



General Manager
Willoughby City Council
PO Box 57
Chatswood NSW 2057

27 January 2015

Re: Planning Proposal – 815 Pacific Highway, Chatswood

Dear Madam,

SJB Planning acts on behalf of the owner of the property at 815 Pacific Highway Chatswood. Please find enclosed a Planning Proposal and associated supporting information, including a completed application form and disclosure documents.

Representatives of the proponent met with the Council's General Manager and senior planning officers in June 2014 to discuss the Planning Proposal and the proposal has been refined in accordance with those discussions.

The enclosed documentation comprises the following:

- 6 x copies of the Planning Proposal report and associated supplementary reports;
- Cheque addressed to Willoughby City Council for \$63,000; and
- 1 x disc containing the Planning Proposal documentation.

We look forward to the Council's consideration of the Planning Proposal.

Should you require any further information, please do not hesitate to contact me on (02) 9380 9911 or by email at smcdonald@sjb.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'smcdonald', written over a light blue rectangular background.

Stuart McDonald
Director

PLANNING PROPOSAL APPLICATION AND CHECKLIST

Made under the Environmental Planning and Assessment Act 1979

1. DESCRIPTION OF PROPOSAL (Please describe what your Planning Proposal Application is intended to allow e.g. a zone change to allow construction of townhouses, retail, office development etc).

Include 'shop-top housing' as an additional use; increase maximum building height to 130m; increase maximum floor space ratio

2. PROPERTY DETAILS

Address: 815 Pacific Highway Chatswood

Lot/s No: 1 Section: DP/SP No: 547585

3. ZONING

What is the current zoning of your property? B3 Commercial Core

Q 1. Does the proposal require a change to the zoning of your property?

YES ☐ NO ☒

If yes, what is the proposed zone?

Q 2. Does the proposal require a development control change (e.g. to the floor space ratio or height limits) that apply to your property?

YES ☒ NO ☐

If yes, what is the changes zone? Height 130m; FSR 17.5:1

Q 3. Does the proposal change the aims, definitions or clauses which apply to the City in general (or in part) OR to permit an additional permissible land use?

YES ☒ NO ☐

If yes, please describe? Additional use: shop-top housing
Amend clause 6.12 shop size

Q 4. Does the proposal involve detailed consideration of environmental, economic, social, traffic or transport issues.

YES ☒ NO ☐

Q 5. What is the area of the property? 1,657 sqm

4. APPLICANT It is important that we are able to contact you if we need more information. Please give us as much detail as possible.

☐ Mr ☐ Mrs ☐ Ms ☒ Other: Lin Field Developments Pty Ltd c/-

☐ Family name (or company): Lin Field Developments Pty Ltd Given name/s (or ABN): 42 165 327 882

Postal address (we will post all letters to this address): Level 2, 490 Crown Street Surry Hills

Phone: 93809911 Email: smcdonald@sjb.com.au Mobile: 2010

Contact person (available during business hours): Stuart McDonald

Have you made a reportable political donation or gift within the two years preceding this application? (If a reportable political donation has been made, complete the disclosure form at www.willoughby.nsw.gov.au/Donations-and-Expenditures.html.)

YES ☐ NO ☒

Have any consultants assisting you with this development been previously engaged by Council within the past five years for a project in excess of \$5000?

YES ☒ NO ☐

If yes, please ask your consultant to provide the following information:

Consultant: See attached details Project: Year:

I hereby apply for the proposal described above and I consent to Council copying this application, and any supporting material, for the purpose of obtaining public comment. I agree to payment of Council's Planning Proposal Fees as set out in Council's Fees and Charges Schedule.

Signature: [Signature] Date: 20/01/2015

5. OWNER'S CONSENT

Multiple owners

Every owner of the land must sign this form, or provide authorisation under separate cover (e.g. multiple individuals or multiple companies).

Individuals

If you are signing on behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence under separate cover (e.g. Power of Attorney, Executor, Trustee etc.)

Strata Title and Community Title

If the property is a unit under strata title or a lot in a community title, then in addition to the owner's signature the common seal of the Owners Corporation must be stamped on this form over the signature of the owner and signed by the chairman of the Owners Corporation or the appointed managing agent.

Company

If the owner is a company, a separate letter is to accompany this application stating acknowledgement and consent of this application. The letter is to be signed by an authorised director in accordance with the Company's Memorandum and Articles of Association.

Owner/s: LINFIELD DEVELOPMENTS PTY LTD.

Address: SUITE 20.04, LEVEL 20, 1 ALFRED ST, SYDNEY NSW 2000

Ph/Mob: 02 8041 1683

Email: blin@linfield.com.au

As owner of the land to which this application relates, I consent to this application. I also consent for authorised Council officers to enter the land to carry out inspections relating to this application.

Signature: [Signature] Date: 20/01/2015

Without the owner's consent we will not accept the application. This is a very strict requirement for all applications. If unsure of the ownership, please call us to find out who owns the land, according to our records.

6. PLANNING PROPOSAL CHECKLIST The following information must be submitted with all applications: NOTE: Please ensure that all documentation listed is submitted at lodgement otherwise this may delay acceptance and processing of the application.

a) Have you had a pre application meeting with Council's Strategic Planning Staff?

YES ☒

NO ☐

b) With whom and what was the date of the meeting? Nick Tobin, Greg Woodhams, Noni DeCarvalho
13 June 2014

INFORMATION TO BE SUBMITTED

Applicant
to tick ✓

Office
use Only

1.	A completed application form with owners consent	☒	☐
2.	Payment required with lodgement of these documents	☒	☐
PROVIDE 6 PAPER COPIES and 1 DIGITAL COPY of the following information:			
3.	Description of the subject land and the locality	☒	☐
4.	Statement and justification of objectives & intended outcomes including the process of how these are to be implemented	☒	☐
5.	A Plan of the site drawn to scale indicating physical features such as trees, topography, existing buildings etc	☒	☐
6.	Site analysis of property and surrounding environment identifying any relevant significant issues	☒	☐
7.	Details of the current use of the property and surrounding properties and the potential impact of the proposal on the surrounding area (including issues such as traffic and parking, noise, privacy etc)	☒	☐
8.	Relevant plans (e.g. proposed height or FSR changes, environmental constraints, heritage or flood prone areas)	☒	☐
9.	Photographs of the site and surrounding neighbourhood	☒	☐
10.	Explanation of any intended activities for the site if it was to be rezoned (concept plans for future development should also be included)	☒	☐
11.	Details of the substantial public benefit that would result from the proposed rezoning (examples of this might include provision of public open space, an indoor recreation complex or tennis courts in an area where there are no such facilities, or affordable housing etc).	☒	☐
12.	Relevant information required to assess the environmental impacts of the proposal on the site and surrounding environment (e.g. traffic studies, commercial / retail viability analysis, ecological assessments for threatened species, noise analysis, tree assessment)	☒	☐
13.	Consideration of the relevant local planning strategies including the Willoughby City Strategy, development controls and state environmental planning policies and Ministerial S117 Directions	☒	☐
14.	Information required in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and Guide to Preparing Planning Proposals prepared by the NSW Department of Planning and Infrastructure www.planning.nsw.gov.au	☒	☐



ABN 42 165 327 882
Suite 2004, Level 20, 1 Alfred St,
Sydney NSW 2000
T: 02 8041 1683
F: 02 8004 5857

Willoughby City Council
31 Victor Street,
Chatswood NSW 2067
02 9777 1000

Re: Acknowledgement and Consent to lodge Planning Proposal for 815 Pacific Hwy, Chatswood

Dear Sir / Madam,

This letter is to certify that Linfield Developments Pty Ltd ACN 165 327 882 ('Linfield') hereby acknowledges and consents to the lodgement of a Planning Proposal Application for the property wholly owned by Linfield at 815 Pacific Hwy Chatswood.

We can further confirm that Stuart McDonald from SJB Planning is the authorised contact person for Linfield in relation to the Planning Proposal Application.

The contact details for all correspondence in relation to this application should be directed to:

Linfield Developments Pty Ltd
c/- SJB Planning
Stuart McDonald
Level 2, 490 Crown St,
Surry Hills NSW 2010
02 9380 9911
smcdonald@sjb.com.au

Please contact me on the details below should you have any further queries.

Kind Regards,

A handwritten signature in black ink, appearing to read "Ben Lin", is written over a horizontal line.

Ben Lin

Sole Director & Secretary
Linfield Developments Pty Ltd
M: 0414 523 511
E: blin@linfield.com.au

Gateway Chatswood | 815 Pacific Highway, Chatswood Planning Proposal



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- Attachment 2: Economic Assessment prepared by Hill PDA (December 2014)
- Attachment 3: Shadow Diagrams prepared by Project Surveyors (July 2014)
- Attachment 4: Transport Impact Assessment prepared by GTA Consultants (September 2014)
- Attachment 5: Survey prepared by Geosurv (December 2013)

Executive Summary

This Planning Proposal has been prepared for Linfield Developments Pty Ltd, on behalf of the owner of 815 Pacific Highway, Chatswood ('the site') and seeks to:

- Include 'shop top housing' as an additional permissible land use for 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 active street frontage to the Pacific Highway side of the site; and
- Permit retail space on the ground floor in excess of the currently restricted 100m² per shop.

The site is within the Willoughby City Council Local Government Area (LGA) and located on the western edge of the Chatswood City Centre, on the corner of the Pacific Highway, Help Street and McIntosh Street, Chatswood. This site is zoned B3 Commercial Core under the Willoughby Local Environmental Plan 2012 (WLEP 2012) and currently contains a 13 storey commercial building with a landscaped corner frontage to the Pacific Highway. The prominent corner site is on one of the key entries to the western side of the Chatswood City Centre.

This Planning Proposal provides an analysis of the physical and strategic planning constraints and the opportunities of the site and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

Support for this Planning Proposal is based on the following circumstances and merits:

- **Increase in the amount of permissible employment floor space**
Increasing the height and floor space ratio, and including 'shop top housing' as an additional use on the site, will facilitate the redevelopment of this key site to include an increase to the current employment floor space (based on the existing height and floor space ratio controls) while also providing for additional housing opportunities.
- **Infill urban development opportunity**
The redevelopment of the key site represents an opportunity to provide additional housing opportunities, in conjunction with commercial development, in a location that has excellent access to retail and commercial facilities, education and community facilities, public transport and other urban infrastructure of the Chatswood City Centre.
- **Consistency with the adjoining development**
The addition of 'shop top housing' as an additional use is consistent with a number of sites in the Chatswood City Centre, and in the vicinity of the site, which are identified in Schedule 1 Additional Permitted Uses of the Willoughby LEP 2012 for 'shop top housing'.
- **Consistency with the planning framework**
The Planning Proposal is consistent with the Metropolitan Strategy – A Plan for Growing Sydney (December 2014), the Metropolitan Plan for Sydney 2036, the North Subregion priorities, Willoughby City Strategy and the Chatswood Centre Strategy 2008.
- **Development constraints**
The Planning Proposal is supported by a detailed analysis of the opportunities and constraints of the site in particular the impact on traffic, overshadowing and urban design from the proposed increase in maximum building height and floor space ratio and inclusion of 'shop top housing'.

Recommendations

It is recommended that arising from the consideration of this Planning Proposal, Willoughby City Council resolve to support the changes to the WLEP 2012 as detailed in this Planning Proposal and forward the Planning Proposal for a Gateway Determination to undertake the following:

- Amend Schedule 1 Additional Permitted Uses to permit with development consent 'shop top housing' on the site;
- Amend the Height of Building Map to show a maximum building height of 130 metres over the site;
- Amend Clause 4.4A Exceptions to floor space ratio to allow maximum floor space ratio of 17.5:1 and a maximum FSR for shop-top housing of 12:1;
- Amend the Active Street Frontages Map to identify the whole frontage to the Pacific Highway; and
- Amend the provisions of Clause 6.12 as they apply to the site so to allow retail space on the ground floor in excess of the currently restricted 100m² per shop.

1.0 Introduction

This Planning Proposal has been prepared for Linfield Developments Pty Ltd, on behalf of the owner of 815 Pacific Highway, Chatswood.

The site covered by this Planning Proposal is an area of land in the Chatswood City Centre bounded by the Pacific Highway, Help Street and McIntosh Street, Chatswood. The site is Lot 1 DP 547585, known as No.815 Pacific Highway, Chatswood.

The Planning Proposal demonstrates the strategic merit of the proposed amendment to the Willoughby Local Environmental Plan 2012 (WLEP 2012) and seeks commencement of the statutory process to:

- Include ‘shop top housing’ as an additional use for the site (amend Schedule 1 Additional permitted uses);
- Increase the maximum building height for the site to 130 metres (amend the Height of Buildings Map);
- Increase the maximum floor space ratio (FSR) for the site to 17.5:1;
- Provide a maximum FSR for shop-top housing of 12:1;
- Identify the Pacific Highway frontage as an active street frontage (amend the Active Street Frontages Map); and
- Amend the provisions of Clause 6.12 as they apply to the site so to allow retail space on the ground floor in excess of the currently restricted 100m² per shop.

The Planning Proposal has been prepared in accordance with the Department of Planning Guidelines *A Guide to Preparing Planning Proposals* dated October 2012 and *A Guide to Preparing Local Environmental Plans* dated October 2012.

The Planning Proposal in the following sections details the merits of the proposed changes to the WLEP 2012 and has been structured in the following manner:

- Section 2.0 provides a description of the site, its context and existing development, including identification of the land to which the changes are proposed;
- Section 3.0 is the Planning Proposal and is provided consistent with the matters to be considered in the Department of Planning’s Guide to Preparing Planning Proposals;
- Section 4.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination to amend the WLEP 2012;
- Appendix 1 provides a consideration of the consistency of the Planning Proposal with State Environmental Planning Policies; and
- Appendix 2 provides a consideration of the consistency of the Planning Proposal with the Section 117 Directions.

The Proposal is supported by the following attachments:

- Attachment 1: Architectural Design Report prepared by FJMT Architects;
- Attachment 2: Economic Assessment prepared by Hill PDA;
- Attachment 3: Shadow Diagrams prepared by Project Surveyors;
- Attachment 4: Transport Impact Assessment prepared by GTA Consultants; and
- Attachment 5: Survey prepared by Geosurv.

2.0 Site Description and Context

2.1 Overview

This section describes the location of the site, existing development on the land, the current planning framework and State Government and Willoughby City Council strategic plans applying to the location.

2.2 Site Context and Locality

The site is in a prominent location at the intersection of Fullers Road, Help Street and the Pacific Highway and is a key entry to the western side of the Chatswood City Centre (refer Figure 1). The site the subject of this Planning Proposal is shown in relation to the Chatswood City Centre locality and in its immediate surrounds in Figure 2.



Figure 1: Locality plan (site shown in orange) (Source: Architectural Design Report, FJMT)

The Chatswood City Centre has a multifunctional role as the main commercial centre for Willoughby and provides retail facilities and services for the broader community. Chatswood is identified as a Major Centre and is recognised as a key shopping destination, residential, corporate offices centre and transport hub.

The Chatswood City Centre accommodates the Chatswood office precinct, which includes the area west of the railway line and east of the Pacific Highway (including the subject site), and a retail precinct which is principally located to the east of the railway line and largely centred on Victoria Avenue, and includes Westfield Shopping Centre and Chatswood Chase Shopping Centre. Mixed use buildings and residential flat buildings are dispersed through parts of the City Centre. The development outside the Chatswood City Centre is generally characterised by low and medium density residential development.

A range of land zones apply in the Chatswood City Centre including:

- B3 Commercial Core (zoning of the subject site);
- B4 Mixed Use;
- B5 Business Development;
- R3 Medium Density Residential;
- R4 High Density Residential; and
- RE1 Public Recreation.

The site is within walking distance (approximately 500 metres) from the Chatswood Railway Station, a key station on the North Shore Rail Line and is regularly serviced by Sydney Buses for cross city connections.

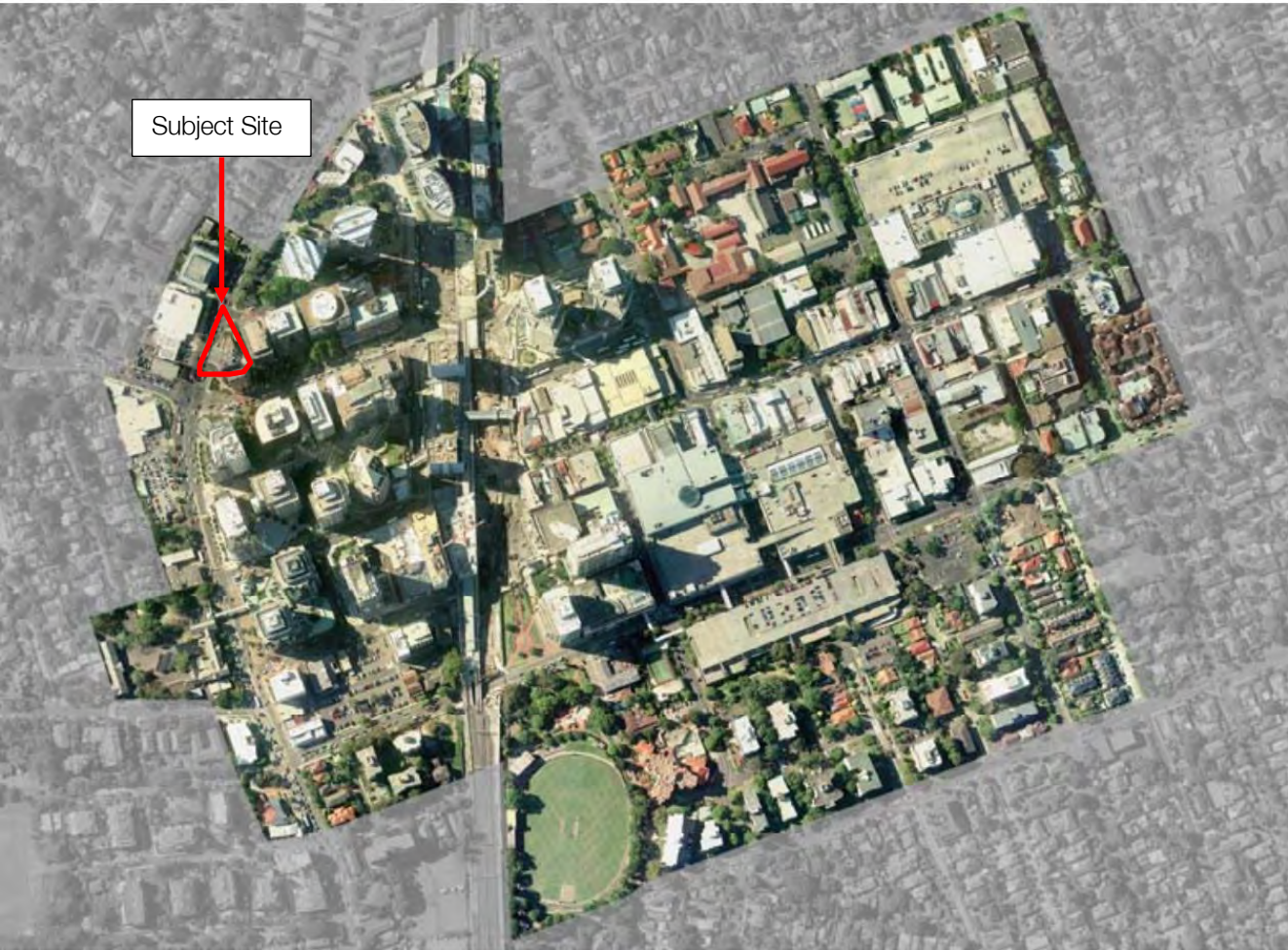


Figure 2: Boundaries of Chatswood City Centre (Source: Chatswood City Centre Vision and Strategic Plan)

2.3 Site Description

The site is bounded by Pacific Highway, Help Street and McIntosh Street, Chatswood and includes one land parcel: Lot 1 DP 547585, known as No.815 Pacific Highway, Chatswood as shown in Figure 3.



