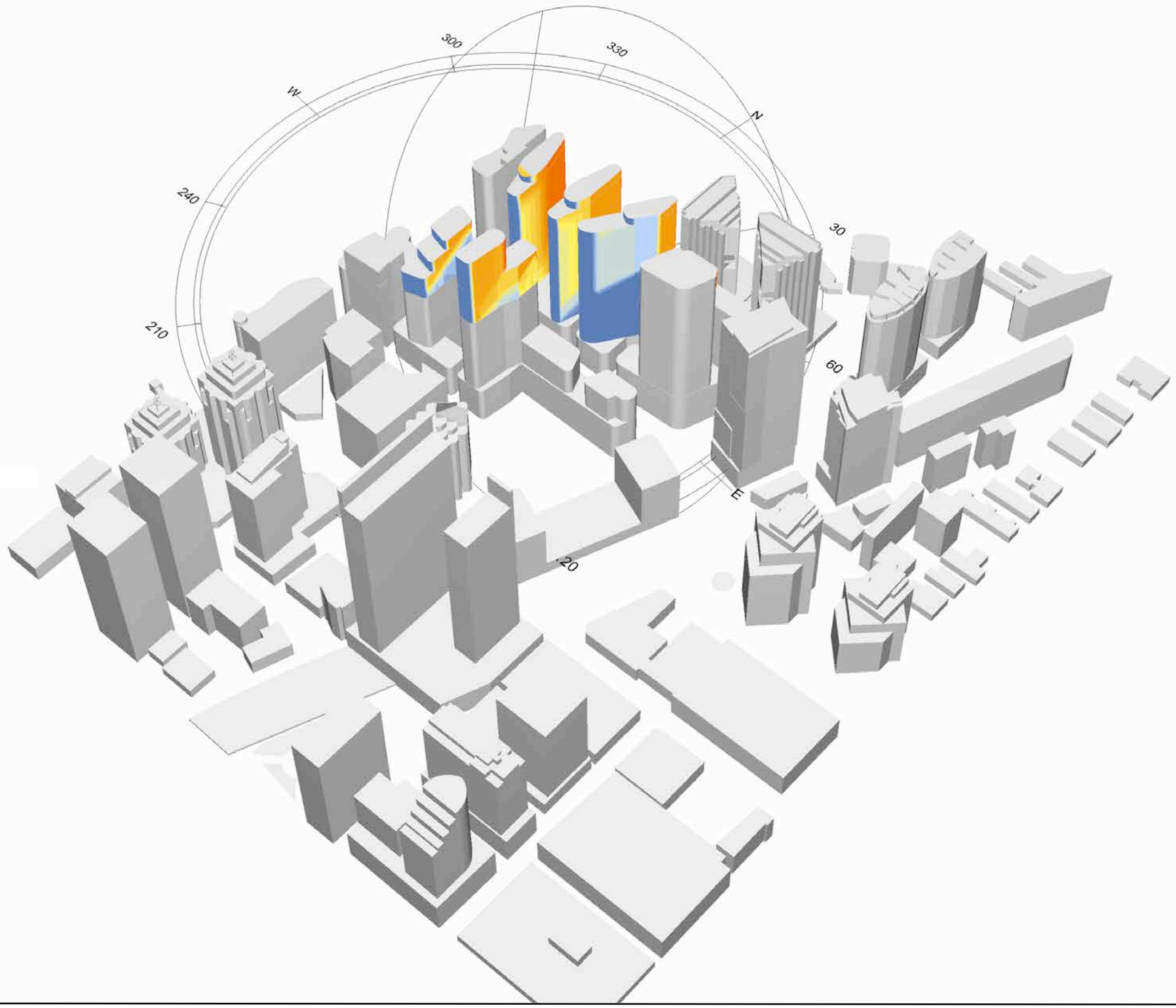

Projected Development

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