



Planning Proposal

849, 853 and 859 Pacific
Highway and 2 Wilson Street,
Chatswood

Submitted to Willoughby City Council
On Behalf of 853 Pacific Highway Pty Ltd (ATF)

NOVEMBER 2020

REPORT REVISION HISTORY

Revision	Date Issued	Revision Description
01	06/11/2020	Revision tracking notes
		Prepared by Tina Christy Associate Director
		Verified by  Susan E. Francis Executive Director
02	11/11/2020	Revision tracking notes
		Prepared by Tina Christy Associate Director
		Verified by  Susan E. Francis Executive Director

Disclaimer

This report has been prepared by City Plan Strategy & Development P/L with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. City Plan Strategy & Development P/L accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

Copyright © City Plan Strategy & Development P/L
ABN 58 133 501 774

All Rights Reserved. No material may be reproduced without prior permission.

TABLE OF CONTENTS

Section A – Overview	5
1. Executive Summary	5
2. Background	6
2.1. Chatswood CBD Planning and Urban Design Study	6
2.2. Consultation with Willoughby City Council	6
3. The Site	8
3.1. Site Location	8
3.2. Legal Description	8
3.3. Context	9
3.3.1. Site Features and Existing Development	9
3.3.2. Surrounding Land Use Context	10
3.4. Accessibility and Transport.....	15
3.4.1. Road Network	15
3.4.2. Public Transport.....	15
3.4.3. Active Transport.....	15
3.5. Recent Approvals	16
3.6. Current Planning Provisions	16
3.6.1. Land Use	16
3.6.2. Building Height.....	18
3.6.3. Floor Space Ratio	18
3.7. Site Constraints and Opportunities.....	19
Section B – Planning Proposals	21
4. Part 1 – Objectives and the intended outcomes	21
4.1. Objectives of the Planning Proposal	21
4.2. Intended development outcome	21
4.2.1. Indicative Concept Scheme	22
4.2.2. Inclusion of SP2 Zoned Land	23
4.2.3. Site Isolation	24
4.2.4. Voluntary Planning Agreement.....	25
5. Part 2 – Explanation of the provisions.....	26
5.1. LEP Amendments.....	26
Proposed amendments to the Willoughby Development Control Plan (DCP)	27
6. Part 3 – Justification	29
6.1. Section A - Need for a Planning Proposal.....	29
6.1.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?	29
6.1.2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	36

6.2.	Section B - Relationship to Strategic Planning Framework.....	36
6.2.1.	Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)? 36	
6.2.2.	Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?	40
6.2.3.	Is the planning proposal consistent with applicable state environmental planning policies?	42
6.2.4.	Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?	44
6.3.	Section C - Environmental, Social and Economic Impact	46
6.3.1.	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?	46
6.3.2.	Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	47
6.3.3.	Has the planning proposal adequately addressed any social and economic effects?	49
6.4.	State and Commonwealth Interests	50
6.4.1.	Is there adequate public infrastructure for the planning proposal?	50
6.4.2.	What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?.....	50
6.5.	Summary of the Strategic and Site-Specific Merits of the Planning Proposal	50
7.	Part 4 – Mapping.....	53
8.	Part 5 – Community Consultation	54
9.	Part 6 – Project Timeline	55
10.	Conclusion.....	56
Appendix A : Site Area Plan / Survey Plan		
Appendix B : Urban Design Report		
Appendix C : LEP Mapping Amendments		
Appendix D : Traffic Report		
Appendix E : Wind Report		
Appendix F : Acoustic Report		
Appendix G : Geotechnical Report		
Appendix H : Preliminary Site Investigation Report (Contamination)		
Appendix I : Non-Binding VPA Offer to Council		
Appendix J : Non-Binding VPA Offer to Transport For NSW		
Appendix K : Site Specific Development Control Plan		
Appendix L : 3D Render		