Figure 3: The subject site (Source: SIX Maps)

The site is an irregular triangular shape and has an area of 1,657m² with major frontages to the Pacific Highway and Help Street and a small length of McIntosh Street. The site is largely level, with frontage to the Pacific Highway of approximately 60m, approximately 40m to Help Street and approximately 3m to McIntosh Street. A Survey Plan prepared by Geosurv is included in Attachment 5.

The site is currently contains a 13 storey commercial building, with underground parking accessed from Help Street and a landscaped area to the Help Street/Pacific Highway corner. A modelled aerial view of the existing building from the west and south is provided in Figure 4. The existing building is currently occupied by commercial office tenants, with ground floor retail.

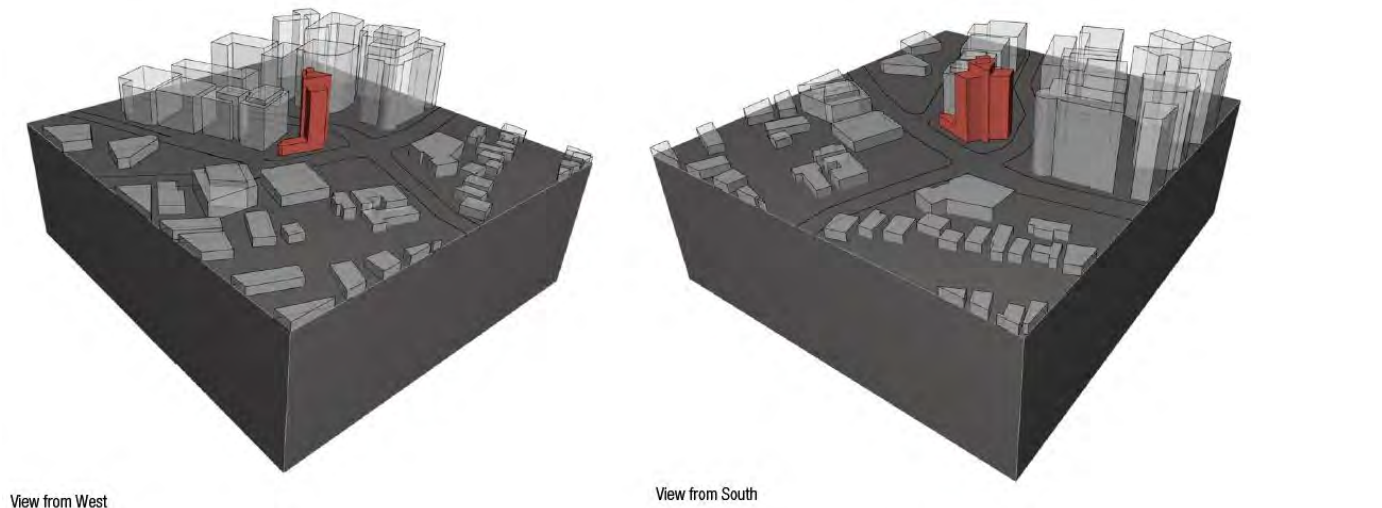


Figure 4: Modelled aerial View of Existing Building (Source: Architectural Design Report, FJMT)

2.4 Description of the Surrounding Development and Land Uses

The site marks a prominent gateway to the Chatswood City Centre at the intersection of the Pacific Highway and Fullers Road/Help Street. The Pacific Highway is the major north/south artery linking the Sydney and North Sydney CBDs with the northern suburbs and Fullers Road/Help Street is a major entry into the Chatswood City Centre from the west.

The site is located on the western extent of the Chatswood City Centre and is within walking distance (approximately 500 metres) from the Chatswood Railway Station and is regularly serviced by Sydney Buses for cross city connections.

The site is surrounded to the north, east and south by commercial and mixed use/residential buildings with varying heights as shown in the aerial photo at Figure 5 below.



Figure 5: Site Location in Relation to Key Roads and Public Transport (Source: Near Maps)

3.0 Statutory Framework

3.1 Land Zoning

The site is currently zoned B3 Commercial Core under the provisions of the WLEP 2012 (refer to Figure 6).

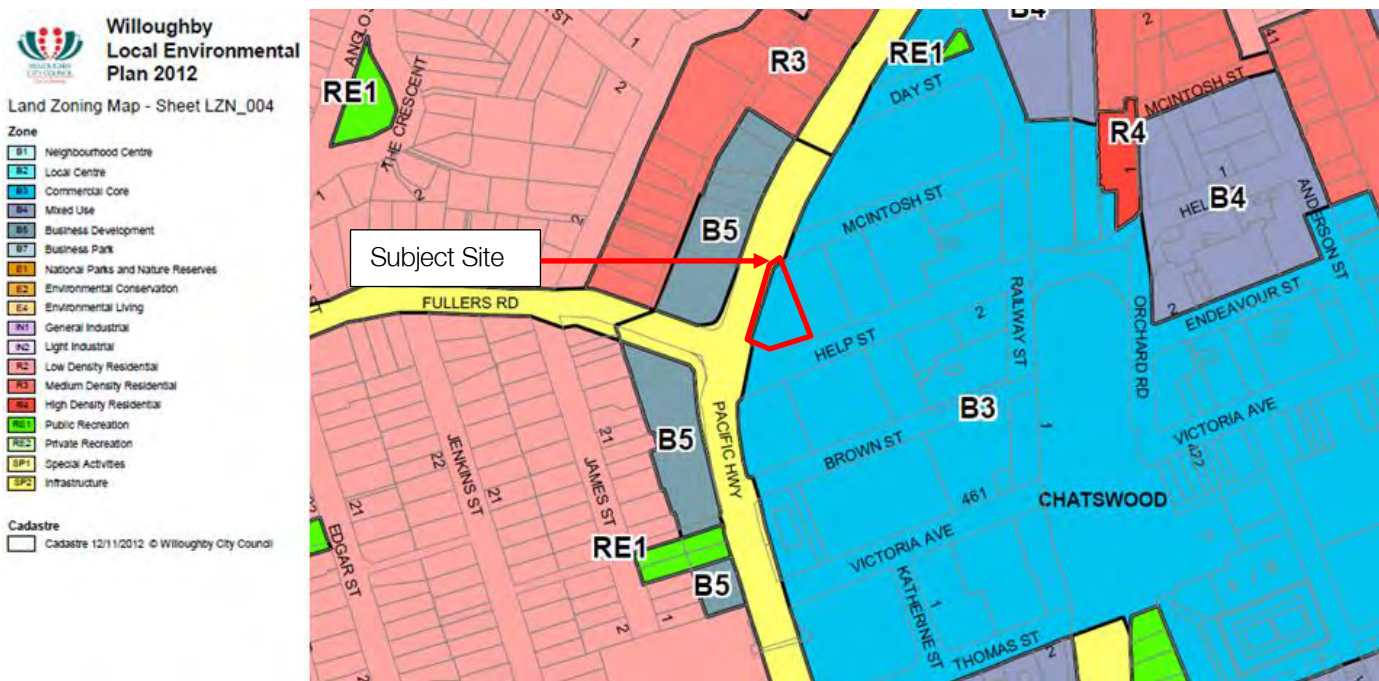


Figure 6: Extract of Land Zoning Map – Willoughby LEP 2012

The objectives of the B3 Commercial Core zone are:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community;
- To encourage appropriate employment opportunities in accessible locations;
- To maximise public transport patronage and encourage walking and cycling;
- To support the role of St Leonards as a specialised centre providing health, research and education facilities;
- To strengthen the role of Chatswood as a major centre for the inner north sub-region and to improve its public domain and pedestrian links; and
- To protect and encourage safe and accessible city blocks by providing active land uses on street and pedestrian frontages.

A range of land uses are permissible (with consent) in the B3 Commercial Core zone including:

“Child care centres; Commercial premises (which is a group term that includes business premises, office premises and retail premises); Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport

facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Serviced apartments; Any other development not identified as prohibited.”

The B3 Commercial Core zone prohibits a range of land uses including (but not limited to):

“Amusement centres; Car parks; Highway service centres; Industries; Residential accommodation (including shop top housing); Service stations; Signage; Storage premises; Tourist and visitor accommodation.”

3.2 Height of Buildings (Clause 4.3)

Clause 4.3 (Height of buildings) establishes a maximum building height of 60 metres for the site as illustrated in the extract of the Height of Buildings Map included in Figure 7 below.



Figure 7: Extract of Height of Buildings Map – Willoughby LEP 2012

The objectives of the clause are:

- To ensure that new development is in harmony with the bulk and scale of surrounding buildings and the streetscape;
- To minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion;
- To ensure a high visual quality of the development when viewed from adjoining properties, the street, waterways, public reserves or foreshores;
- To minimise disruption to existing views or to achieve reasonable view sharing from adjacent developments or from public open spaces with the height and bulk of the development;
- To set upper limits for the height of buildings that are consistent with the redevelopment potential of the relevant land given other development restrictions, such as floor space and landscaping;
- To use maximum height limits to assist in responding to the current and desired future character of the locality;

- To reinforce the primary character and land use of the city centre of Chatswood with the area west of the North Shore Rail Line, being the commercial office core of Chatswood, and the area east of the North Shore Rail Line, being the retail shopping core of Chatswood; and
- To achieve transitions in building scale from higher intensity business and retail centres to surrounding residential areas.

3.3 Floor Space Ratio (Clause 4.4)

Clause 4.4 (Floor space ratio) establishes a maximum floor space ratio (FSR) of 5:1 for the site as illustrated in the extract of the Floor Space Ratio Map include in Figure 8.

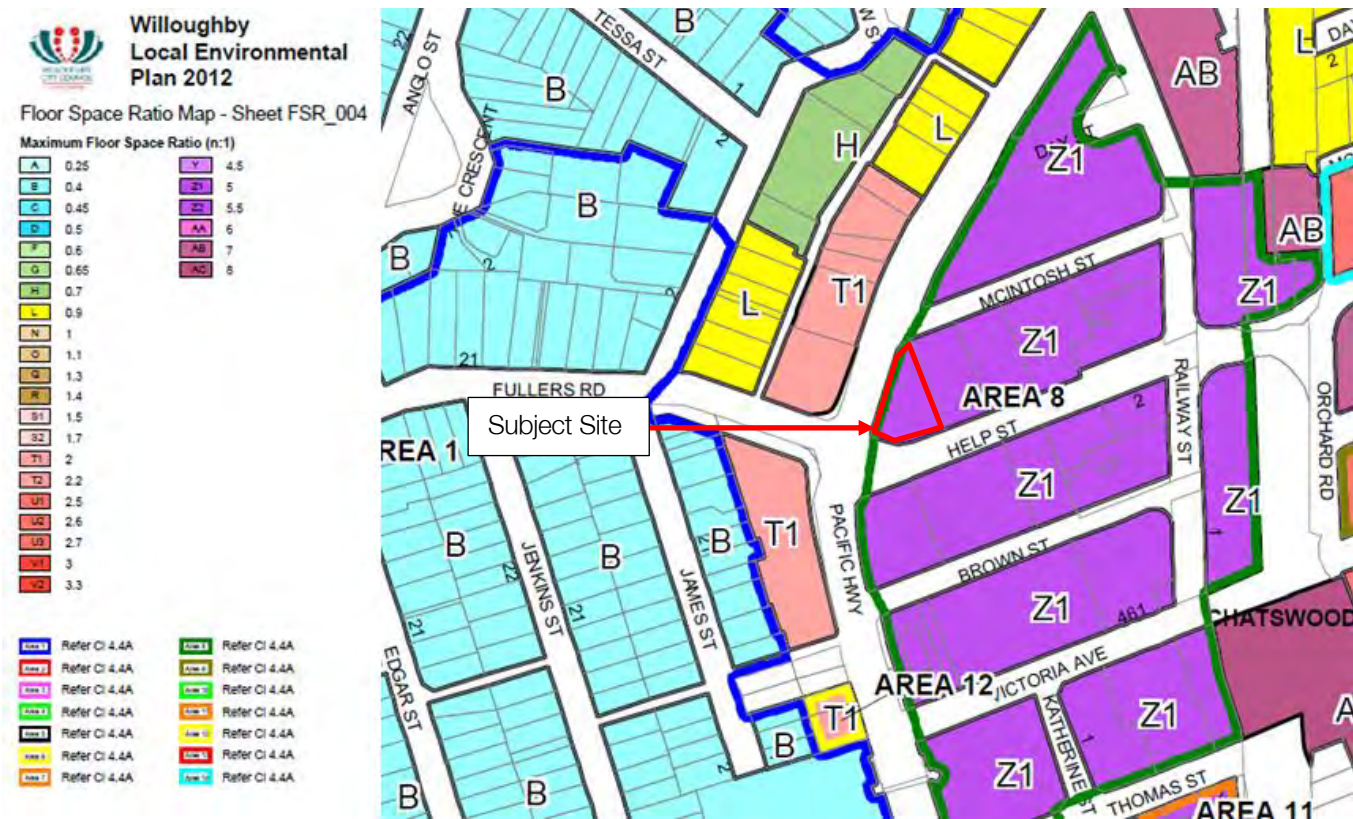


Figure 8: Extract from Floor Space Ratio Map – Willoughby LEP 2012

The objectives of the clause are:

- To limit the intensity of development to which the controls apply so that it will be carried out in accordance with the environmental capacity of the land and the zone objectives for the land;
- To limit traffic generation as a result of that development;
- To minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion;
- To manage the bulk and scale of that development to suit the land use purpose and objectives of the zone;
- To permit higher density development at transport nodal points;
- To allow growth for a mix of retail, business and commercial purposes consistent with Chatswood’s sub-regional retail and business service, employment, entertainment and cultural roles while conserving the compactness of the city centre of Chatswood;

- To reinforce the primary character and land use of the city centre of Chatswood with the area west of the North Shore Rail Line, being the commercial office core of Chatswood, and the area east of the North Shore Rail Line, being the retail shopping core of Chatswood;
- To provide functional and accessible open spaces with good sunlight access during key usage times and provide for passive and active enjoyment by workers, residents and visitors to the city centre of Chatswood;
- To achieve transitions in building scale and density from the higher intensity business and retail centres to surrounding residential areas;
- To encourage the consolidation of certain land for redevelopment; and
- To encourage the provision of community facilities and affordable housing and the conservation of heritage items by permitting additional gross floor area for these land uses.

Subclause 2A states that any part of the floor area of a building that is used for community facilities or affordable housing or that is a heritage item is not taken to be part of the gross floor area of the building for determining the floor space ratio. This subclause only applies if the building will not cause adverse impacts on adjoining land in terms of overshadowing, privacy, bulk and scale and the conservation of any heritage item and its setting will be achieved.

3.4 Exceptions to Floor Space Ratio (Clause 4.4A)

The site is identified as “Area 8” on the Floor Space Ratio Map (refer Figure 8) and therefore the following exception to the floor space ratio applies under certain circumstances.

- (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%.

The area of the site is 1,657m², which is less than the required 2,500m² and as a result, the maximum for the site remains a FSR of 5:1 and a total GFA outcome of 8,285m².

This clause also identifies (for other sites) the maximum floor space ratio for shop-top housing.

3.5 Architectural Roof Features (Clause 5.6)

Clause 5.6 - Architectural Roof Features has the following objectives:

- To encourage innovative and high quality architectural design for buildings with a height of 60 metres or more; and
- To reinforce the distinctive skyline profile of the city centre of Chatswood when viewed from other parts of Sydney.

The clause states that development that includes an architectural roof feature that exceeds, or causes a building to exceed, the maximum height limit may be carried out if the Council is satisfied that the architectural roof feature:

- Comprises a decorative element on the uppermost portion of a building;
- Is not an advertising structure;
- Does not include floor space area and is not reasonably capable of modification to include floor space area; and
- Will cause minimal overshadowing.

Building identification signage and equipment for servicing the building (such as plant and lift motor rooms) must be integrated in the design of the roof feature.

3.6 Preservation of Trees or Vegetation (Clause 5.9)

Clause 5.9 - Preservation of Trees or Vegetation requires consent for the removal of trees.

3.7 Heritage Conservation (Clause 5.10)

Clause 5.10 (Heritage conservation) seeks to conserve the environmental heritage of Willoughby including heritage items, conservation areas, archaeological sites and Aboriginal objects and places of heritage significance.

The site is not a known archaeological site or Aboriginal place of heritage significance, or known to contain Aboriginal objects of heritage significance.

The site is not a heritage item, nor is it within a heritage conservation area as shown on the Heritage Map included in Figure 9. The Chatswood Public School (Item No. I106) is located on the opposite side of the Pacific Highway on the corner of Centennial Avenue (approximately 300 metres from the site).