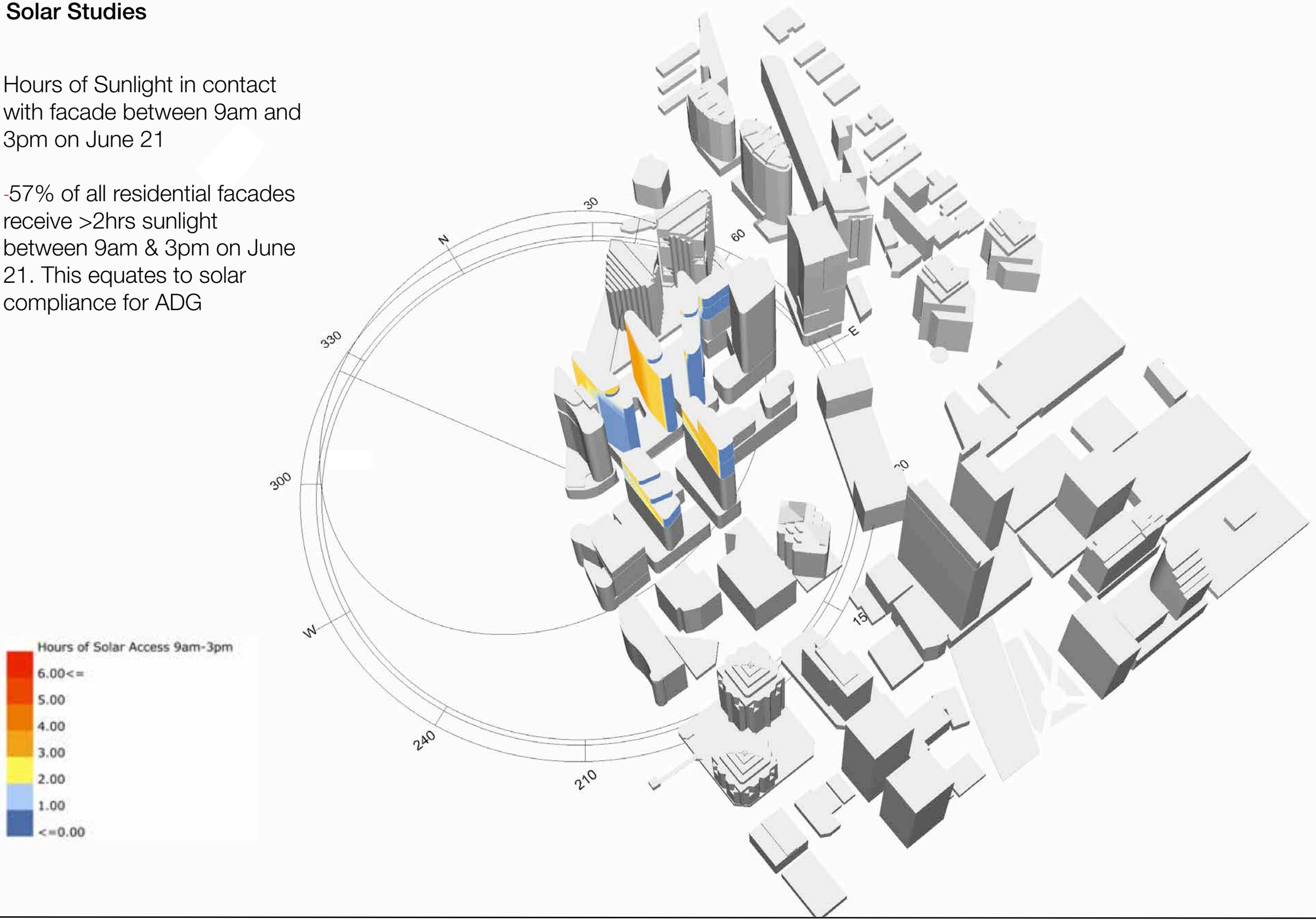
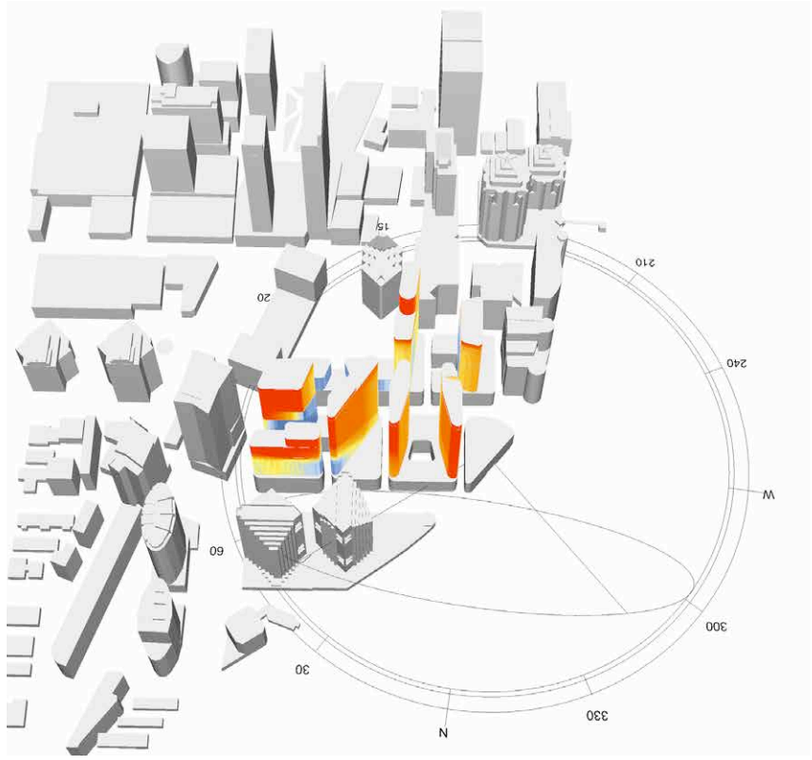