FIGURES

Figure 1: Cadastral setting of the site.....	9
Figure 2: View of 2 Wilson Street	10
Figure 3: View of 849 Pacific Highway	10
Figure 4: View of 853 Pacific Highway	10
Figure 5: View of 859 Pacific Highway	10
Figure 6: Location Plan.....	11
Figure 7: View of site to the north at 871-877 Pacific Highway, from the Wilson Street frontage.....	12
Figure 8: View of site to the north at 871-877 Pacific Highway, from corner of Pacific Hwy & Wilson St...	12
Figure 9: View of subject site on left hand-side of photograph, with Rail Corp site at O'Brien Street	13
Figure 10: View of residential towers fronting Railway Street to the south of the site	13
Figure 11: View of commercial office buildings fronting Pacific Highway to the south of the site	14
Figure 12: View of residential development fronting Pacific Highway to the west of the site	14
Figure 13: View of residential development fronting Pacific Highway to the west of the site	14
Figure 14: Willoughby Proposed Cycleways Map	15
Figure 15: Significant pedestrian routes from the site	16
Figure 16: Zoning Map	17
Figure 17: Land Acquisition Map	17
Figure 18: Height of Buildings Map	18
Figure 19: FSR Map	19
Figure 20: Indicative Concept Diagrams - Streetscape and Landscape, including road widening	23
Figure 21: Built Form Concept showing subject site & adjoining eastern site with appropriate setbacks.	25
Figure 22: Site Specific DCP controls for Building frontage, heights and setbacks.....	27
Figure 23: Site Specific DCP Controls showing the building envelopes.	28
Figure 24: Proposed CBD Boundary	29
Figure 25: Metropolis of Three Cities	37
Figure 26: Extract of the North District Plan	38

TABLES

Table 1: Chronology of discussions with Council officers in relation to the PP.....	7
Table 2: Legal Description of Site	8
Table 3: Existing Development.....	10
Table 4: Key Statistics of Indicative Development Outcome.....	22
Table 5: Consistency with the relevant Greater Sydney Region Plan Directions	38
Table 6: Consistency with North District Plan Planning Priorities	39
Table 7: Consistency with State Environmental Policies (SEPPs).	42
Table 8: Consistency with S9.1 Ministerial Directions.....	44
Table 9: Strategic Merit Test	50
Table 10: Site Specific Merit Test.....	51

SECTION A – OVERVIEW

1. EXECUTIVE SUMMARY

This Planning Proposal (PP) has been prepared on behalf of 853 Pacific Highway Pty Ltd (ATF) and relates to the land known as **849-859 Pacific Highway and 2 Wilson Street, Chatswood** (the site). The site is legally described as SP 52947, SP 1496, SP 60178 and SP 10110 and currently accommodates four (4) residential flat buildings with 37 individual strata lots ranging in height from three to four storeys.

This PP seeks to amend the *Willoughby Local Environmental Plan 2012* (WLEP) in relation to the site to be consistent with the objectives in the adopted and endorsed *Chatswood CBD Planning and Urban Design Strategy* (CBD Strategy). The PP seeks to amend the WLEP as follows:

- Rezone the site from R4 High Density Residential to B4 Mixed Use;
- Amend the maximum building height from 24 metres to 90 metres;
- Amend the maximum floor space ratio (FSR) from 1.5:1 to 6:1;
- Add a minimum non-residential floorspace of 1:1 within the B4 Mixed Use zone;
- Require the future development uplift to provide 4% affordable housing on the site, and
- Introduce a new local provision in Part 6 of the WLEP that allows the total site area (including the SP2 land) to be included for the purposes of calculation of GFA/FSR, only if the SP2 land is dedicated to the authority for road widening.

This PP is accompanied by an indicative concept proposal for the site which has been prepared by PBD Architects. This concept proposal is an indicative development outcome for the site demonstrating one option which responds to the proposed WLEP amendments and that facilitates the delivery of all positive outcomes discussed in this PP. The PBD documentation also includes site-specific urban design guidelines which provide the proposed controls that may form the basis for a development control plan for the site, consistent with the identified development outcomes arising from this PP.

This PP explains the intended effect of, and justification for, the proposed amendments to the WLEP as they relate to the site. It has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant Department of Planning Guidelines.

The proposed amendments to the WLEP respond to both the broad metropolitan strategic and detailed local planning framework. This PP seeks to contribute towards the current and projected demand for jobs and homes within Chatswood CBD via the built form envisaged under the Chatswood CBD Strategy. As demonstrated in this PP, the proposed built form will achieve a better planning outcome for the northern end of the Chatswood CBD.

This PP provides a detailed justification for the proposed amendments and demonstrates compliance with the strategic framework at a metropolitan, district and local level. Together with the detailed Urban Design Study prepared by PBD Architects supporting this PP, there is clear evidence to demonstrate the PP is consistent with the endorsed Chatswood CBD Strategy and will offer economic and social benefits to the local community.

In conclusion, the proposal will enhance the gateway into Chatswood's CBD from the north and meets the State and Willoughby Council's objective to increase densities in major centres where there is excellent access to public transport. Therefore, it is our view that the subject PP is worthy of Council's support to proceed to a Gateway Determination.

2. BACKGROUND

2.1. Chatswood CBD Planning and Urban Design Study

The *Chatswood CBD Planning and Urban Design Strategy* (CBD Strategy) aims to establish a strong framework to guide future private and public development as the CBD grows to 2036. It seeks to provide capacity for future commercial and mixed-use growth, and achieve exceptional design and a distinctive, green, resilient and vibrant CBD.