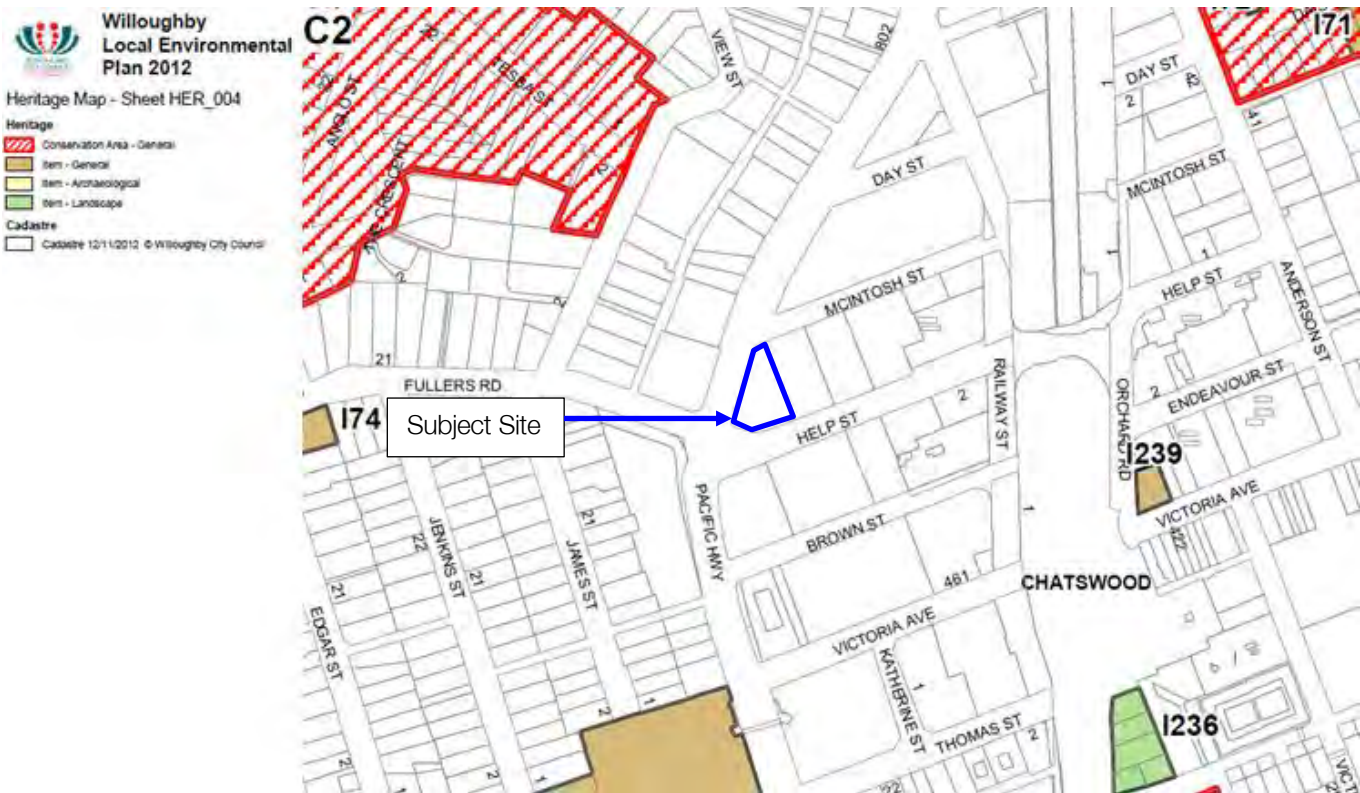


Figure 9: Extract from Heritage Map – Willoughby LEP 2012

3.8 Acid Sulfate Soils (Clause 6.1)

Clause 6.1 seeks to minimise the impacts of acid sulfate soils to the environment. The site and surrounds are mapped as Class 5 Acid Sulfate Soils land, which is the lowest classification.

3.9 Flood Planning (Clause 6.3)

The objectives of the clause are:

- To minimise the flood risk to life and property associated with the use of land;
- To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change;
- To avoid significant adverse impacts on flood behaviour and the environment.

The clause applies to land at or below the flood planning level (level of a 1:100 ARI flood event plus 0.5 metre freeboard) and requires that the consent authority must be satisfied that proposed development is compatible with the flood hazard of the land, not likely to significantly adversely affect flood behaviour or adverse environmental, social or economic impacts.

3.10 Active Street Frontage (Clause 6.7)

The objective of Clause 6.7 is to promote uses that attract pedestrian traffic along certain ground floor street frontages in the B2 Local Centre, B3 Commercial Core and B4 Mixed Use zoned land.

The site's frontage to Help Street is identified as "Active Street Frontages" as shown in Figure 10. A building has an active street frontage if all the premises on the ground floor of the building facing the street (Help Street) are used for the purposes of business premises or retail premises. An active street frontage is not however required for any part of a building that is used for entrances and lobbies (including as part of mixed use development), access for fire services and vehicular access.

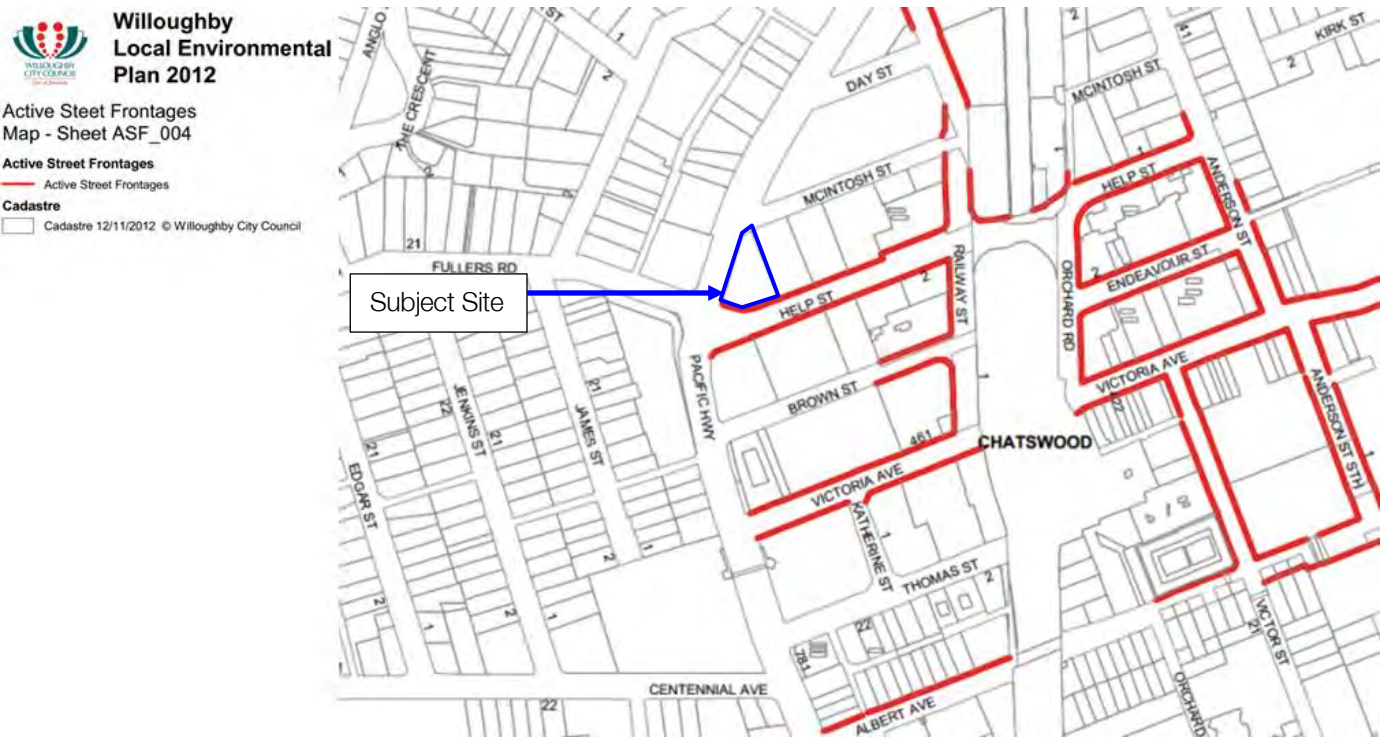


Figure 10: Extract Active Street Frontages Map – Willoughby LEP 2012

3.11 Special Provisions Area – Affordable Housing (Clause 6.8)

The site is not identified on the Special Provisions Area Map (refer Figure 11) and is therefore not subject to the provisions of Clause 6.8 Affordable Housing.

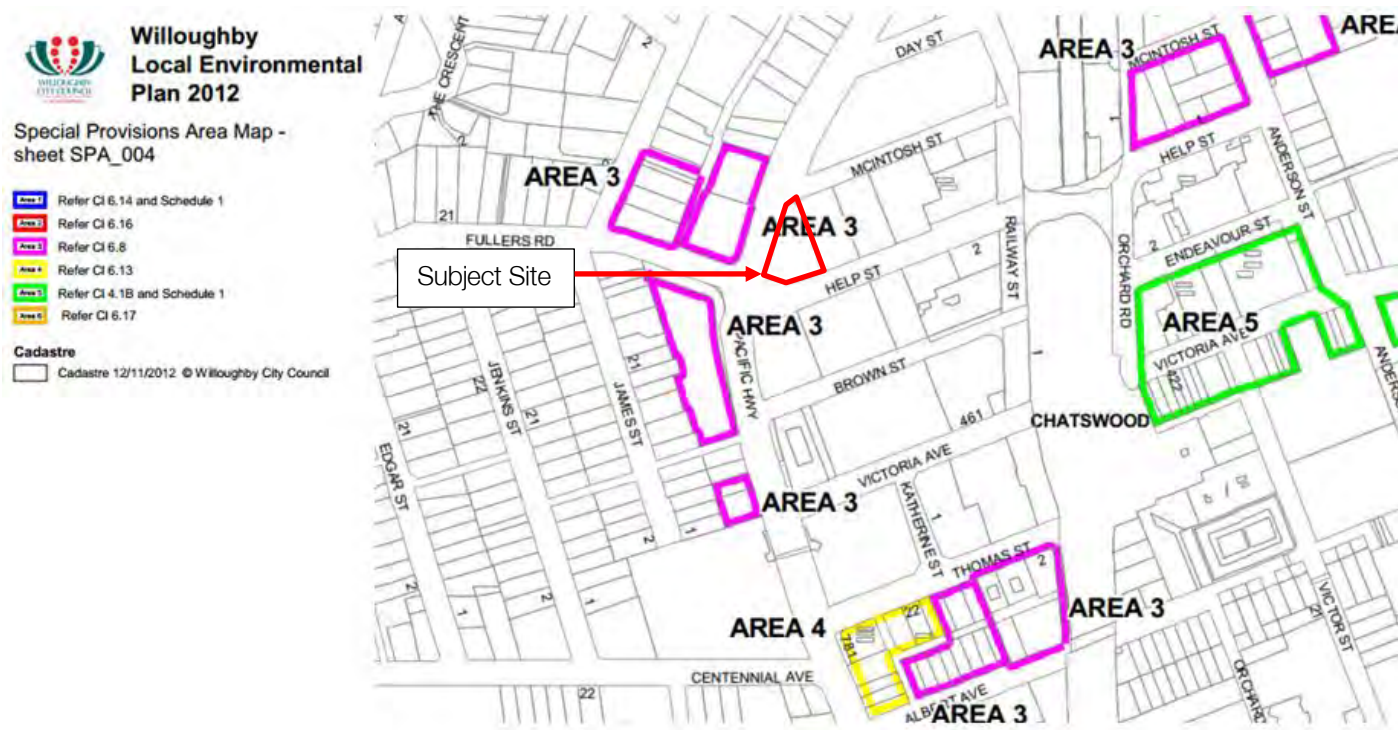


Figure 11: Extract Special Provisions Area Map – Willoughby LEP 2012

3.12 Serviced Apartments (Clause 6.9)

Clause 6.9 applies to development proposals involving a change of use from a dwelling (in a residential flat building or shop top housing) to a serviced apartment unless the consent authority is satisfied that the amenity, safety and security of the residential use of the dwellings in the building are maintained. In addition, the change of use is from serviced apartments to a residential flat building (with or without strata subdivision) unless the consent authority is satisfied that the development complies with the design principles of the Residential Flat Design Code.

3.13 Size of Shops in Zone B3 and Zone B4 in Chatswood (Clause 6.12)

Clause 6.12 applies to land in the B3 Commercial Core and B4 Mixed Use zone on the western side of the North Shore Rail Line in Chatswood, and therefore applies to the site. The clause states that the maximum gross floor area of a shop on land to which the clause applies must not exceed 100m².

3.14 Location of Sex Services Premises (Clause 6.19)

Clause 6.19 includes matters for consideration when assessing a development application for sex services premises. The clause also states that a sex services premises in a business zone must be located above ground floor and in a building used for commercial purposes and not within 100 metres from another sex services premises.

3.15 Additional permitted uses (Clause 2.5)

Clause 2.5 and the accompanying Schedule 1 does not include the site, however sites zoned B3 Commercial Core and in the vicinity of the subject site have been included in Schedule 1 Additional permitted uses to allow ‘shop-top housing’ with development consent as shown in the following extract and in Figure 12.

Extract from Willoughby LEP 2012 Schedule 1 Additional permitted uses:

32 Use of certain land at Chatswood in Zone B3

- (1) This clause applies to the following land in Zone B3 Commercial Core:
 - (a) Chelsea, 8 Brown Street, Chatswood being Lot 1, DP 1006341
 - (b) High Tower, 14 Brown Street, Chatswood being Lot 10, DP 1028406
 - (c) Bentleigh, 1 Katherine Street, Chatswood being Lot 100, DP 1009672
 - (d) Leura, 809 Pacific Highway, Chatswood being Lot 100, D 1040224
- (e) – (g) are sites located on the eastern side of the North Shore Rail Line in Chatswood.

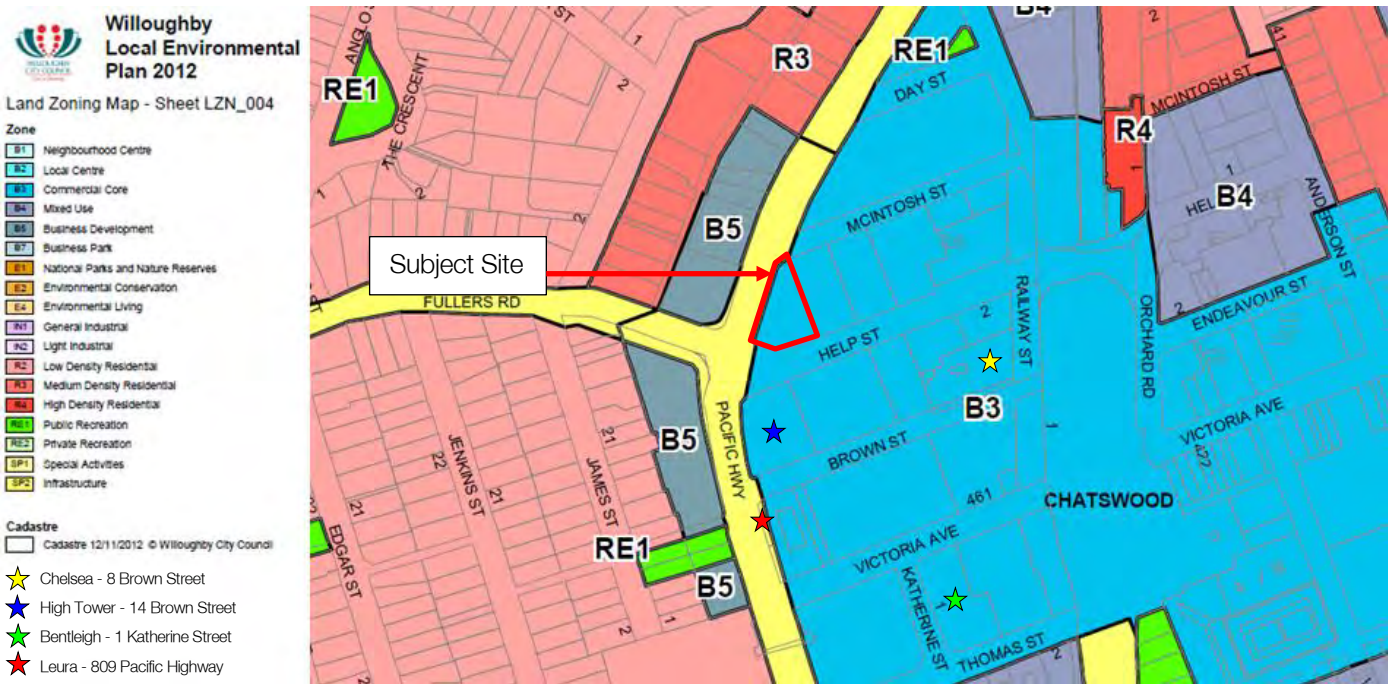


Figure 12: Additional Uses (Schedule 1) sites in vicinity of subject site shown *

4.0 The Planning Proposal

4.1 Overview

In accordance with *A guide to preparing Planning Proposals* (NSW Department of Planning, October 2012), a Planning Proposal is to be comprised of five (5) parts:

- Part 1 – A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 – The justification for those objectives, outcomes and the process for their implementation;
- Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies; and
- Part 5 – Details of the community consultation that is to be undertaken on the planning proposal.

This section addresses and responds to the matters for consideration detailed within the Department of Planning’s document *A guide to preparing Planning Proposals*.

4.2 Objectives and Intended Outcomes (Part 1)

The objective of this Planning Proposal is to enable the site to provide ‘shop-top housing’ in addition to the existing permissible uses on the key corner site together with increases in the maximum building height and maximum floor space ratio to provide a gateway development to the Chatswood City Centre.

The objectives of the Planning Proposal are to facilitate the redevelopment of the key corner site with a resultant increase in employment generating floor space and increase in jobs generated from the site as well as additional housing in close proximity to major public transport. The Planning Proposal will result in the urban renewal of an aged commercial building at the end of its economic life and replacement with a contemporary gateway development with active retail at ground level.

The public benefits arising from the increase in the maximum building height and maximum floor space ratio and the introduction of ‘shop-top housing’ on the site include:

- Revitalisation and activation of an important gateway site to the Chatswood City Centre;
- Additional employment generation within the Chatswood City Centre;
- Additional housing within the Chatswood City Centre;
- Active retail street frontages on all street boundaries; and
- Opportunity to introduce a through-site link and active pedestrian laneway.

Without the changes identified in the Planning Proposal, a feasible development outcome on the site of an aged commercial building at the end of its economic cycle is not possible for some time and the public benefits arising from a high quality integrated development will not be realised.

It is intended that the Planning Proposal would form part of a stand-alone amendment to the WLEP 2012.

4.3 Explanation of Provisions (Part 2)

4.3.1 Proposed Changes to WLEP 2012

The B3 Commercial Core zoning of the site is to be retained.

The proposed amendments to the WLEP 2012 would facilitate the redevelopment of the site, as shown in the Architectural Design Report prepared by FJMT and shown in Figure 13 overleaf, and includes:

- Allow ‘shop top housing’ with development consent on the site through an amendment to Schedule 1 Additional Permitted Uses of the WLEP 2012.