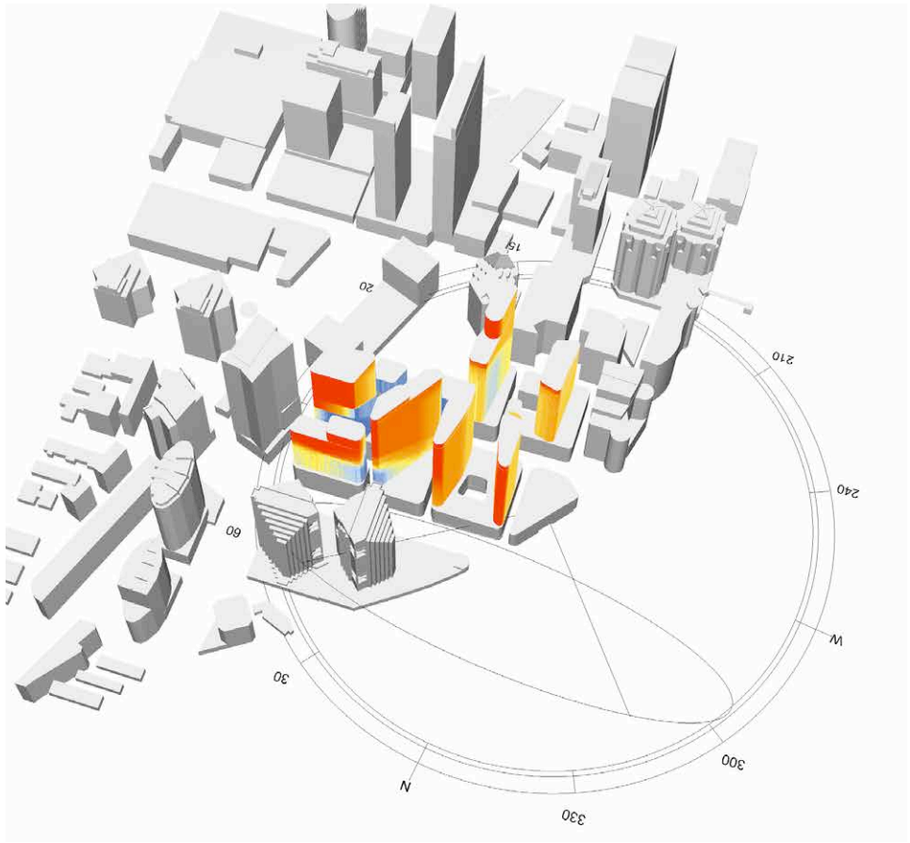
Projected Development

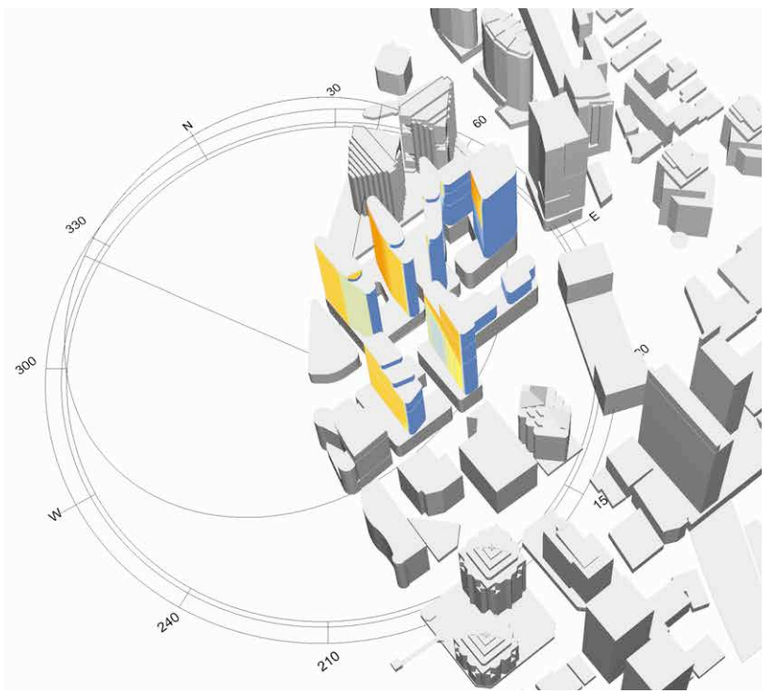
Solar Studies

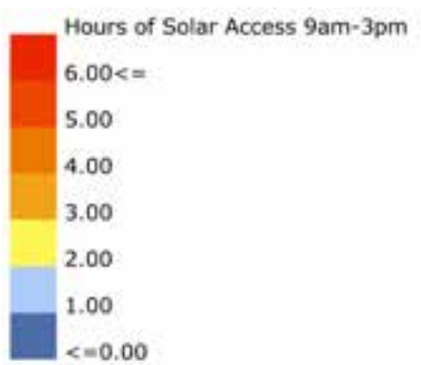
Impact of Study Precinct excluding the proposed project.

Excluding the proposed project a total of 47% of the facades receive solar access between 9am and 3pm on June 21. This equates to a small solar increase of 5%, predominantly to the non-habitable facade closest to the proposed project tower.