The CBD Strategy was endorsed by the Department of Planning, Industry and Environment (DPIE) on 9 July 2020 subject to six recommendations. The CBD Strategy was amended in September 2020 to implement the recommendations and to address all DPIE endorsement conditions. The amended CBD Strategy was reported to the 14 September 2020 Council Meeting and the Strategy was subsequently adopted. DPIE has provided full endorsement of the CBD Strategy and will allow consideration of Planning Proposals within the Chatswood CBD.

At the Council meeting on 12 October 2020, Council adopted the revised Strategy.

The aims of the Strategy are as follows:

- *A reinvigorated commercial core area and economically buoyant CBD, to provide for future employment.*
- *A sustainable balance between commercial, retail, residential, education, cultural and other uses to ensure on-going vibrancy.*
- *A compact, walkable CBD.*
- *A city form and scale to accommodate future growth and change.*
- *A CBD of exceptional urban design, easy pedestrian linkages and good public domain, where local character and heritage are embraced, and the greening of the centre is achieved.*
- *Simplified controls for the LEP and DCP in relation to the CBD.*

In order to meet these aims, the Strategy recommends modifications to the existing planning controls in the Chatswood CBD. Key elements of the future LEP and DCP controls specific to the subject site are identified below:

- The extension of the existing CBD boundary to the north to encompass the subject site;
- Proposed B4 Mixed Use Zoning;
- Maximum FSR of 6:1 for sites greater than 1,200sqm;
- Minimum site area of 1,200m² to prevent site in isolation;
- Minimum non-residential FSR of 1:1 to promote office growth and a diverse mix of uses;
- Maximum building height of 90 metres; and
- Specific setbacks to the Pacific Highway frontage and setbacks for the mixed-use frontage with commercial ground floor.

This Planning Proposal and indicative concept scheme demonstrates compliance with all key elements of the CBD Strategy, to allow for increased growth on the northern edge of the CBD.

2.2. Consultation with Willoughby City Council

Discussions with Council regarding the PP have occurred since September 2017. An overview of the dates and discussion topics is provided in Table 1.

Table 1: Chronology of discussions with Council officers in relation to the PP

Date	Address Subject Discussion	the of	Summary
7 September 2017	853 Pacific Highway		Consortium held initial meeting with Council planners, Sue Francis from City Plan and Paul Buljevic from PBD Architects. Council highlighted they would only provide support if the proposal did not result in the isolation or fragmentation of lots with a minimum lot size of less than 1,200sqm in accordance with the CBD Strategy. Furthermore, sufficient setback from the SP2 road widening reservations and subsequent dedication.
26 September 2017			Owners of 849 and 859 Pacific Highway met with Council officers and were informed the entire site was included in the draft CBD Strategy, and confirmed no SP2 deductions to form basis for sale.
8 October 2019	849-859 Pacific Highway		Consortium, Sue Francis, Paul Buljevic and Council officers discuss the three-site amalgamation and were told this would not be supported, even though the site was almost twice the minimum site area due to the issue of site isolation at 2 Wilson Street, being less than 1,200sqm is site area. Consortium advised Council officers that the owners of 2 Wilson Street were proving extremely difficult to acquire and demanding a premium given the density of lots on the site and relatively new construction.
10 September 2020	849-859 Pacific Highway & 2 Wilson Street		Pre-PP meeting with consortium, Sue Francis, Paul Buljevic and Council planners. Concept scheme presented by PBD Architects included SP2 land gross floor area (GFA) demonstrating compliance with the majority of the key elements of the CBD Strategy. Council discussed appropriate mechanisms to permit SP2 GFA, indicated that 1:1 non-residential would be required on site and advised variations to the street wall heights would not be supported. Council officer's written comments reaffirmed that the PP should be consistent with the 35 Key Elements included in the CBD Strategy.

3. THE SITE

3.1. Site Location

The site is located at 849, 853 and 859 Pacific Highway and 2 Wilson Street, Chatswood. The site is situated on the northern fringe of the Chatswood CBD, within close proximity to the North Shore Rail Line. Four residential flat buildings are currently located on the subject site.

The site has an area of approximately 3,166.2sqm and has a frontage to Wilson Street to the north, Pacific Highway to the west, O'Brien Street to the south and a commercial site owned by RailCorp to the east.