The amended provision will include at the end of the list of sites in Schedule 1 sub-section 32 the following additional provision (h):

Schedule 1 Additional permitted uses

32 Use of certain land at Chatswood in Zone B3

(1) This clause applies to the following land in Zone B3 Commercial Core:

.....

(h) 815 Pacific Highway, Chatswood being Lot 1, DP 547585

(2) Development for the purpose of shop top housing is permitted with development consent.

- Amend the Height of Buildings Map for the site at 815 Pacific Highway Chatswood to allow a maximum building height of 130 metres;
- Amend Clause 4.4 Exceptions to floor space ratio so as to allow for a maximum FSR of 17.5:1 and a maximum FSR for shop-top housing of 12:1. This will require an additional sub-clause to Clause 4.4A and an amendment to the FSR map to identify a new “Area”:

The maximum floor space ratio for a building on land identified as “Area X” on the Floor Space Ratio Map may exceed 5:1:1 if:

- (a) the total floor space ratio will not exceed 17.5:1, and
- (b) the floor space ratio of any shop top housing will not exceed 12:1.

- Remove the size restriction (maximum gross floor area) for shops for 815 Pacific Highway (Clause 6.12 Size of shops in Zone B3 and Zone B4 in Chatswood) to allow for a greater range of retail uses and to facilitate ground floor activation (active street frontages); and
- Extend the active street frontage boundary of the site to include the Pacific Highway frontage through an amendment to the Active Street Frontages Map.

There are no other provisions of the WLEP 2012 that are required to be amended.

4.3.2 Indicative Concept/Design

The Applicant has engaged leading architect Richard Francis-Jones of FJMT to prepare an Indicative Concept which provides an example of the built form which could be achieved through the Planning Proposal changes. The complete set of drawings is contained in the Architectural Design Report included in Attachment 1.



Figure 13: Indicative Design (Source: Architectural Design Report, FJMT)

The Indicative Concept shows a key gateway building on the prominent corner site, which addresses the triangular shape and activates all street boundaries, providing a through site pedestrian link between Help Street and McIntosh Street.

A maximum building height of 130 metres (equating to 35 storeys) and maximum floor space ratio is shown, as proposed under the Planning Proposal.



Figure 14: Indicative Design (Source: Architectural Design Report, FJMT)

Range of Land Uses

The Indicative Concept also demonstrates how the range of land uses, including the proposed additional residential use ('shop-top housing'), can be accommodated on the site with the proposed changes to maximum building height and maximum floor space ratio, and reflecting the requirement for a minimum non-residential floor space component (employment generating development), as shown in Figure 15 overleaf.

A minimum non-residential gross floor area of 9,000m² is proposed. This would ensure a minimum non-residential floor space ratio equivalent of 5.4:1, with these uses being currently permitted uses in the B3 zone under WLEP 2012. Commercial premises include three (3) types of premises:

- Office premises: a building or place used for administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public (at the building) on a regular basis;
- Business premises: a building or place on which an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to the public (includes banks, hairdressers, travel agents etc.); and
- Retail premises: a building or place used for the purpose of selling items by retail, hiring of display (whether items are goods or materials) and includes food and drink premises and shops.

The Architectural Design Report drawings prepared by FJMT provide an example of the range of uses that could be accommodated within building as shown in Figure 15 below.

Proposed Massing

Diversity of Uses - Commercial Office, Retail, Restaurant and Shop Top Housing / Residential

- Vibrant Urban Environment: office, commercial and retail activity throughout the day supplemented with retail restaurant uses in the evening
- Work live opportunities: collaborative environments within both commercial and retail common spaces
- Improved security through Passive Surveillance: a vibrant mix of employees, visitors and residents
- Location in close proximity to Major Transport Hub

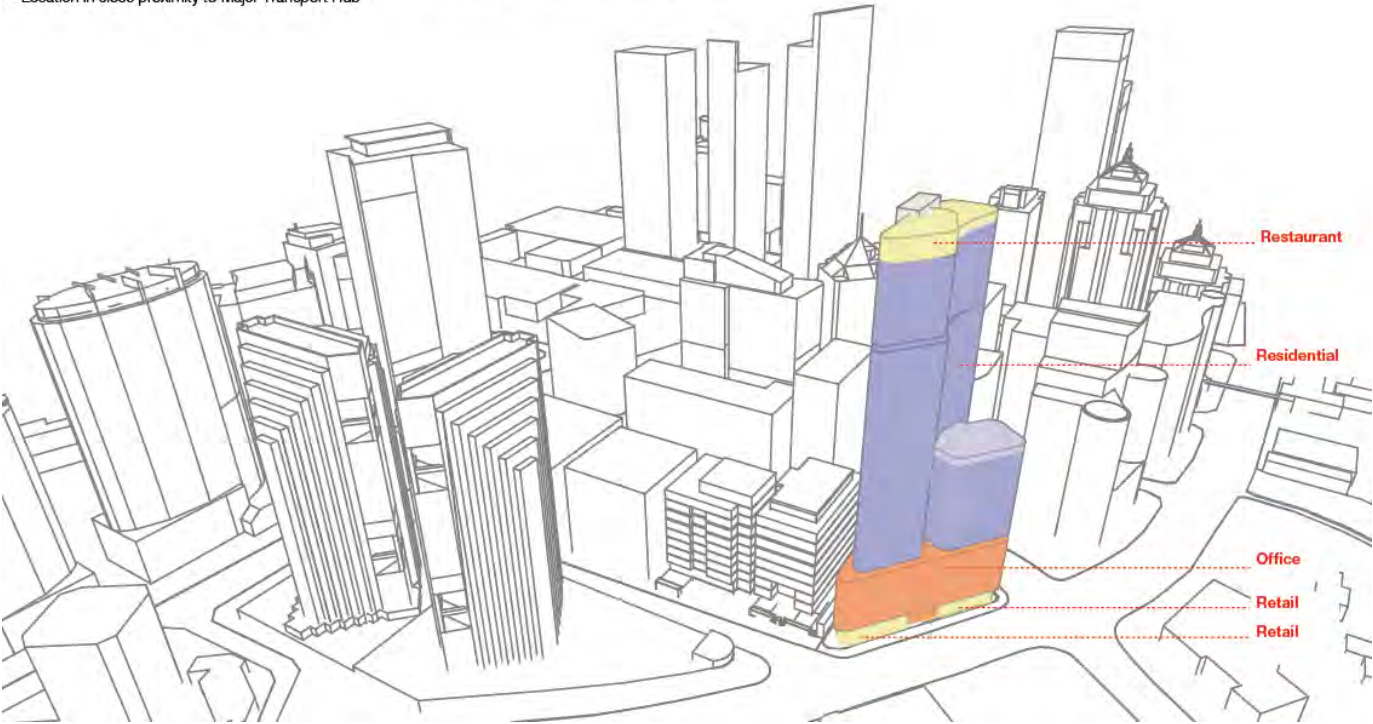


Figure 15: Indicative Concept showing range of land uses (Source: Architectural Design Report, FJMT)

Office and Business Floor Space

The Indicative Concept includes an area of office and business floor space of approximately 7,510m², which equates to 4.5:1 of the total floor space of 17.5:1 in the podium levels as shown in Figure 15. Example of the range and character of commercial spaces is provided in Figure 16.

This quantum of office and business floor space is greater than currently exists on the site and according to the Hill PDA Economic Assessment included at Attachment 2, will generate 491 jobs, an increase of 184 above that currently generated by the existing office building.

Employment Uses - Commercial Use

Commercial Podium



- New Model for flexible commercial development
- Hybrid Building with Shared and Community Facilities
- Collaborative Environment for Creative Industries and Start Ups

Figure 16: Examples of commercial uses (Source: Architectural Design Report, FJMT)

Retail Floor Space

The Indicative Concept includes two (2) areas of retail floor space totalling approximately 1,500m², which equates to 0.86:1 of the total floor space of 17.5:1 in the podium level and the rooftop restaurant as shown in Figure 15.

This quantum of retail floor space is greater than currently exists on the site and according to the Hill PDA Economic Assessment included at Attachment 2, will generate 55 jobs, an increase above that currently generated by the existing office building.

Employment Uses - Retail Ground Floor Plane

Active Retail Street Frontages - Materiality



- Flagship retail to Pacific Highway and Help Street

Figure 17: Examples of retail uses (Source: Architectural Design Report, FJMT)

A key component of the Planning Proposal is the introduction of an active street frontage along the Pacific Highway frontage, and an increase in the floor space of individual retail premises to enable large flagship retail to locate on the site.

Employment Uses - Retail Ground Floor Plane

Active Retail Street Frontages & Through Site Link



Figure 18: Active Street Frontages (Source: Architectural Design Report, FJMT)

The Planning Proposal and future redevelopment of the site can also facilitate a new through-site laneway link between Help Street and McIntosh Street. This laneway link is not identified in the Active Street Frontages Map, however the Architectural Design Report demonstrates the benefits for the site, and the locality, of providing a through site link including:

- Opportunity to provide smaller scale retail (including food & drink premises) to provide facilities and service local workers; and
- Provide a pedestrian link that improves the connections north and south of the site; and
- Provides a pedestrian friendly area and the opportunity for the display of public art installations.

Employment Uses - Retail Ground Floor Plane
Active Retail Street Frontages - Through Site Link, Laneway Activation



- Small scale retail and cafes activating Through-Site Link

Figure 19: Through Site Link Laneway Activation (Source: Architectural Design Report, FJMT)

Employment Uses - Retail Ground Floor Plane
Active Retail Through Site Link

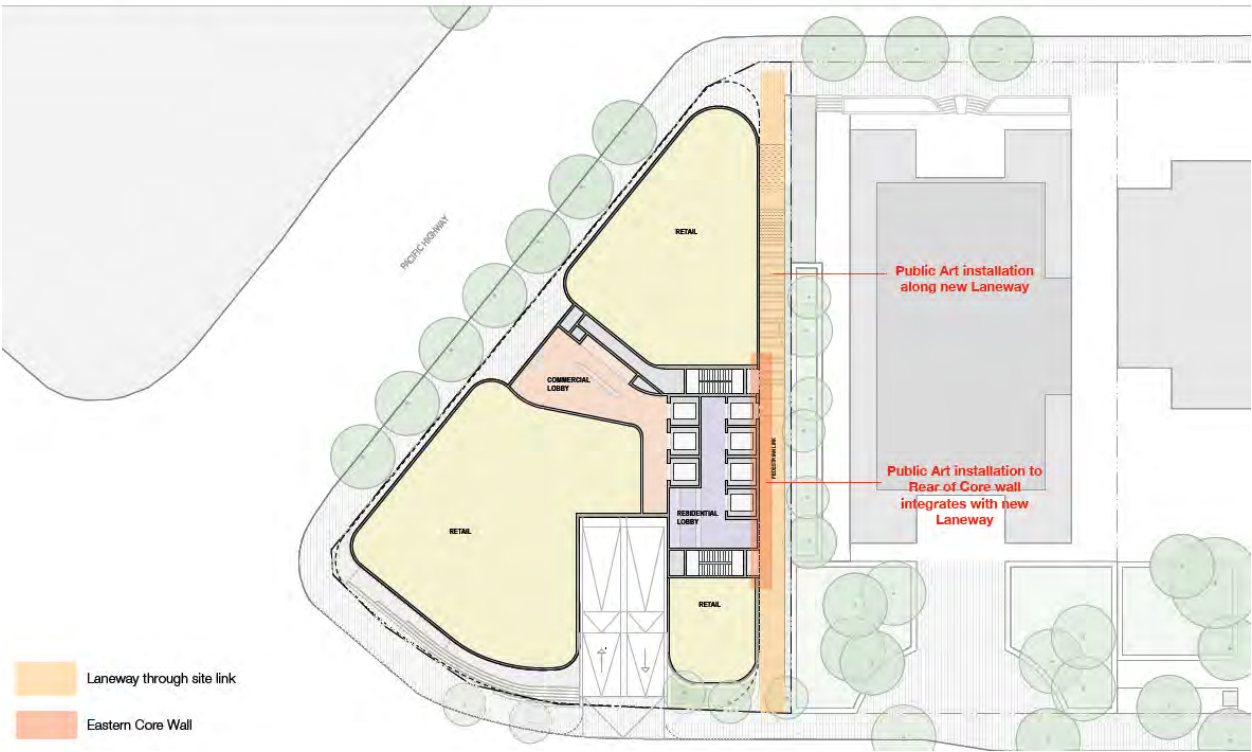


Figure 20: Public Art Integration and Through Site Link (Source: Architectural Design Report, FJMT)

Employment Uses - Retail Ground Floor Plane
Public Art- Through Site Link & Building Core Wall



-Art to activate link and building into Chatswood Art Walk

Figure 21: Public Art Integration (Source: Architectural Design Report, FJMT)

The Architectural Design Report demonstrates the opportunity to provide an iconic rooftop restaurant which would have expansive views to the Sydney CBD and bushland area of the Lane Cove River.

Employment Uses - Restaurant
Iconic Rooftop Restaurant- Views



Figure 22: Iconic Rooftop Restaurant Views (Source: Architectural Design Report, FJMT)

Employment Uses - Restaurant

Iconic Rooftop Restaurant & Terrace - Ambience



Figure 23: Iconic Rooftop Restaurant Character (Source: Architectural Design Report, FJMT)

Residential (Shop Top Housing) Floor Space and Communal Outdoor Space

The Architectural Design Report includes an area of residential (shop top housing) floor space of approximately 20,000m², which equates to 12:1 of the total floor space of 17.5:1 in the tower levels as shown in Figure 25. Also included in the tower element is an area of shared community facilities. The proposed residential floor space is estimated generate approximately 200 dwellings with a range of dwelling sizes.

Housing Uses - Shop Top Housing

Shop Top Housing / Residential Tower - Character

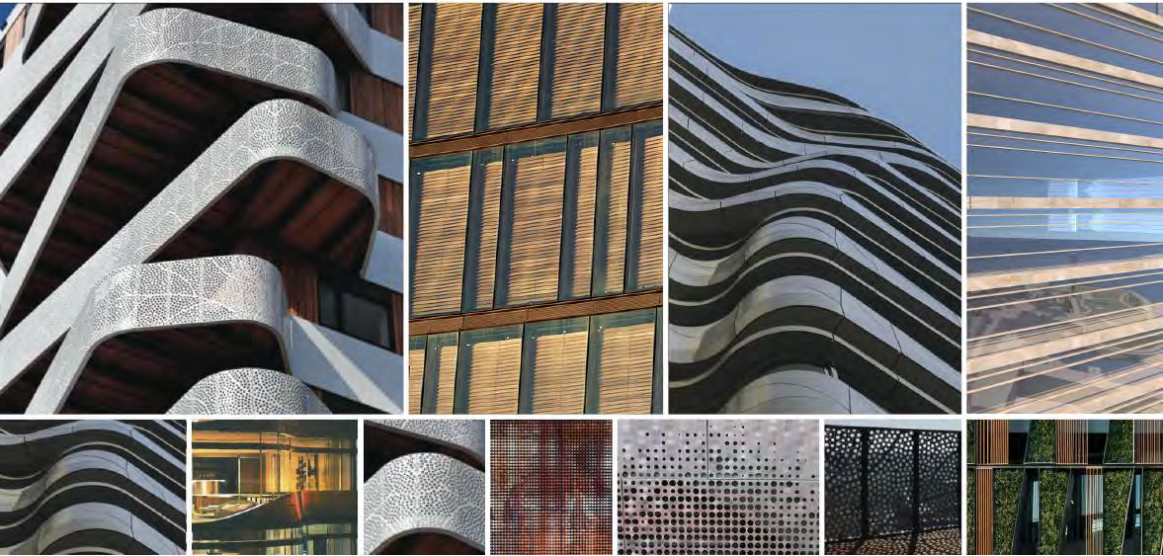


Figure 24: Residential Tower Character Examples (Source: Architectural Design Report, FJMT)

Housing Uses - Residential community spaces

Shared & Community Facilities integrated in Residential

- Community Meeting & Study Rooms
- IT Facilities
- Music Room
- Gym & Fitness
- Outdoor Garden Terrace

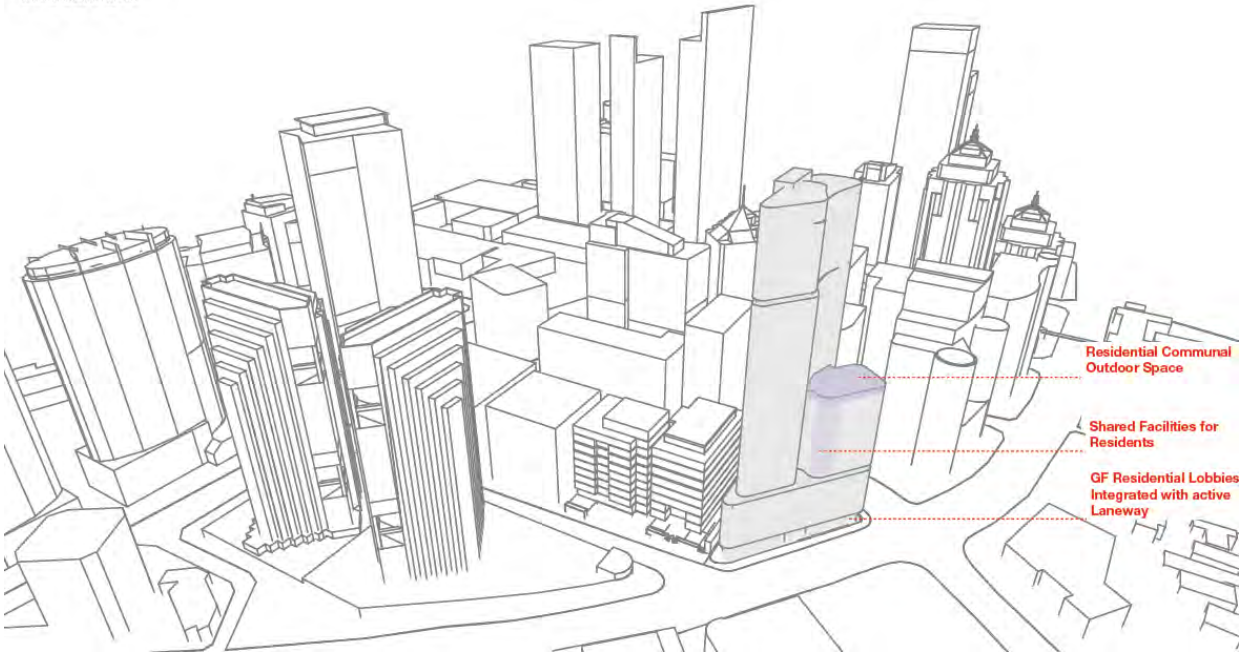


Figure 25: Shared and Community Facilities (Source: Architectural Design Report, FJMT)

Residential Uses - Residential community spaces

Shared & Community Facilities integrated in Residential



- Creative Hubs & Community Meeting Rooms
- I.T. Facilities
- Communal Facilities - music room, study space, gym

Figure 26: Shared Community Facilities Character Examples (Source: Architectural Design Report, FJMT)

Car Parking

- 349 car parking spaces.