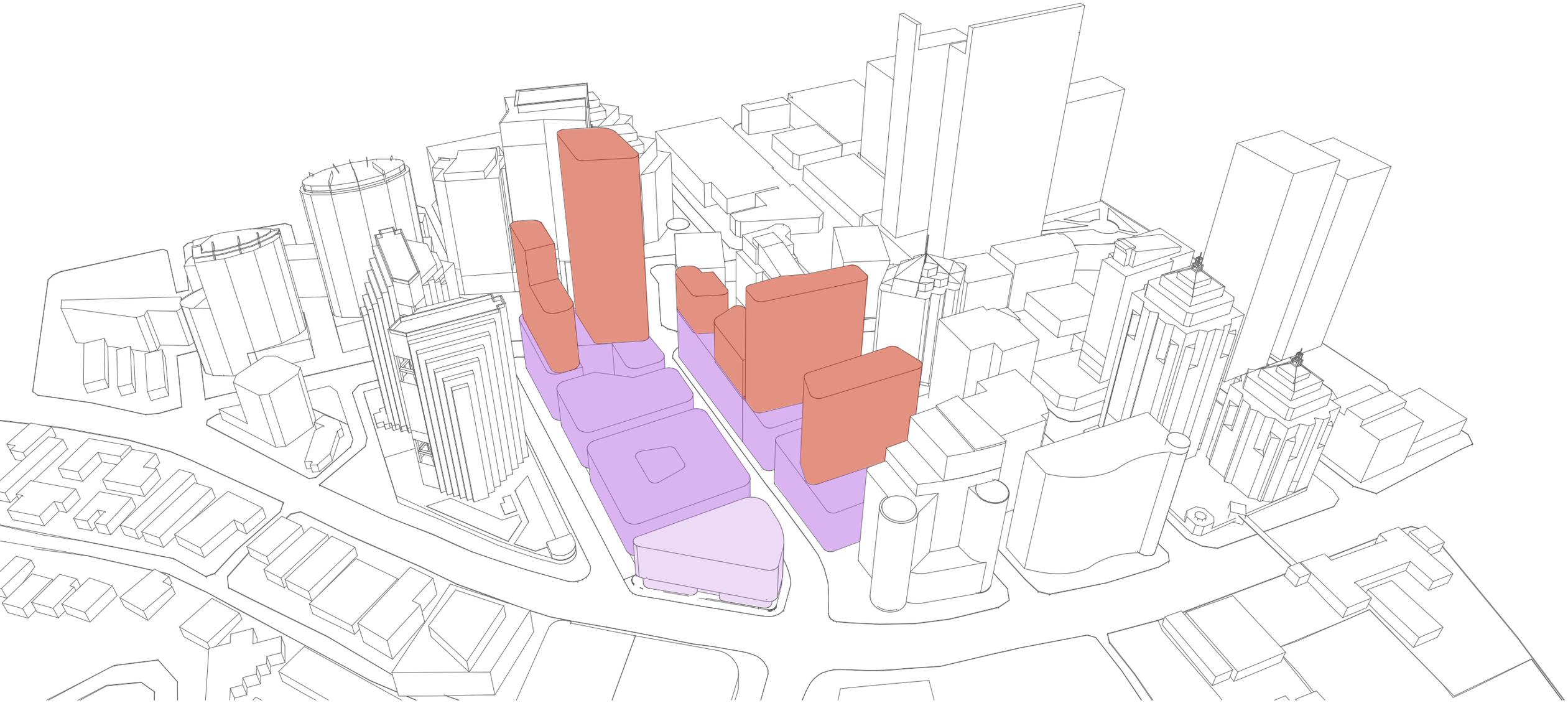






Future Character