The subject site is accessible via major arterial roads including Pacific Highway, the M2 Motorway and the Lane Cove Tunnel. (Refer to Figure 1 and Figure 6)

3.2. Legal Description

The site comprises of four allotments, with its legal description provided in Table 2. A site survey is provided at Appendix A. The cadastral setting of the site is further described in Figure 1.

Table 2: Legal Description of Site

Address	Strata Plan
2 Wilson Street	SP 52947
849 Pacific Highway	SP 1496
853 Pacific Highway	SP 60178
859 Pacific Highway	SP 10110

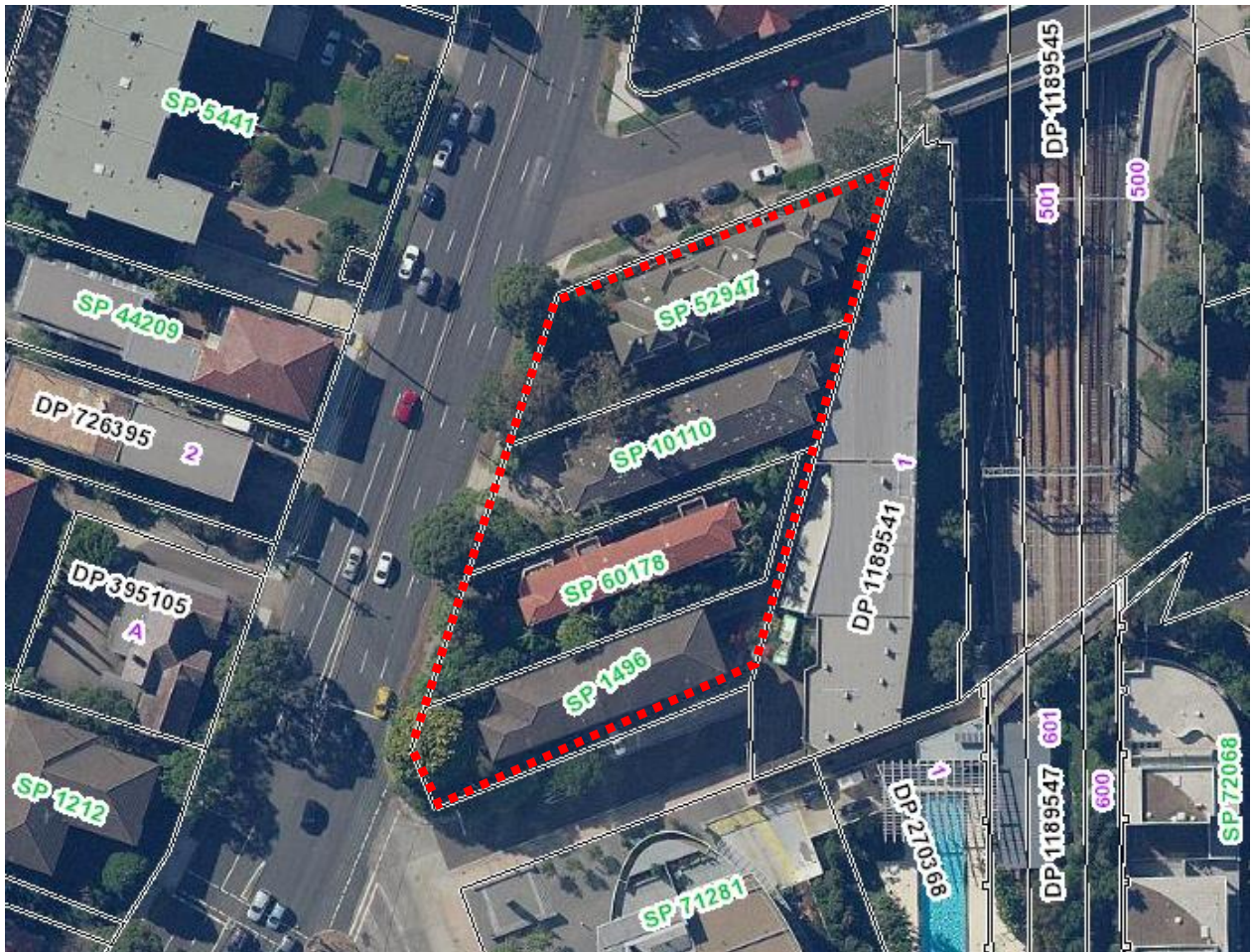


Figure 1: Cadastral setting of the site (Source: SIX Maps)

3.3. Context

The subject site is located on a corner block, with its primary frontage to Pacific Highway and secondary frontages to Wilson Street to the north and O'Brien Street to the south.

3.3.1. Site Features and Existing Development

Four residential flat buildings are currently located on the site. A summary of the existing site features and development is provided in Table 3.