4.4 Existing and Future Development

A comparison of the existing building and the existing controls in the WLEP 2012 which would apply to any future redevelopment is provided in Table 1 below and shown in Figures 27 and 28.

Current Building		Future Building	
		Under Existing Controls	Under Planning Proposal
Land Uses	Commercial office space	Commercial land uses (including business and office premises) and retail development (restricted to gross floor area of 100m ² for a shop)	Commercial land uses (including business, office and retail premises) and residential (shop top housing).
Height	13 storeys. Estimated to be approximately 50 metres	60 metres (approximately 13 storeys)	130 metres
Floor Space Ratio	Estimated to be between 4:1 – 4.5:1	Maximum FSR of 5:1 (or 8,285m ²)	Maximum FSR 17.5:1 Minimum non-residential gross floor area of 9,000m ² Maximum shop-top housing FSR of 12:1
Active Street Frontage	In part along Pacific Highway	Active street frontage only along Help Street	Active street frontage along all street boundaries (Help Street and Pacific Highway)
Building Features	Limited options with current building towards end of economic cycle	No opportunity for feature rooftop restaurant	Additional height and floor space provides for an integrated mixed building with range of features

Table 1: Comparison of existing controls applying to future development

Existing Building

Aerial Views within existing context

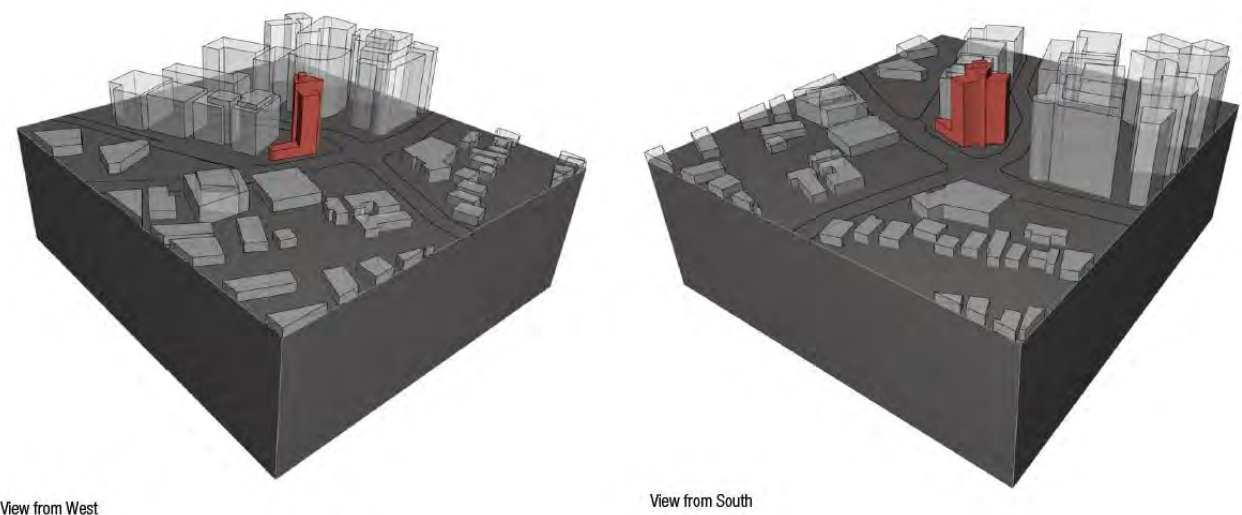


Figure 27: Existing Commercial Building (Source: Architectural Design Report, FJMT)

Permissible Massing



Site Area: 1657m²
Current Permissible FSR: 5:1
Current Maximum Height: 60m

= Approx. 6600m² GFA available on site

Figure 28: Current Height and FSR Controls (Source: Architectural Design Report, FJMT)



Figure 29: Indicative Design (Source: Architectural Design Report, FJMT)

4.5 Justification (Part 3)

This section addresses the need for the local environmental plan, identifies the background studies undertaken, why the Planning Proposal is the best approach and what the community benefits will be.

4.5.1 Section A – Need for the Planning Proposal

Is the planning proposal a result of any strategic study or report?

The Planning Proposal itself has not been the result of any wider specific strategic study or report. Detailed urban design and indicative concept, transport and economic analysis are included with the Planning Proposal.

Urban Design/Architectural

As considered above, an Architectural Design Report for the site has been prepared by FJMT and is included in Attachment 1. Section 4.3.1 considered the following components of the Architectural Design Report in the description of the Planning Proposal, including:

- Building form and massing, demonstrating the proposed changes in height and FSR;
- Potential range of land uses within the building;
- Extent of the area of active street frontage; and
- Existing site plan including urban context, relationship between surrounding sites and area.

Building Height

An analysis of the proposed building height in relation to surrounding buildings in the Chatswood City Centre has been undertaken during the preparation of the Architectural Design Report for the site. Also included is an analysis of the potential shadow impact on sensitive uses, including Chatswood Public School.

Height

Streetwall Scale along Pacific Highway

- Lower tower addresses the streetwall height along the Pacific highway created by the neighbouring residential buildings

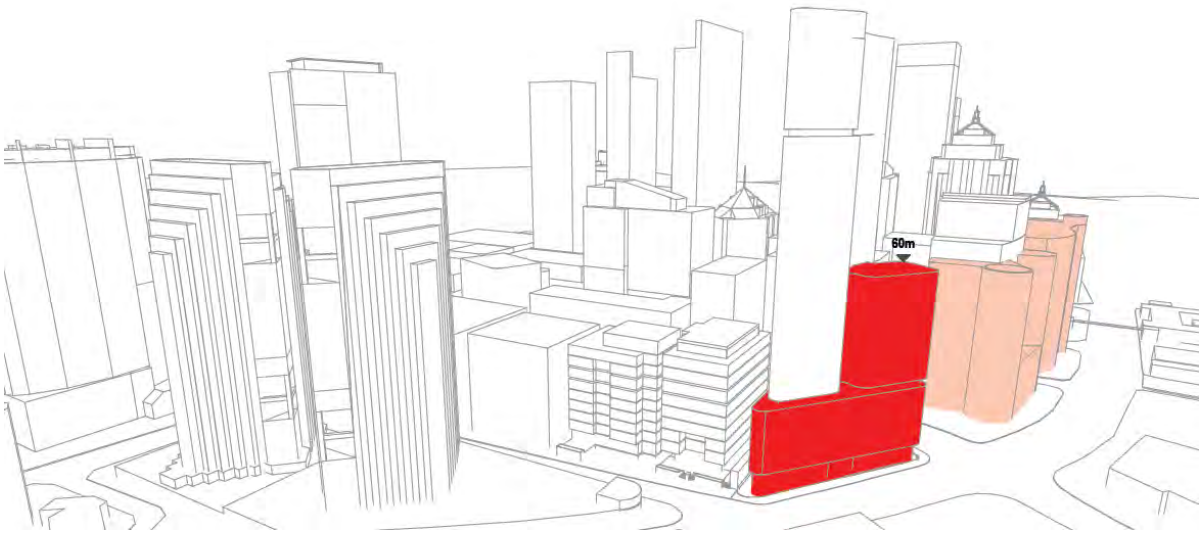


Figure 30: Street scale along Pacific Highway (Source: Architectural Design Report, FJMT)

Height

Tower Forms

- Overall height relates to the significant towers throughout the Chatswood CBD

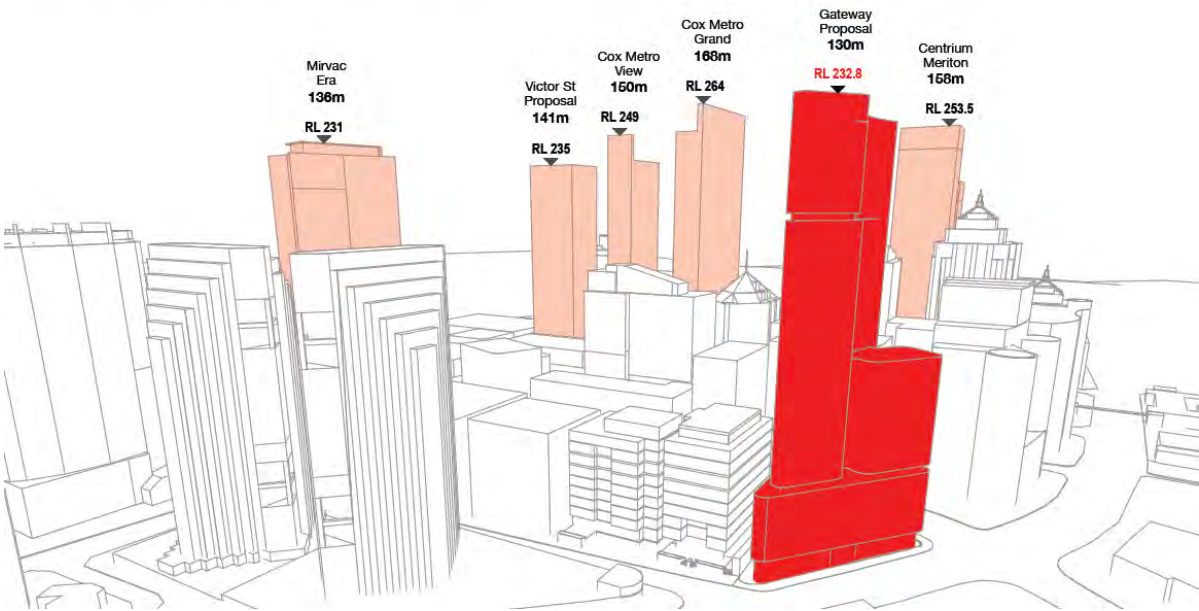


Figure 31: Height of surrounding significant tower forms

Height

Pacific Highway Elevation

- Relative Building heights showing scale of proposed tower relative to existing and proposed towers in Chatswood CBD
- Height vital to create iconic, gateway building

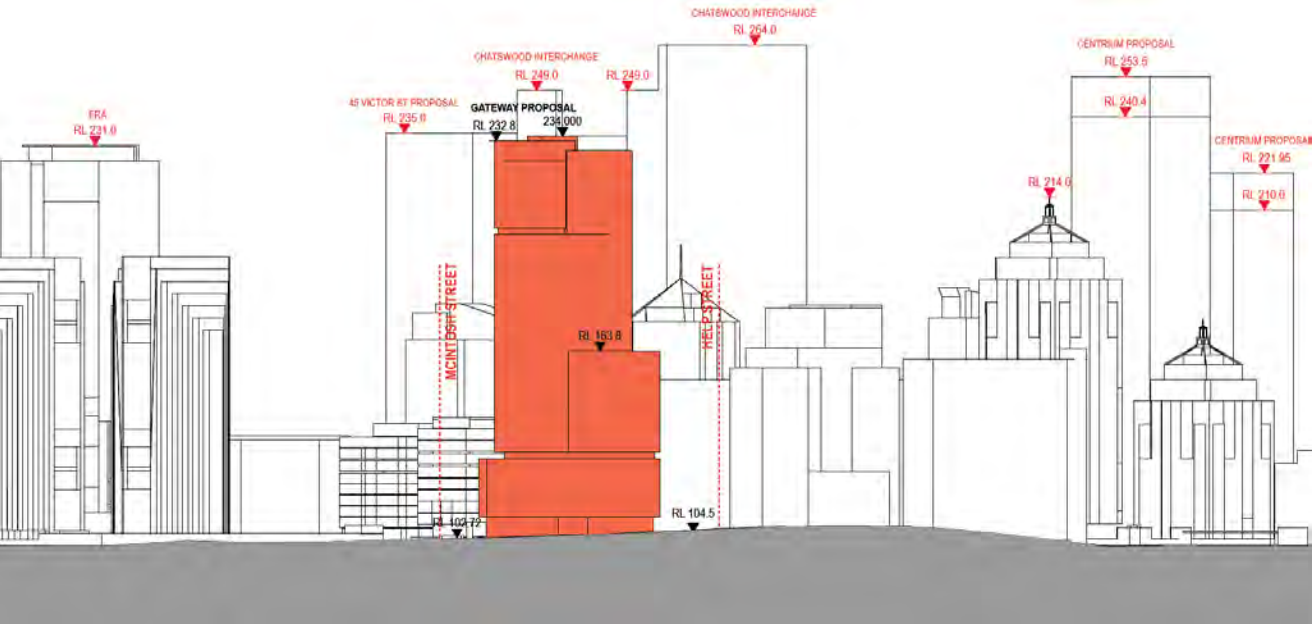


Figure 32: Scale of proposed tower relative to existing and proposed towers in Chatswood CBD (Source: Architectural Design Report, FJMT)

Height

Cross Section of Chatswood

- Relative Building heights showing scale of proposed tower relative to existing and proposed towers in Chatswood CBD
- Building steps down towards Pacific Highway

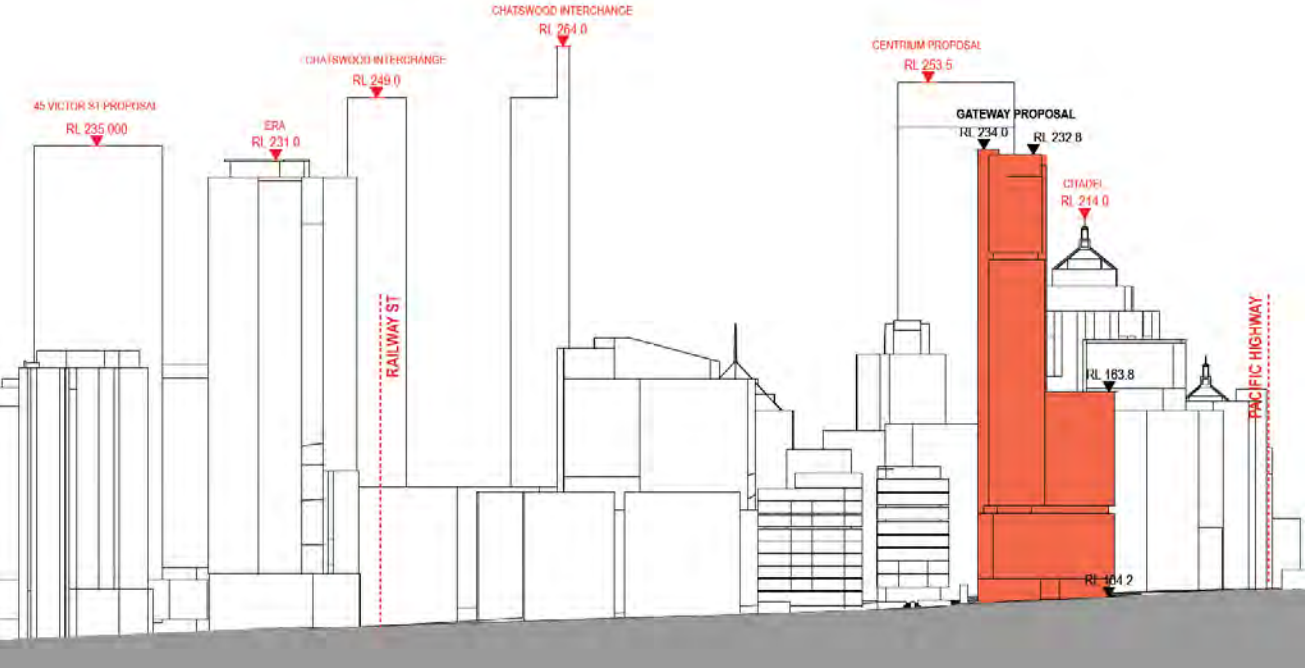


Figure 33: Relative building heights of proposed tower and existing and proposed towers in Chatswood CBD

Overshadowing

Detailed shadow analysis has informed the height and density included in the proposal. The built form and height has been carefully modelled so as to ensure there is no unacceptable impact, particularly on sensitive land uses such as the Chatswood Public School and the low density residential area to the west of the Pacific Highway.

Shadow analysis prepared by Project Surveyors is included at Attachment 3, with extract in Figures 34 to 44 below.