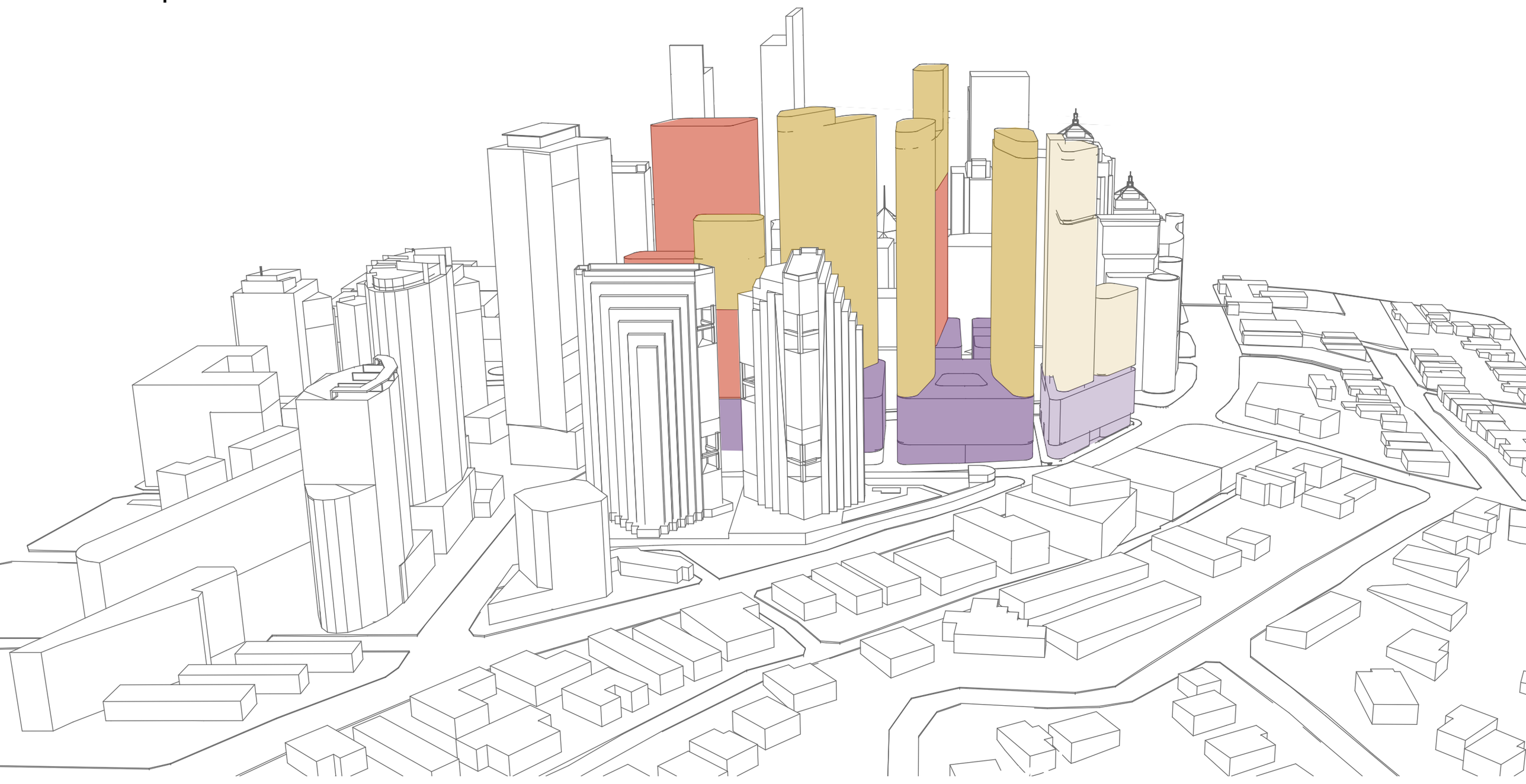
Residential Towers located where solar access is available