Table 3: Existing Development

Address	Site Description
2 Wilson Street	The site comprises a four-storey residential flat building fronting Wilson Street. Vehicular ingress and egress to the building is provided on the site's north-eastern corner to Wilson Street, with access provided to a single level of basement car parking. There are 14 apartments with 25 bedrooms in total.
849 Pacific Highway	The site comprises a three-storey residential flat building fronting Pacific Highway. Vehicular ingress and egress to the building is provided via an access driveway from Pacific Highway. At-grade car parking is provided in the form of ground floor level garaging. There are 9 units and 18 bedrooms in total.
853 Pacific Highway	The site comprises a three-storey residential flat building fronting Pacific Highway. Vehicular ingress and egress to the building is provided via an access driveway from O'Brien Street to the south with parking on grade. There are 6 units and 14 bedrooms in total.
859 Pacific Highway	The site comprises a four-storey residential flat building fronting O'Brien Street. Undercroft parking is provided at ground floor level, with access along O'Brien Street. There are 8 units and 16 bedrooms in total.

Photographs of the site are provided below.



Figure 2: View of 2 Wilson Street (Google Maps)



Figure 3: View of 859 Pacific Highway (Source: Google Maps)



Figure 4: View of 853 Pacific Highway (Source: Google Maps)



Figure 5: View of 849 Pacific Highway (Google Maps)

3.3.2. Surrounding Land Use Context

The site is located approximately 400 metres north of the Chatswood CBD. A location plan is provided in Figure 6 below, which shows the location of the site.