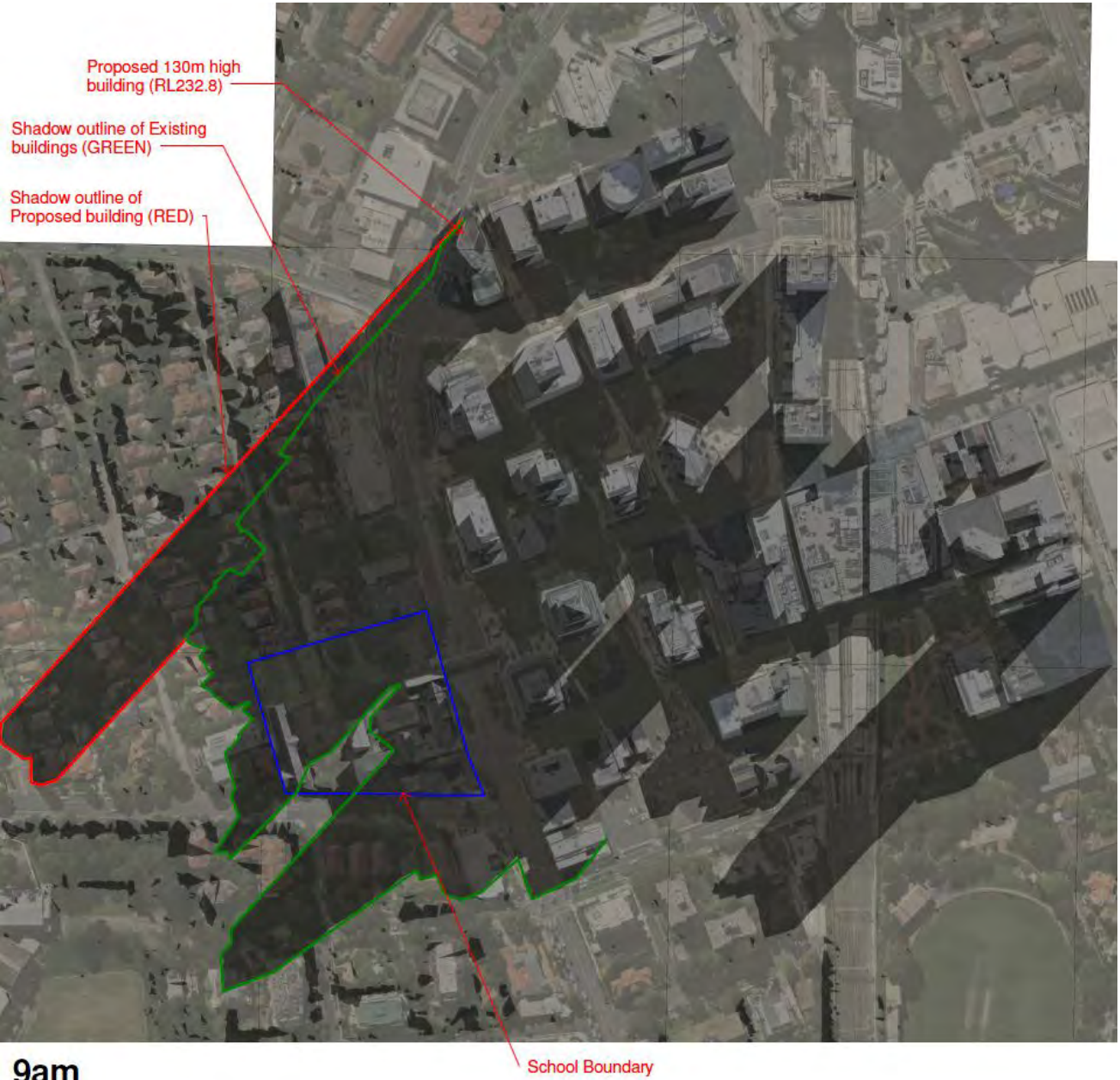


Figure 34: Solar study 9am (Source: Solar Study, FJMT)

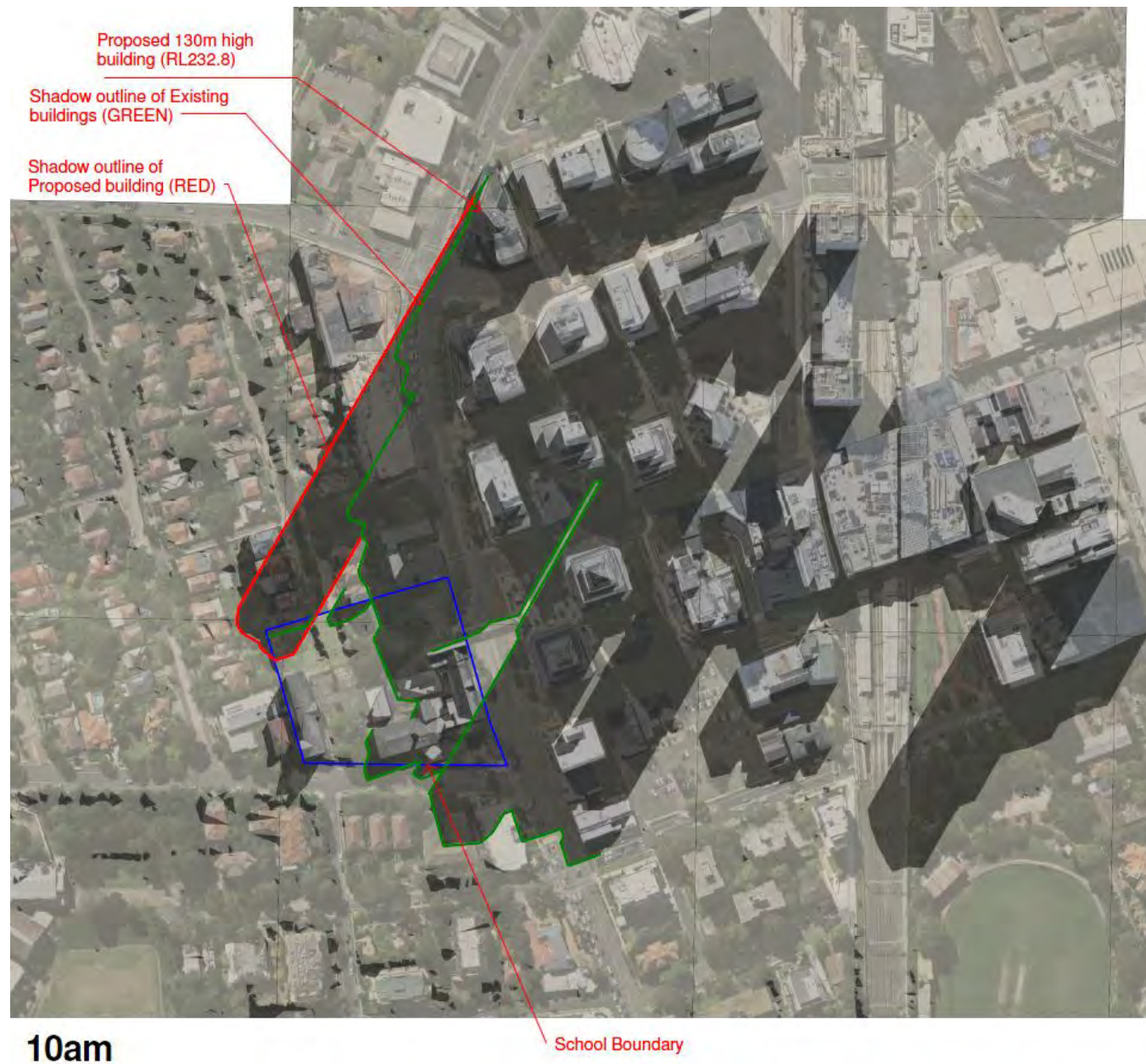


Figure 35: Solar study 10am (Source: Solar Study, FJMT)

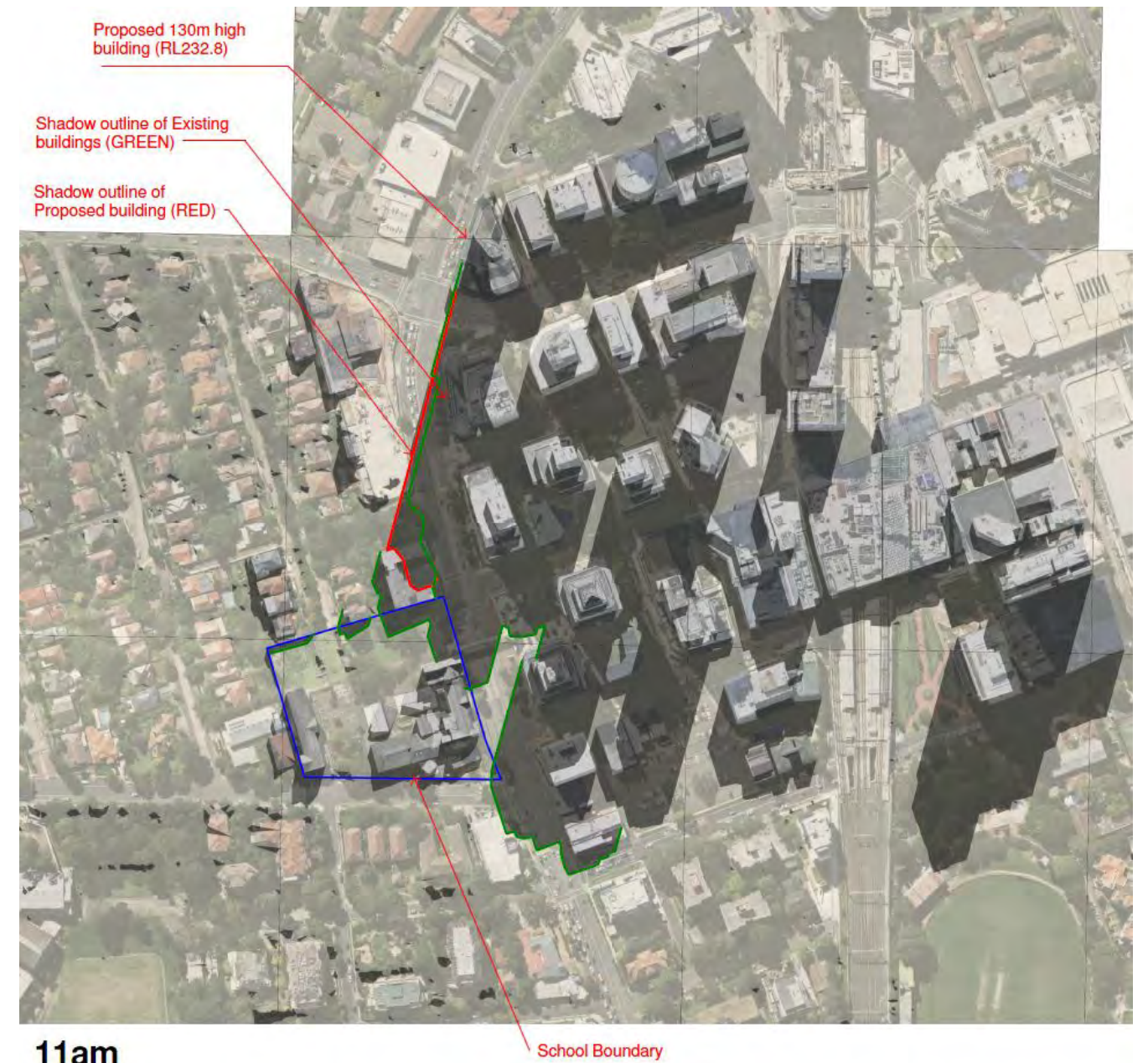


Figure 36: Solar study 11am (Source: Solar Study, FJMT)

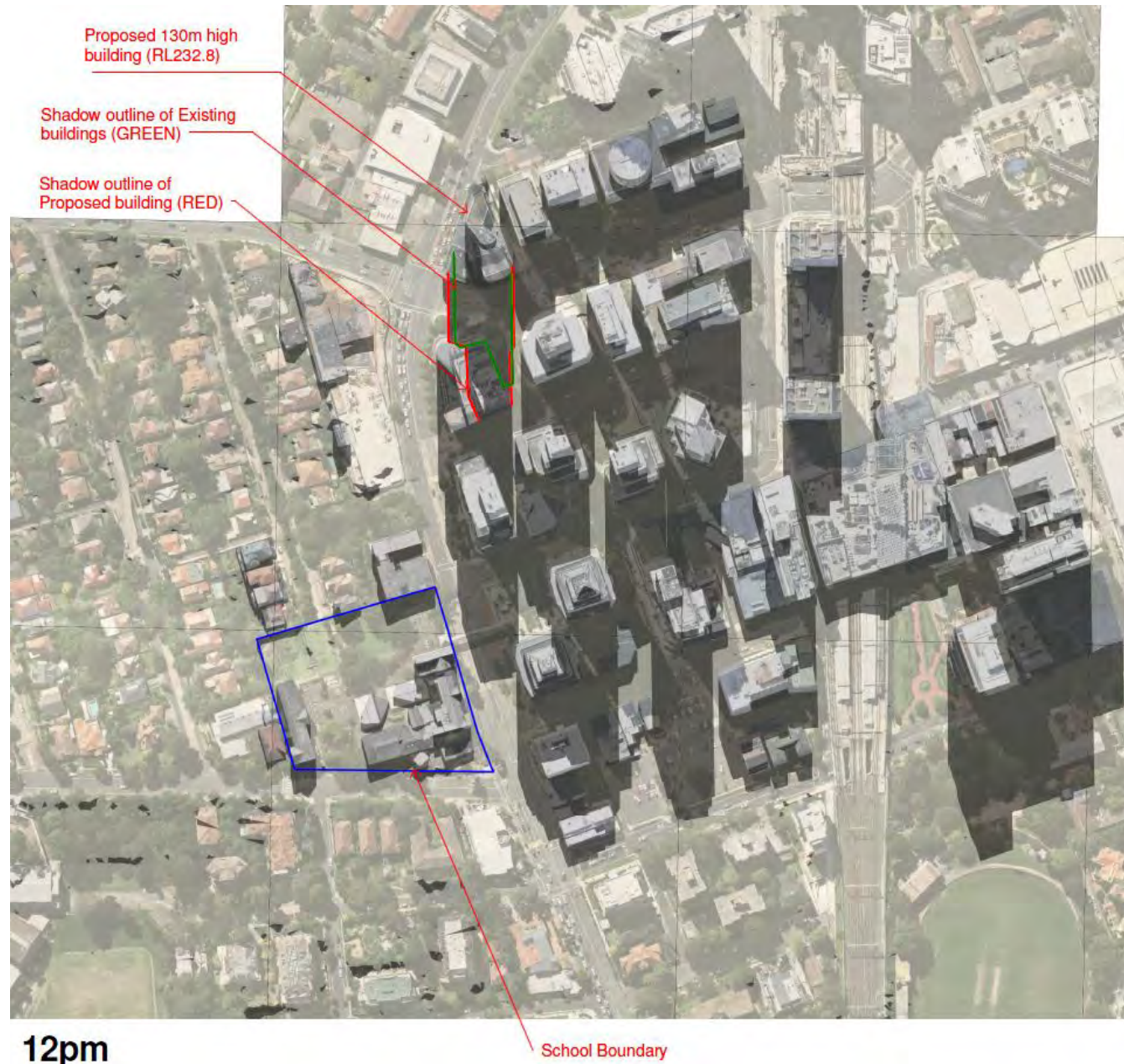


Figure 37: Solar study 12pm (Source: Solar Study, FJMT)



Figure 38: Solar study 1pm (Source: Solar Study, FJMT)



Figure 39: Solar study 2pm (Source: Solar Study, FJMT)



Figure 40: Solar study 3pm (Source: Solar Study, FJMT)

Additional Shadow on school from Proposed building.

School Boundary



9.45am

Figure 41: Solar study 9.45am (Source: Solar Study, FJMT)

Additional Shadow on school from Proposed building.

School Boundary



10.00am

Figure 42: Solar study 10am (Source: Solar Study, FJMT)

Additional Shadow on school from Proposed building.

School Boundary



10.15am

Figure 43: Solar study 10.15am (Source: Solar Study, FJMT)

Additional Shadow on school from Proposed building.

School Boundary



10.30am

Figure 44: Solar study 10.30am (Source: Solar Study, FJMT)

SEPP 65 and Residential Flat Design Code

FJMT have included a preliminary analysis of the performance of the residential component of the mixed use building in the Architectural Design Report at Attachment 1. The details are also shown below in Figures 45 and 46 below.

SEPP 65
Cross Ventilation Opportunities



Figure 45: Cross Ventilation Opportunities (Source: Architectural Design Report, FJMT)

SEPP 65
Winter Solstice Sun Angles

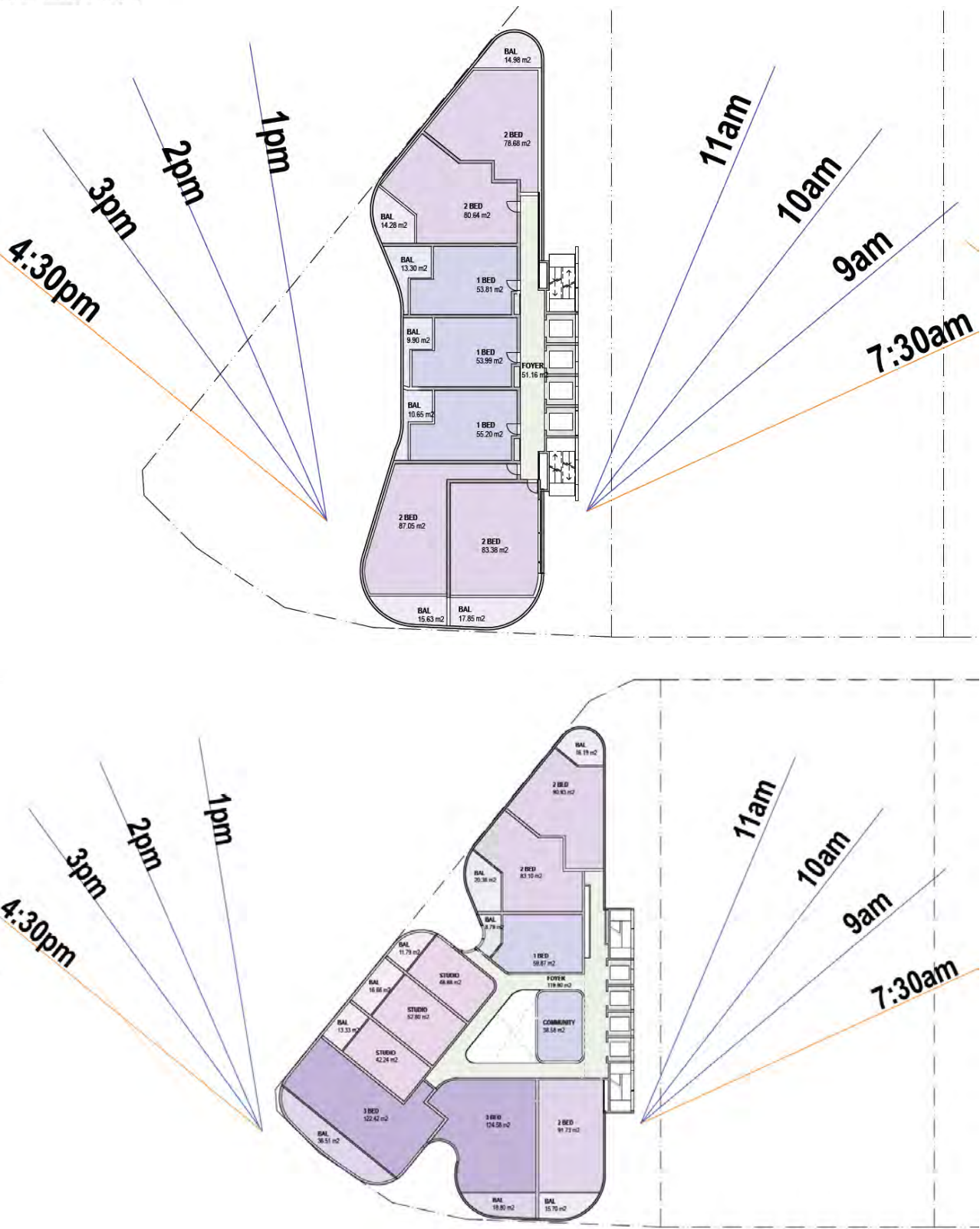


Figure 46: Winter Solstice Sun Angles (Source: Architectural Design Report, FJMT)

Economic

An Economic Assessment has been prepared by Hill PDA and is included at Attachment 2. The Hill PDA report comments that the difficulty in Chatswood is making the development of office space feasible. With face rents around \$450/m², incentives around 25% and yields around 8.5% it's hasn't been viable, and still not viable, to replace old C-grade commercial space (the existing building) with new A-grade space regardless of allowable densities. As a result, the Chatswood prime office precinct had seen little redevelopment activity over the past 10 to 15 years.