- Commercial Towers to limited solar access
- Commercial Podium

Projected Development

Visual Impact



-Proposed Commercial Towers

-Proposed Residential Towers

-Proposed Commercial Podium

Projected Development

Visual Impact

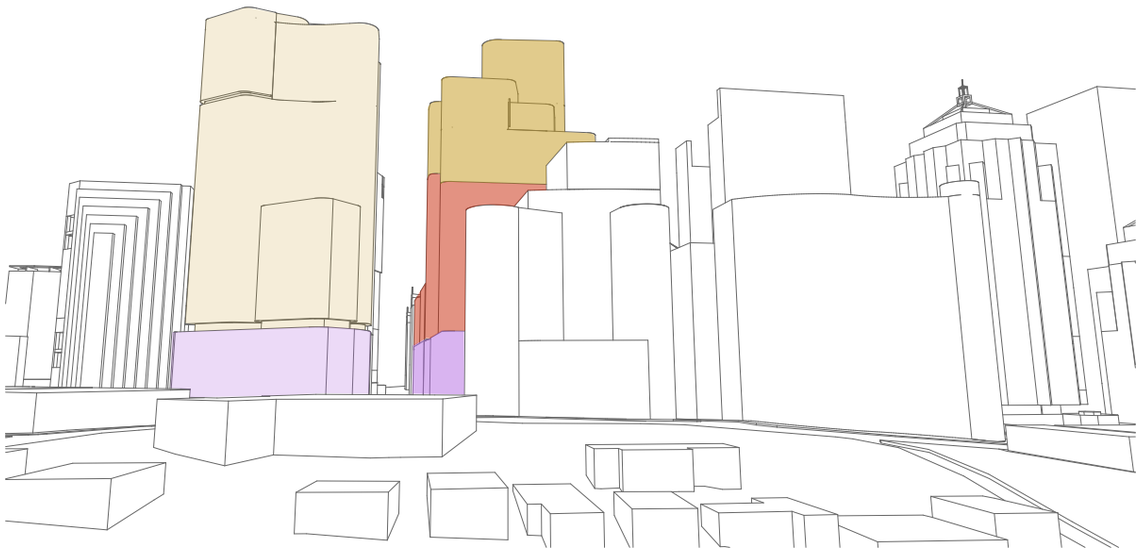
-Proposed Commercial Towers

-Proposed Residential Towers

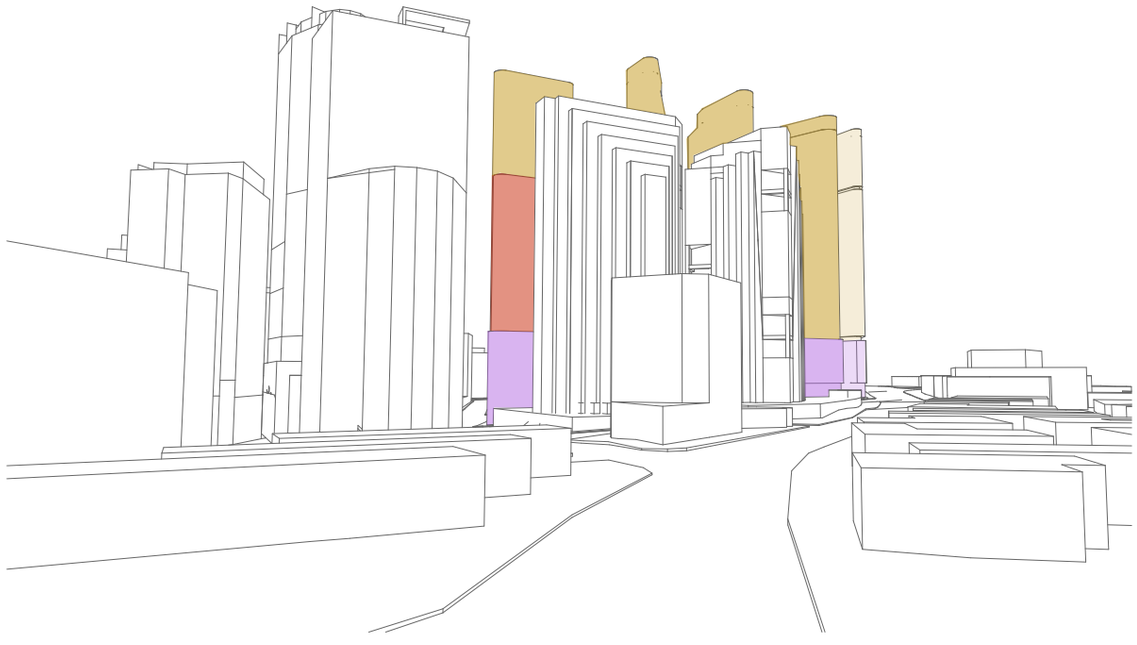
-Proposed Commercial Podium

Projected Development

Visual Impact



View toward Help Street



View along Pacific Highway

-Proposed Commercial Towers

-Proposed Residential Towers

-Proposed Commercial Podium

Projected Development

Traffic

The following provides a comparative potential traffic generation analysis of development scenarios of the “Help Street” Precinct” which surrounds the planning proposal site at 815 Pacific Highway.

The purpose of the analysis is to provide an indication of the relative traffic generation potential should properties within the Help Street Precinct be redeveloped according to the following height, floor space and building set back controls:

- As set out in the current Willoughby LEP; and
- As proposed in the planning proposal for 815 Pacific Highway (Future Urban Character).

In undertaking this analysis the floor spaces areas as set out in Table 1 have been utilised.

These floor areas have been used to estimate the future potential peak period traffic generation based on the following assumptions:

- Generation rates for both commercial and residential based on trips / m2 or apartment sourced from the RMS TDT 13-04a Updated Traffic Surveys for sites surveyed in Chatswood.
- The AM Peak rates have been used as these are higher for both commercial and residential uses than surveyed PM rates.
- A generic apartment size was assumed to be 100m2 of the residential floor area. This allows for some common areas.

It is noted that the traffic generation rates used in the analysis was based on floor area. Variations to the rates could be achieved through variations / restrictions to on site parking provisions, particularly for commercial land uses.

Furthermore, the operation of a number of public car parks within the precinct have not been accounted for within the ‘current’ land use scenario. If included the traffic generation of the current land uses would be higher.

The results of the comparative analysis are shown in Table 2 and Figure 1.

Table 1 - Floor Space Areas (m2)

	Current	LEP Controls	Future Urban Character
Commercial	52,953	76,605	88,405
Residential	0	0	85,365
Total	52,953	76,605	173,770

Table 2 - Peak Hour (AM Peak) Traffic Generation Potential (vehicle trips / hr)

	Current	LEP Controls	Future Urban Character
Commercial	244	352	407
Residential	0	0	120
Total	244	352	526

Figure 1 - Comparative Traffic Generation (Peak Hour) of Precinct Redevelopment Options