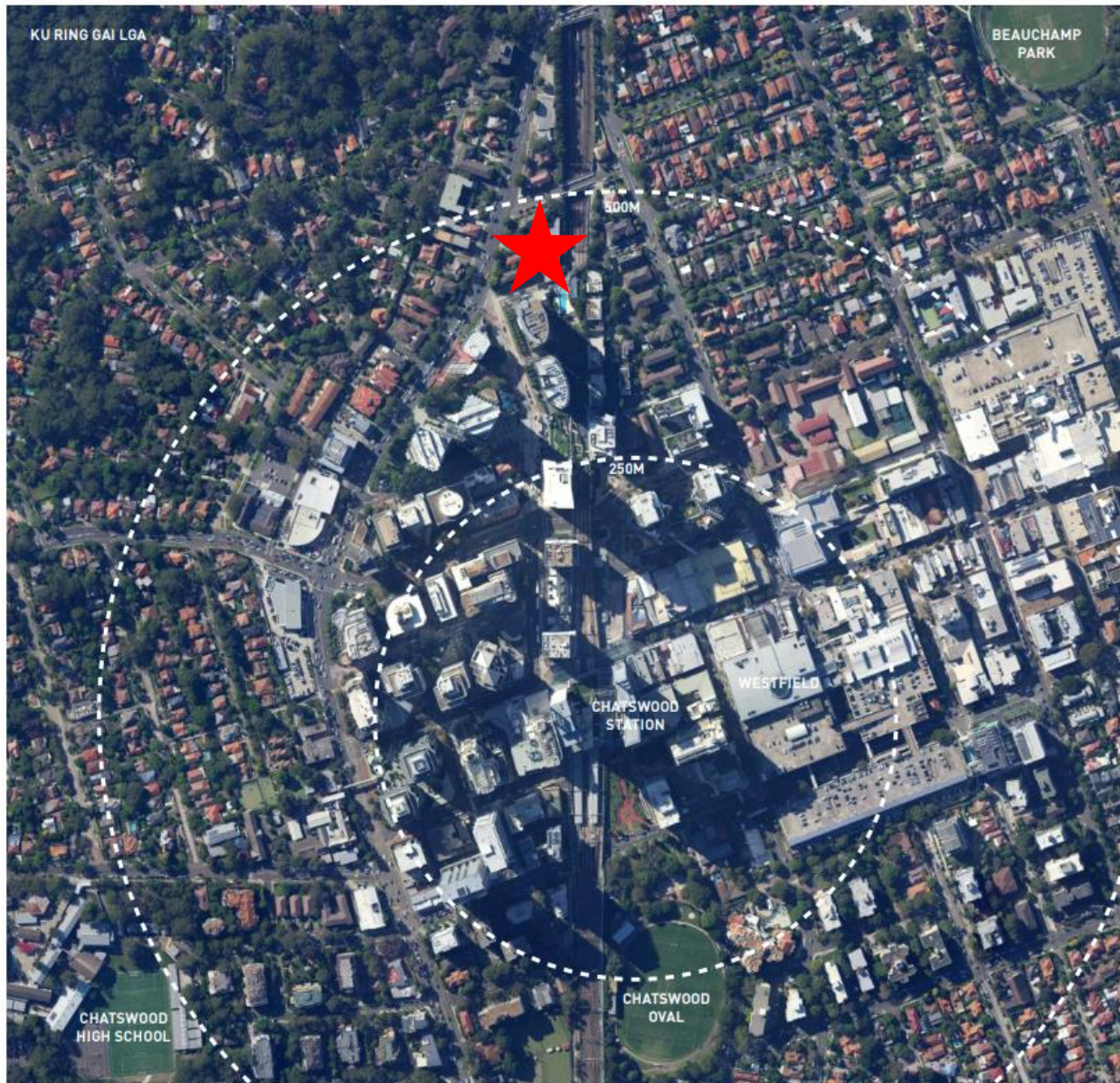


Figure 6: Location Plan, site location shown with red star (Source: PBD Architects)

In summary, the surrounding context is described as follows:

- To the north of the site are three connected buildings known as 871-877 Pacific Highway ranging in height from one to two storeys. We note a PP has been submitted to Council seeking a rezoning, consistent with the controls prescribed for the site under the endorsed CBD Strategy. This includes a rezoning to B4 Mixed Use, amendment to the FSR control to 6:1 and amendment to the maximum building height to 90 metres.
- To the east of the site is a single building owned by Rail Corp and occupied by Sunnyfield Enterprises for industrial use. The building is two storeys in height, with access provided to the facility from O'Brien Street.
- Further to the east of the site, beyond the Rail Corp site lies the North Shore Railway Line.
- Immediately to the south of the site, along Railway Street are a number of tall residential tower buildings with up to 105m in height with commercial tenancies at the lower levels.
- To the south of the site, along Pacific Highway are a number of commercial tower buildings.
- We note that the buildings along Pacific Highway to the west are apartment buildings.

Figure 7 to Figure 13 below provide an overview of the surrounding development.



Figure 7: View of site to the north at 871-877 Pacific Highway, view from the Wilson Street frontage (Source: Google Maps)



Figure 8: View of site to the north at 871-877 Pacific Highway, view from the corner of Pacific Highway and Wilson Street (Source: Google Maps)



Figure 9: View of subject site on left hand-side of photograph, with Rail Corp site at O'Brien Street behind (Source: Google Maps)