The Hill PDA concludes that the inclusion of the residential (shop-top housing) component is necessary to ensure development feasibility. Redevelopment for commercial purposes only is highly improbable in the foreseeable future because it is not viable.

The report also considers the economic benefits of the proposed redevelopment of the existing commercial building to the controls proposed in the Planning Proposal. The report considers the economic benefits for the local area, with particular focus on the employment uses.

The Economic Assessment concludes that the Planning Proposal will result in the order of 251 additional jobs, with an estimated total of 561, and a GDP contribution of \$44M per year, an increase of \$20M. The Proposal will have major employment and economic benefits.

Transport and Traffic

The Transport Impact Assessment report prepared by GTA Consultants and included at Attachment 4 indicates that the scale of development generates the need for a minimum of 314 parking spaces, based on the Willoughby Development Control Plan – Part C General Development Guidelines. The indicative concept prepared by FJMT includes 349 spaces, thereby more than meeting the Council's car parking requirements.

The GTA Consultants report confirms that the design is capable of accommodating all necessary accessible parking, motorcycle and bicycle parking plus servicing and loading requirements.

With regard to vehicular access in Help Street, the GTA report confirms that the proposed driveway arrangements represent a significant improvement to the existing arrangements due to the reduced width of the driveway and the associated pedestrian crossing of the driveway. The driveway design with compliant grades and sight lines will also significantly improve the vehicle/pedestrian interaction at the driveway compared with the existing conditions.

With regard to traffic impacts, the GTA report notes that the proposed development is anticipated to generate an additional 12 vehicle movements in a weekday morning peak and 40 vehicle movements in a weekday afternoon peak and that this equates to less than one (1) additional vehicle movement per minute. The additional traffic generated by the Planning Proposal could not be expected to compromise the safety or function of the surrounding road network. Overall the surrounding intersections would continue to operate at the same levels of service when compared with existing conditions.

The Transport Impact Assessment report highlights the well-connected pedestrian network available to the site and the close proximity to Chatswood Interchange providing rail and bus services. The report notes that this connection to public transport renders the site as an appropriate mixed use site with opportunities to achieve the Council's broader transport objectives and reduced private vehicle travel.

Heritage

As noted above, the site is not a heritage item nor located within a heritage conservation area. The nearest heritage item is the Chatswood Public School located approximately 300 metres away on the opposite side of the Pacific Highway. The shadow analysis included with the Proposal confirms that there is no unacceptable impact on the heritage item.

A heritage impact assessment is therefore not required.

Flora and Fauna

The site is located within the established commercial core area of Chatswood that is currently developed for a 13 storey commercial building. In this instance, an investigation into the impact on flora and fauna is not considered necessary.

Summary

The Planning Proposal process is the most appropriate means to apply planning controls to the parcel of land that is a key gateway site to the western side of the Chatswood City Centre.

Maintaining the current planning controls for the site will be to ignore the economic challenges of achieving a viable redevelopment of the site. Within the Chatswood City Centre, a feasible redevelopment that will achieve employment outcomes, also requires a significant residential component.

The Planning Proposal process would deliver revised planning controls for the site while also responding (and being consistent with) the broader strategic issues of the Metropolitan Strategy – A Plan for Growing Sydney (December 2014), and the North Subregion priorities.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes?

The Planning Proposal is considered the best option as it will allow the redevelopment of the site in a manner that is compatible with the objectives of the B3 Commercial Core zone while providing residential accommodation in a well located site on the western extent of the Chatswood City Centre.

The proposed amendment to the WLEP 2012 Schedule 1 *Additional permitted uses*, allowing for 'shop-top housing' as an additional use on the site is the best means of achieving the intended outcomes as:

- The site will retain its B3 Commercial Core zoning, consistent with the surrounding land and providing a defined edge for the western side of the Chatswood City Centre;
- All land uses permissible in the B3 Commercial Core zone will be retained, and with the increase in height and floor space ratio, the amount of commercial (employment) floor space can be provided as well as residential accommodation;
- The Schedule 1 "32 Use of certain land at Chatswood in Zone B3" already includes provisions which allow for "shop-top housing" as an Additional Use; the site would therefore be added to the existing seven (7) sites, five (5) of which are located to the west of the North Shore Rail Line and in close proximity to the subject site; and
- Large format retail at ground level rather than shops restricted to 100m² will allow a prominent retail use of the Pacific Highway and add ground level activity to the gateway status of the site.

The proposed change to the Height of Buildings Map, increasing the maximum building height from 60 metres to 130 metres has been considered in the context of existing and recently approved and constructed buildings in the Chatswood City Centre. This analysis of comparative and compatible height is included in detail in the FJMT document at Attachment 1.

The proposed increase in the maximum floor space ratio from 5:1 to 17.5 has also been considered in terms of the scale and density of development existing, approved and recently constructed in the Chatswood City Centre. The scale of the built environment in Chatswood City Centre is undergoing change as a result of recent buildings erected and the scale, height and density of development that will result from the amended provisions included in the Planning Proposal will be consistent with the recent changes.

Net Public Benefit

The Planning Proposal will result in a net public benefit and serve the public interest by facilitating a feasible and well balanced mixed use development that will consist of commercial and retail space and housing within the Chatswood City Centre in close proximity to services and high quality public transport.

The existing commercial building on the site is towards the end of its economic cycle, provides lower grade commercial office space and occupies roughly the amount of commercial floor space that is permissible under the planning controls. There is no opportunity or incentive to significantly invest in the future of the site and deliver a contemporary and revitalised development at the same time as deriving any public benefits.

The proposal will provide opportunities for significant urban design improvements, particularly at the ground floor frontage to the Pacific Highway, Help Street and McIntosh Street, including a through site link and laneway style retail uses. Redevelopment of the site consistent with the proposed planning controls will result in economic benefits and increased vibrancy for the broader Chatswood City Centre, as well as contribute to strengthening links between the western edge of the City Centre and the retail and transport core.

The site is ideally located to deliver increased employment and housing outcomes within an identified Major Centre and in close proximity to a major public transport hub.

The proposed redevelopment of the site will improve investor and public confidence in the Chatswood City Centre, particularly with such a significant revitalisation of the western edge of the area.

Achieving employment and housing outcomes in the strategic location will provide a significant net public benefit.

4.5.2 Section B – Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Metropolitan Strategy – A Plan for Growing Sydney

On 14 December 2014 the NSW Minister for Planning released the new Metropolitan Strategy – A Plan for Growing Sydney.

A Plan for Growing Sydney is the NSW Government’s plan to achieve growth in employment and housing and develop a competitive economy with world-class services and transport; to deliver greater housing choice to changing needs and lifestyles; to create communities that have a strong sense of wellbeing; and to safeguard the natural environment.

Some of the Plan’s key actions include:

- Shifting the city’s gravity from east to west by establishing Parramatta as a major CBD, alongside the Sydney CBD, for jobs and world-class shopping and entertainment;
- Creating vibrant new neighbourhoods with access to local jobs and first-class local amenities by renewing the area between Greater Parramatta and the Olympic Peninsula;
- Delivering the Sydney Green Grid project to link open space across the Greater Metropolitan area; and
- Transforming Western Sydney by delivering more jobs closer to home, including confirming Penrith, Campbelltown and Liverpool as Regional City Centres.

The Metropolitan area is divided into sub-regions, with the Local Government Area of Willoughby and the location of Chatswood included in the North Subregion. Chatswood is nominated as a Strategic Centre. Strategic Centres are defined as:

Locations that currently or are planned to have least 10,000 jobs. These are priority locations for employment, retail, housing, services and mixed-uses.

The identified priority for the strategic centre of Chatswood is:

Work with council to provide capacity for additional mixed-use development in Chatswood including offices, retail, services and housing.

The Metropolitan Strategy includes a range of key directions, including:

Direction 1.7: Grow strategic centres - providing more jobs closer to home

The Planning Proposal retains the B3 Commercial Core zoning and the employment generating land uses permissible (with consent) under the zoning and is consistent with the Direction in the Metropolitan Strategy in relation to the strategic centre of Chatswood. The Planning Proposal will increase the maximum amount of employment generating floor space permissible on the site under the range of B3 Commercial Core land uses.

The addition of ‘shop-top housing’ to the land uses permissible on the site, with the increased maximum building height and floor space ratio, will provide for this form of residential accommodation on the site in addition to the non-residential (employment generating) land uses. This also satisfies a number of Directions in the Metropolitan Strategy by providing housing in close proximity to the facilities and services within the Chatswood City Centre and the excellent public transport infrastructure.

Direction 2.1: Accelerate housing supply across Sydney

The Government is working to achieve its target of an additional 664,000 new dwellings by 2031. A Plan for Growing Sydney recognises that the most suitable areas for significant urban renewal are those areas best connected to employment and include strategic centres.

The Planning Proposal is consistent with Direction 2.1.

Direction 3.1: Revitalise existing suburbs

Research has found that focusing new housing within Sydney’s established suburbs brings real benefits to communities and makes good social and economic sense.

This type of development lowers infrastructure costs; reduces the time people spend commuting to work or travelling between places; gives people more time to spend with their families, relaxing and enjoying sport and other activities; and helps people get involved in the local community. Directing new housing to the existing urban area will reduce the impact of development on the environment and protect productive rural land at the urban fringe. It also improves residents’ access to jobs, services and recreation and this will enhance the liveability of the city.

A city which makes it easy for residents to get to jobs, services and recreation is a more attractive place to live. By putting more housing in or near centres on the public transport network, residents can take advantage of the shops, cinemas, cafes, restaurants, and health and education services that are already available. It can make it easier to do everyday activities like shopping, dropping children at school or child care, or visiting the local park on foot or by bicycle, rather than driving several kilometres. Less driving means less traffic, less pollution and people enjoying more exercise. Local businesses benefit from having more customers close by and the wider population benefits from better health outcomes.

Higher density development that is matched by local infrastructure improvements and good design enhances liveability. It allows more people to live close to work and to services, makes the best use of existing infrastructure and provides greater choice in transport around the city.

As noted in comments above, the Planning Proposal will both increase employment outcomes and provide new housing in a strategic centre well serviced by public transport, government and community services and recreational and retail services.

Metropolitan Plan for Sydney 2036

On 16 December 2010, the NSW Government launched the Metropolitan Plan for Sydney 2036 to shape the future growth of Australia’s major global city. The Metropolitan Plan incorporates the Metropolitan Transport Plan and follows a scheduled five (5) year update of the 2005 Metropolitan Strategy. The Plan outlines State Government policy for the future development and growth of the Sydney Region for the next 25 years.

Council is required to have regard to the Metropolitan Plan when preparing a local environmental plan. Specifically, in accordance with Direction 7 (Metropolitan Planning) made by the Minister for Planning under Section 117 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*, the Council is to prepare a LEP that is consistent with “the NSW Government’s Metropolitan Plan for Sydney 2036 published in December 2010”.

The Metropolitan Plan identifies Chatswood as one of the Major Centres which provide for a major shopping and business centre for the district, usually with Council offices, taller office and residential buildings, a large shopping mall and central community facilities. Major Centres also include residential development and other land uses within approximately 1 km radius of the centre.

The Metropolitan Plan contains a number of Objectives and Actions which relate to the type of land uses being encouraged in the Major Centres including:

Strategic Direction B - Growing and Renewing Centres

- *Objective B1 to Focus Activity in Accessible Centres:*
states in relation to housing in centres that the Metropolitan Plan aims to accommodate 80% of Sydney’s new housing within the walking catchments of existing and planned centres. Focusing new housing in and around centres helps to make efficient use of existing infrastructure, increases the diversity of housing supply, allows more trips to be made by public transport and helps strengthen the customer base for local businesses. Combined with other factors such as high quality civic spaces, a diverse range of retail premises and businesses will help to make centres attractive places to live. Locating a greater proportion of dwellings closer to employment and services can also help make the city more liveable and socially inclusive.
- *Objective B2 to Strengthen Major and Specialised Centres to Support Sustainable Growth of the City:*
states that major centres are significant locations for shopping, business and services and play a key role as employment destinations. Their accessibility and amenity makes them appropriate for higher density housing. The Future Direction for Strategic Centres - Chatswood Major Centre are to:
 - Retain the office-based employment focus in a commercial core;
 - Promote mixed use and residential intensification outside the commercial core; and
 - Promote benefits of improvements to public transport accessibility and public domain.

Strategic Direction D – Housing Sydney’s Population

In relation to the appropriate location for housing, the Metropolitan Plan sets as a broad policy approach that:

- All centres would have a minimum level of medium density, with low density reserved for heritage or physically restrained areas; and
- Larger local and Strategic Centres, Major Centres and regional cities are suited to medium-high rise medium-high density, with some low rise medium density in the outer parts of the walking catchment.

Strategic Direction E – Growing Sydney’s Economy

- Objective E2 to focus Sydney’s economic growth and renewal, employment and education in centres: concentrating a wide range of activities, including employment in centres plays a critical role in the functioning of the city and can:

- Improve access to retail, office, health, education, leisure, entertainment and cultural facilities and community and personal services;
- Foster collaboration, healthy competition and innovation among businesses through clustering;
- Better use existing infrastructure;
- Promote sustainable transport and encourage healthier communities; and
- Enable people to carry out more activities in one location.

The Metropolitan Plan identifies Chatswood as having a 2036 long term employment capacity target of 31,000 jobs, an increase of 9,000 jobs from the 2006 base employment figure.

The Planning Proposal retains the B3 Commercial Core zoning and the employment generating land uses permissible (with consent) under the zoning and is consistent with the Directions in the Metropolitan Strategy in relation to employment lands in the Chatswood Major Centre. The Planning Proposal will increase the maximum amount of employment generating floor space permissible on the site under the range of B3 Commercial Core land uses.

The addition of ‘shop-top housing’ to the land uses permissible on the site, with the increased maximum building height and floor space ratio, will provide for this form of residential accommodation on the site in addition to the non-residential (employment generating) land uses. This also satisfies a number of Objectives and Directions in the Metropolitan Strategy by providing housing in close proximity to the facilities and services within the Chatswood City Centre and the excellent public transport infrastructure.

Is the planning proposal consistent with council’s local strategy or other local strategic plan?

The Willoughby City Strategy and the Chatswood Centre Strategy 2008 are the relevant local strategic planning documents.

Willoughby City Strategy 2013-2029

The Willoughby City Strategy is Willoughby Council’s community strategic plan for the future of the City to guide decision making and planning. The strategic directions and goals relevant to the Planning Proposal include:

- Strategic Direction No.3 – Homes
Goal: to be a place with housing that is liveable, sustainable and enhances urban character.
 - The theme for Homes is housing choice, quality and character;
 - Investigate changing demographics of the Willoughby area and review planning controls to encourage new housing types to meet community and intergenerational needs;
 - Facilitate, provide and advocate for affordable housing;
 - Protect employment areas (industrial, commercial land) from incursion by residential development and other uses that affect the long term integrity of those areas;
 - Ensure development can be provided with adequate infrastructure and services;
 - Universally accessible measures into all new housing design; and
 - Encourage quality design and construction.
- Strategic Direction No.4 – Infrastructure
Goal: Transport and Mobility. To manage the transport needs of the community in a sustainable manner by reducing car dependence and promoting public transport use, walking and cycling.
 - Increased use of active and public transport.
- Strategic Direction No.5 – Economic Activity
Goal: Sustainable Business Activity. To maintain and promote the City’s employment opportunities and the range and quality of businesses, industry and services.

- Facilitate business and employment opportunities servicing local and regional needs; and
- Provide development guidelines for business centres to maintain sustainable and high quality architecture and public domain.

Chatswood City Centre Vision and Strategic Plan

The Chatswood City Centre Vision and Strategic Plan identities eight (8) strategies for guiding planning and land use decisions in Chatswood. The Vision for the City Centre is:

“A city within a City, a major player within the greater metropolis – and the nation – with its own community and culture and integrated with the economy, environment and lifestyle of our City. A centre of major retailing, city living, government services and corporate headquarters.”

Vision components for the Chatswood City Centre which are relevant to the Planning Proposal include:

- Be a vibrant and multi-functional business district serving a local and regional role;
- Be recognised as a prestigious office centre for major corporations;
- Provide for city living;
- Be environmentally sustainable;
- Be characterised by buildings, public art and places that integrate with and enhance the positive features of the centre;
- Be characterised by visually interesting buildings and places with a diversity of activity at street level;
- Provide pleasant landscaped areas and public spaces for passive recreation and outdoor eating; and
- Be a centre where residential and commercial uses complement each other.

The Strategies relevant to the Planning Proposal include:

- Encourage innovative and sustainable architectural design and development that is carried out by qualified designers;
- Recognise and especially treat ‘gateways’ or entry sites to Chatswood to clarify and confirm its identity at street level;
- Maintain cross-city view corridors and promote the re-establishment of view lines where possible;
- Maintain visual links to focal points within Chatswood so that pedestrians can easily ‘read where they are’ in the Centre;
- Promote sustainable transport solutions and infrastructure that reduces reliance on private motor vehicles;
- Promote higher density of commercial activity in development at public transport nodes in the Centre;
- Use sites to the potential of their location and their precinct purpose giving certainty of outcome;
- Encourage redevelopment of under-utilised and obsolete development sites;
- Balance the competing demands of residential versus business and employment generating uses;
- Provide for land uses within the precincts of Chatswood (the site is located in the Office Core precinct) that consolidate and reinforce the role of the precincts in the overall structure of the Chatswood City Centre;
- Recognise the focal points of public transport and the gateways to the City Centre that give identity as the start of the Centre;
- Investigate opportunities for expansion of the City Centre for higher density residential development in and around it whilst protecting adjoining low density residential areas and the long term viability of the office and retail core; and

- Allow residential use that supports a safe and accessible City Centre but does not jeopardise the retail or commercial balance to sustain the future of the City Centre.

The Planning Proposal is consistent with the Council’s strategic documents. The commercial/employment core is protected, and in fact enhanced, with additional contemporary commercial floor space and the anticipated creation of additional employment. The inclusion of shop-top housing will complement the commercial use(s) of the site and the ground floor and roof level retail space will provide activity and vitality to the western edge of the Chatswood City Centre.

Achieving the employment and housing outcomes on the site is able to be achieved at the same time as minimising impacts on the low density residential are to the west of the Pacific Highway and surrounding land uses such as Chatswood Public School.