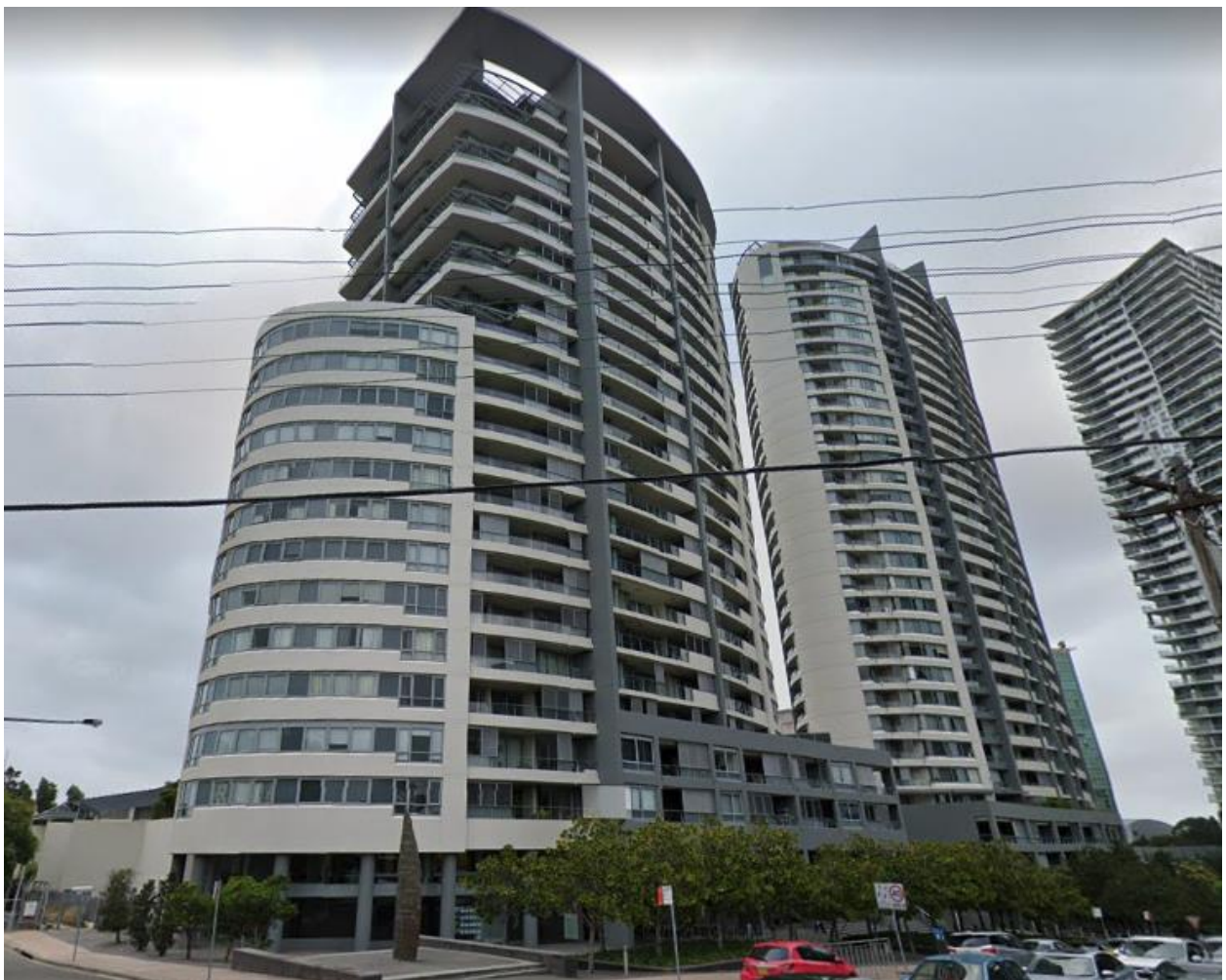


Figure 10: View of residential towers fronting Railway Street to the south of the site (Source: Google Maps)



Figure 11: View of commercial office buildings fronting Pacific Highway to the south of the site (Source: Google Maps)



Figure 12: View of residential development fronting Pacific Highway to the west of the site (Source: Google Maps)



Figure 13: View of residential development fronting Pacific Highway to the west of the site (Source: Google Maps)

3.4. Accessibility and Transport

3.4.1. Road Network

Pacific Highway is a State arterial road, functioning as the key north-south road between North Sydney and Hornsby. Railway Street and Wilson Street are both local roads providing local access generally. O'Brien Street is a short cul-de-sac providing access to the subject site and the property adjoining to the east.

The site, fronting Pacific Highway, allows vehicles to access without the need to traverse Chatswood CBD. Given the existing configuration and operation of the surrounding road network, it is estimated most vehicles approaching and exiting the site would use Pacific Highway and Railway Street.

3.4.2. Public Transport

The site is ideally located to take advantage of public transport located adjacent to the Pacific Highway, with numerous bus routes available from bus stops on both sides of the road within less than 100m. There are also bus stops on either side of the road within approximately 150m of the site.

At a distance of approximately 500m, the site is also well within the 800m walking catchment of Chatswood Railway Station. This station is served by Sydney Trains T1 North Shore & Western Line, T9 Northern Line services and Sydney Metro North West Line services. The Metro Stage 2 will also extend services south to North Sydney, Sydney CBD and through to Bankstown.

Chatswood Interchange functions as one of the main bus interchanges in the northern suburbs of Sydney with at least 20 separate bus routes servicing destinations including Sydney CBD, Manly, Lane Cove, Bondi Junction and Macquarie Park.

3.4.3. Active Transport

In addition to access to public transport, the site is directly connected to Willoughby Council's proposed Bicycle Network (refer Figure 14). The proposed off-road link running past the site stretches along the train line. The on-road network also extends east into the low scale residential precinct of Chatswood from the site at Wilson Street.

Pedestrian accessibility is assured with relatively flat footsteps along both street frontages. The footpath on Wilson Street provides a safe crossing to the south, in the direction of the station. There are very few road crossings to be negotiated on the way to the train station which is best described as gentle descent. The site is also in good proximity to the major shopping centre area and also to Beauchamp Park as evidenced in Figure 15.

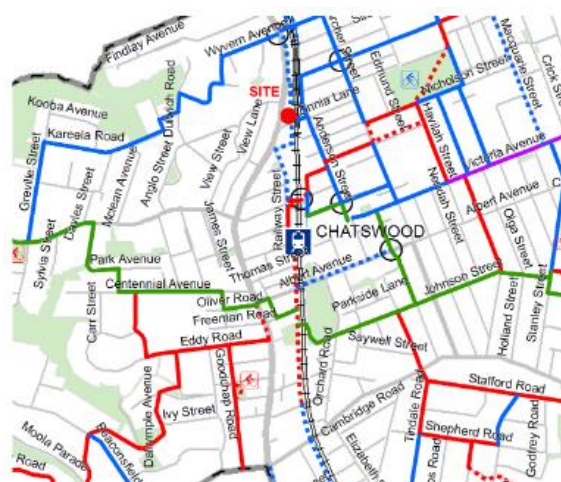


Figure 14: Willoughby Proposed Cycleways Map (Source: Willoughby Council)



Figure 15: Significant pedestrian routes from the site (Source: PBD Architects)

3.5. Recent Approvals

There is no relevant planning history for the sites.