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

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at Appendix 1 to this report.

The consideration of these State Environmental Planning Policies and deemed SEPPs has identified that the Planning Proposal would not conflict with any of these Policies.

Is the planning proposal consistent with applicable Ministerial Directions (S117 Directions)?

The Section117 Directions applicable to the Planning Proposal have been addressed at Appendix 2 of this report. The Planning Proposal is consistent with all relevant Directions as noted in Appendix 2, with detailed consideration given to the following Directions.

Direction 1.1 Business and Industrial Zones

The objectives of Direction 1.1 are to:

- (a) Encourage employment growth in suitable locations;
- (b) Protect employment land in business and industrial zones; and
- (c) Support the viability of identified strategic centres.

Direction 1.1 applies when a Planning Proposal affects land within an existing business zone and requires that the Planning Proposal (in relation to existing business zones) must:

- (a) Give effect to the objectives of the direction (refer above);
- (b) Retain the areas and locations of existing business and industrial zones; and
- (c) Not reduce the total potential floor space area for employment uses and related public services in business zones.

A planning proposal may be inconsistent with the Direction if it can be:

- (a) Justified by a strategy which:
 - (i) Gives consideration to the objective of this direction, and
 - (ii) Identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites); and
 - (iii) Is approved by the Director-General of the Department of Planning and Environment, or
- (b) Justified by a study (prepared in support of the planning proposal) which gives consideration to the objectives of this direction, or
- (c) In accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning and Environment which gives consideration to the objectives of this direction, or
- (d) Of minor significance.

The Planning Proposal is consistent with Direction 1.1 in that it:

- Does not reduce the area of business zoned land in the Chatswood City Centre (retaining the current B3 Commercial Core zoning of the site); and
- Does not reduce the total potential floor space area for employment uses and related public services in the business zone.

Direction 3.1 Residential Zones

The objectives of Direction 3.1 are:

- (a) To encourage a variety of choice of housing types to provide for existing and future housing needs;
- (b) To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and
- (c) To minimise the impact of residential development on the environment and resource lands.

Direction 3.1 applies where a planning proposal will affect land within:

- (a) An existing or proposed residential zone (including the alteration of any existing residential zone boundary); and
- (b) Any other zone in which significant residential development is permitted or proposed to be permitted.

Direction 3.1 states that a planning proposal must include provisions that encourage the provision of housing that will:

- (a) Broaden the choice of building types and locations available in the housing market; and
- (b) Make more efficient use of existing infrastructure and services; and
- (c) Reduce the consumption of land for housing and associated urban development on the urban fringe; and
- (d) Be of good design.

A planning proposal must ensure that the site is adequately services and must not contain provisions which will reduce the permissible residential density of land.

The Planning Proposal is consistent with the Direction.

Direction 3.4 Integrating Land Use and Transport

The objectives of Direction 3.4 are to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) Improving access to housing, jobs and services by walking, cycling and public transport; and
- (b) Increasing the choice of available transport and reducing dependence on cars; and
- (c) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; and
- (d) Supporting the efficient and viable operation of public transport services; and
- (e) Providing for the efficient movement of freight.

The Planning Proposal does not alter the existing B3 Commercial Core zoning for the land, and includes an additional land use ('shop-top housing') which will provide for residential accommodation in addition to the employment floor space, taking advantage of the site's excellent location in relation to services and public transport and satisfying the objectives of Direction 3.4.

Direction 6.3 Site Specific Provisions

The objective of Direction 6.3 is to discourage unnecessarily restrictive site specific planning controls.

The Planning Proposal will allow for an additional use ('shop-top housing') on the site. The Proposal does not alter the clauses containing the development standards for maximum height (clause 4.3) and floor space ratio (clause 4.4) but proposed amendments to the associated maps to increase the height and floor space ratio for the site.

The Planning Proposal does limit the amount of residential floor space through the maximum identified in Schedule 1 Additional Permitted Uses.

Inconsistency with the Direction is considered supportable in this instance as the restriction in Schedule 1 will ensure that the employment generating land uses of the site are protected; a key consideration in the Proposal's consistency with the State Government and Willoughby Council strategic planning documents.

Direction 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Refer discussion in Section 4.4.2 in relation to the Planning Proposal's consistency with the Strategic Directions and Objectives of the Metropolitan Plan for Sydney 2036.

4.5.3 Section C – Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located on urban land within the established Chatswood City Centre and currently contains a 13 storey commercial building with minimal landscaping. Given the urban and modified nature of the site, it is not anticipated that the Planning Proposal will have any adverse environmental effects.

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

The site is not flood prone, nor bush fire prone.

The site has not been the subject of environmental site assessment in regards to potential contamination.

It is acknowledged that development of the site has the potential to overshadow low scale development to the west of the Pacific Highway. Detailed shadow assessment of the potential impacts on Chatswood Public School has determined the maximum acceptable height on the site. The school will be protected from any unacceptable overshadowing as a result of the proposed amendment to the maximum height control. This shadow analysis is included at Attachment 3.

In this regard, there are no hazards that impact the site that would preclude consideration of the Planning Proposal.

How has the planning proposal adequately addressed any social and economic effects?

Social Effects

The above sections of this Planning Proposal demonstrate that the proposed rezoning accords with the relevant strategic planning framework and is likely to result in a net community benefit. There is no unacceptable impact on Chatswood Public School.

Economic Effects

The Economic Assessment concludes that the Planning Proposal will result in the order of 251 additional jobs, with an estimated total of 561, and a GDP contribution of \$44M per year, an increase of \$20M. The Proposal will have major employment and economic benefits, strengthening the global economic corridor.

Additionally, the rezoning will provide increased housing supply and diversity in a location with good access to nearby Chatswood City Centre.

Site Amalgamation

On 13 June 2014, the Applicant’s representatives, including SJB Planning met with Council representatives, including the General Manager. At the meeting, the Council requested that the Applicant consider amalgamating the site with the adjoining office building site to the east. In response, the Applicant’s consultant KWC Capital investigated the circumstances relating to the land ownership and building leases. The investigation confirmed the complexity and length of commercial leases in the adjoining building and the lack of possibility of a site amalgamation in the foreseeable future. The two (2) sites are very unlikely to be available for a site amalgamation and joint redevelopment.

4.5.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The site is located within the established urban area of Chatswood. It is understood that the existing infrastructure in the Chatswood City Centre has the capacity to accommodate development on the site, subject to any necessary expansion and augmentation at the detailed application stage.

The site is in close proximity to major public transport including the Chatswood railway station and bus interchange. The site is in a location where development should be intensified in order to take advantage of such transport availability and the massive public investment that has occurred in recent times in Chatswood.

Any additional community infrastructure generated by the redevelopment of the site would be covered by the s94 developer contributions relevant to future development.

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

This section will be completed following consultation with the State and Commonwealth Public Authorities identified in the Gateway Determination. Discussions with the senior officers at the NSW Department of Education and Communities have confirmed that there is not a current master plan providing direction for the future of the school and that any analysis of impact should be based on the current planning and layout of facilities and open space.

4.6 Mapping (Part 4)

The Planning Proposal proposes amendments to the WLEP 2012 maps including:

- Amendment to the Height of Buildings Map (Sheet HOB_004) to increase the maximum building height on the site to 130 metres;
- The proposed amendment to Clause 4.4A Exceptions to floor space ratio will require identification of the site as a specific “Area” on the FSR map; and
- Amendment to the Active Street Frontages Map (Sheet ASF_004) to apply an active frontage requirement to the Pacific Highway frontage of the site.

4.7 Community Consultation (Part 5)

The Planning Proposal will be placed on public exhibition in accordance with the Gateway Determination directives.

It is anticipated that Council would engage in a high level of consultation for the Planning Proposal and the public exhibition of the Planning Proposal would include:

- Advertising of the Planning Proposal in the Council Column within local circulating newspapers;
- Notification letters sent to relevant State Agencies and other authorities nominated by the Department of Planning and Environment;

- Notification letters sent to adjoining property owners and relevant community groups;
- Notification period would be for a minimum of 28 days (or as specified by the Department of Planning and Environment);
- Advertising and placement of Planning Proposal on Council’s website; and
- Exhibition notice of Planning Proposal displayed at Council’s administration building.

4.8 Project Timeline (Part 6)

The project timeline is to be determined by Council, however a preliminary timeline is outlined in Table 2 below:

Planning Proposal Stage	Timeframe
Assessment of Planning Proposal by Council and preparation of report to a Council Meeting	November-December 2014
Anticipated Commencement Date (date of Gateway Determination).	February-March 2015
Anticipated timeframe for completion of required technical information.	May 2015
Commencement and completion dates for public exhibition period.	June-July 2015
Timeframe for Government Agency consultation.	June-July 2015
Timeframe for condition of a proposal post exhibition.	September 2015
Council Meeting.	September 2015
Submission to the Department to finalise the LEP.	October 2015

Table 2: Preliminary timeline

5.0 Conclusions and Recommendations

This Planning Proposal has been prepared for Linfield Developments Pty Ltd, on behalf of the owner of 815 Pacific Highway, Chatswood ('the site') and seeks to:

- Include 'shop top housing' as an additional permissible land use for 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 active street frontage to the Pacific Highway side of the site; and
- Permit retail space on the ground floor in excess of the currently restricted 100m² per shop.

The existing commercial building on the site is towards the end of its economic cycle, provides lower grade commercial office space and occupies roughly the amount of commercial floor space that is permissible under the planning controls. There is no opportunity or incentive to significantly invest in the future of the site and deliver a contemporary and revitalised development at the same time as deriving any public benefits.

The Planning Proposal is consistent with the local and State strategic documents and directions for Chatswood City Centre. The commercial/employment core is protected, and in fact enhanced, with additional contemporary commercial floor space and the anticipated creation of additional employment. The inclusion of shop-top housing will complement the commercial use(s) of the site and the ground floor and roof level retail space will provide activity and vitality to the western edge of the Chatswood City Centre.

Achieving the employment and housing outcomes on the site is able to be achieved at the same time as minimising impacts on the low density residential area to the west of the Pacific Highway and surrounding land uses such as Chatswood Public School.

The Economic Assessment concludes that the Planning Proposal will result in the order of 251 additional jobs, with an estimated total of 561, and a GDP contribution of \$44M per year, an increase of \$20M. The Planning Proposal will have major employment and economic benefits.

The proposal will provide opportunities for significant urban design improvements, particularly at the ground floor frontage to the Pacific Highway, Help Street and McIntosh Street, including a through site link and laneway style retail uses. Redevelopment of the site consistent with the proposed planning controls will result in economic benefits and increased vibrancy for the broader Chatswood City Centre, as well as contribute to strengthening links between the western edge of the City Centre and the retail and transport core.

The site is ideally located to deliver increased employment and housing outcomes within an identified Major Centre and in close proximity to a major public transport hub. Achieving employment and housing outcomes in the strategic location will provide a net public benefit.

It is recommended that arising from the consideration of this Planning Proposal that Willoughby City Council resolve to support the intention of the Planning Proposal to amend the WLEP 2012 in the following way:

- Amend Schedule 1 Additional Permitted Uses to permit with development consent 'shop top housing' on the site;
- Amend the Height of Building Map to show a maximum building height of 130 metres over the site;

- Amend Clause 4.4A Exceptions to floor space ratio to allow maximum floor space ratio of 17.5:1 and a maximum FSR for shop-top housing of 12:1;
- Amend the Active Street Frontages Map to identify the whole frontage to the Pacific Highway; and
- Amend the provisions of Clause 6.12 as they apply to the site so to allow retail space on the ground floor in excess of the currently restricted 100m² per shop.



Appendices

Appendix 1: Consistency against State Environmental Planning Policies

Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
SEPP (Western Sydney Parklands) 2009	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Western Sydney Employment Area) 2009	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Urban Renewal) 2010	N/A	The site is not identified as a “potential precinct” and therefore the SEPP does not apply.
SEPP (Three Ports) 2013	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Sydney Region Growth Centres) 2006	N/A	The site is not within the Growth Centre Boundaries.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	The site is not within the Sydney drinking water catchment.
SEPP (State and Regional Development) 2011	N/A	The site is not identified as a State significant development – identified site.
SEPP (SEPP 53 Transitional Provisions) 2011	N/A	SEPP only applies to Ku-ring-gai LGA.
SEPP (Rural Lands) 2008	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Penrith Lakes Scheme) 1989	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	Policy applies to miscellaneous provisions including the erection and use of temporary structures and certain types of subdivision. The Planning Proposal is not inconsistent with the SEPP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP (Major Development) 2005	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Development on Kurnell Peninsula) 2005	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A	The provisions of this SEPP do not apply to the site.
SEPP (Infrastructure) 2007	Yes	This SEPP is relevant to particular

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SEPP Title	Consistency	Comment
		development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The provisions of the SEPP apply to the site as the SEPP on applies to urban land that permits dwelling-houses, residential flat buildings or hospitals. Hospitals are permitted with consent in the B3 Commercial Core zone.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal. Future development would need to comply with these provisions.
SEPP (Affordable Rental Housing) 2009		The provisions of this SEPP do not apply to the site.
SEPP 71 – Coastal Protection	N/A	The provisions of this SEPP do not apply to the site.
SEPP 70 – Affordable Housing (Revised Schemes)	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP No.65 – Design Quality of Residential Flat Development	Yes	This SEPP is relevant to specific development that would become permitted with consent under the Planning Proposal. Future development would need to comply with the provisions of the SEPP.
SEPP No.64 – Advertising and Signage	Yes	This SEPP applies to the site and future development would need to comply with these provisions.
SEPP No.62 – Sustainable Aquaculture	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.59 – Central Western Sydney Regional Open Space and Residential	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.55 – Remediation of Land		The site will be the subject of a Contamination Assessment post Gateway and prior to the exhibition.
SEPP No.52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.50 – Canal Estates	N/A	The provisions of this SEPP do not apply to the site.

SEPP Title	Consistency	Comment
SEPP No.47 – Moore Park Showground	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.44 – Koala Habitat Protection	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.39 – Spit Island Bird Habitat	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.36 – Manufactured Home Estates	N/A	Applies to land outside the Sydney region.
SEPP No.33 – Hazardous and Offensive Development	Yes	The Planning Proposal does not relate to hazardous and offensive development.
SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP No.30 – Intensive Agriculture	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.29 – Western Sydney Recreation Area	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.26 – Littoral Rainforests	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.21 – Caravan Parks	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP No.19 – Bushland in Urban Areas	Yes	The provisions of this SEPP do not apply to the site.
SEPP No.15 – Rural Landsharing Communities	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.14 – Coastal Wetlands	N/A	The provisions of this SEPP do not apply to the site.
SEPP No.1 – Development Standards	N/A	This SEPP does not apply to the Willoughby LEP 2012 (repealed by Willoughby LEP 2012 cl.1.9).

Table 3: Consistency with State Environmental Planning Policies

Appendix 2: Section 117 Directions

7178_11.2_Planning Proposal_Updated Final_121223 (A3)

Section117 Directions (updated 5 December 2013)

S117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	Yes	Refer consideration in Section 4.5.2 of the Planning Proposal.
1.2 Rural Zones	Yes	The Planning Proposal does not affect rural zoned land.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	The Planning Proposal does have the effect of prohibiting mining or restrict the potential development of resources. The site is within an established urban area.
1.4 Oyster Aquaculture	N/A	This Direction does not apply to the Willoughby LGA.
1.5 Rural Lands	N/A	This Direction does not apply to the Willoughby LGA.
2.0 Environment and Heritage		
2.1 Environment Protection Zones	Yes	The site of the Planning Proposal is not within an environment protection zone or land identified for environment protection purposes.
2.2 Coastal Protection	N/A	This Direction does not apply to the Willoughby LGA.
2.3 Heritage Conservation	Yes	The Willoughby LEP 2012 contains Standard Instrument LEP heritage clauses. The Planning Proposal does not affect these clauses, nor does not Proposal apply to a site that is a heritage item or within a heritage conservation area.
2.4 Recreation Vehicle Areas	Yes	The Planning Proposal does not impact on environmental protection zones nor involve recreation vehicle use.
3.0 Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	Refer consideration in Section 4.5.2 of the Planning Proposal.
3.2 Caravan Parks and Manufactured Home Estates	Yes	The Planning Proposal does not involve caravan parks or manufactured home estates.
3.3 Home Occupations	Yes	The Direction only applies to home occupations in dwelling houses. The Planning Proposal does not seek to allow dwelling houses. The B3 Commercial Core zone currently permits home occupations with

S117 Direction Title	Consistency	Comment
		consent in a dwelling and therefore would be permitted in the proposed ‘shop top housing’. Home occupations are also identified as Exempt Development in SEPP (Exempt and Complying Development Codes) 2008 in certain circumstances.
3.4 Integrating Land Use and Transport	Yes	Refer consideration in Section 4.5.2 of the Planning Proposal.
3.5 Development Near Licensed Aerodromes	Yes	The Planning Proposal does not create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.
3.6 Shooting Ranges	Yes	The Planning proposal does not affect, create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.
4.0 Hazard and Risk		
4.1 Acid Sulphate Soils	Yes	The site is identified as Class 5 land. The Planning Proposal does not change the Clause 6.1 and the current Acid Sulfate Soils Map for the site.
4.2 Mine Subsidence and Unstable Land	NA	This Direction does not apply to the site.
4.3 Flood Prone Land	Yes	The Planning Proposal will be consistent with this Ministerial Direction. The site is not identified a Flood Prone Land or within a potential flood planning area.
4.4 Planning for Bushfire Protection	Yes	The site is not identified as being bushfire prone on the Council’s Bushfire Prone Lands Map.
5.0 Regional Planning		
5.1 Implementation of Regional Strategies	N/A	The Direction does not apply to land in the Inner North Subregion or the Sydney Metropolitan Area.
5.2 Sydney Drinking Water Catchments	N/A	This Direction does not apply to the Willoughby LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	This Direction does not apply to the Willoughby LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This Direction does not apply to the Willoughby LGA.

S117 Direction Title	Consistency	Comment
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	Revoked
5.6 Sydney to Canberra Corridor	N/A	Revoked
5.7 Central Coast	N/A	Revoked
5.8 Second Sydney Airport: Badgerys Creek	N/A	This Direction does not apply to the Willoughby LGA.
5.9 North West Rail Link Corridor Strategy	N/A	This Direction does not apply to the Willoughby LGA.
6.0 Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	Refer consideration in Section 4.5.2 of the Planning Proposal.
7.0 Metropolitan Plan Making		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Refer consideration in Section 4.5.2 of the Planning Proposal.

Table 4: Consistency with S117 Directions