3.6. Current Planning Provisions

The Willoughby LEP is a statutory planning document that sets the standards for development in the Willoughby LGA. The Willoughby LEP applies to the subject site and its current provisions are set out below.

3.6.1. Land Use

In accordance with the Willoughby LEP the site is primarily zoned R4 High Density Residential with a portion of the western extent of the site fronting Pacific Highway zoned SP2 Infrastructure (refer Figure 16). The SP2 zoned land is identified for acquisition as a "Classified road" (refer Figure 17).



Figure 16: Zoning Map, site outlined in red (Source: e-Planning Spatial viewer)



Figure 17: Land Acquisition Map, site outlined in red (Source: e-Planning Spatial viewer)

The following objectives and land use permissibility apply within the R4 High Density Residential zone:

Zone R4 High Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a high-density residential environment.
- To provide a variety of housing types within a high-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for increased residential density in accessible locations, while minimising the potential for adverse impacts of such increased density on the efficiency and safety of the road network.
- To encourage innovative design in providing a comfortable and sustainable living environment that also has regard to solar access, privacy, noise, views, vehicular access, parking and landscaping.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Community facilities; Home businesses; Home occupations; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Shop top housing
4 Prohibited Pond-based aquaculture; Tank-based aquaculture; Any other development not specified in item 2 or 3

The following objectives and land use permissibility apply within the SP2 Infrastructure zoned land:

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To provide for classified roads.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

3.6.2. Building Height

The site is currently subject to a maximum building height of 24 metres, refer Figure 18.

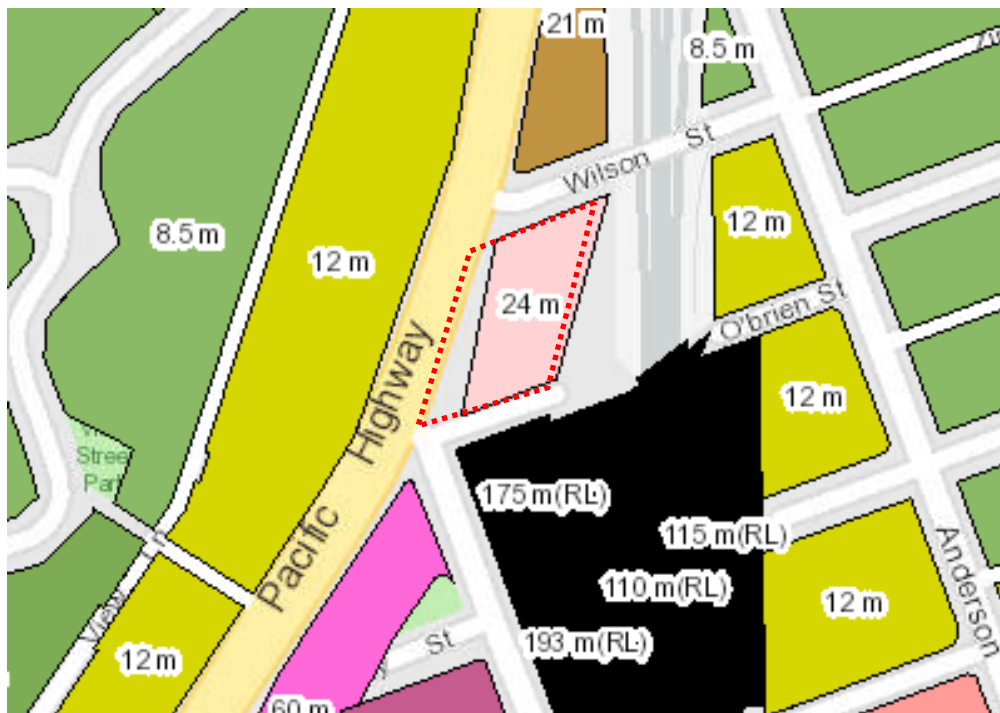


Figure 18: Height of Buildings Map, site outlined in red (Source: e-Planning Spatial viewer)

3.6.3. Floor Space Ratio

The site is currently subject to a maximum FSR of 1.5:1, refer Figure 19.

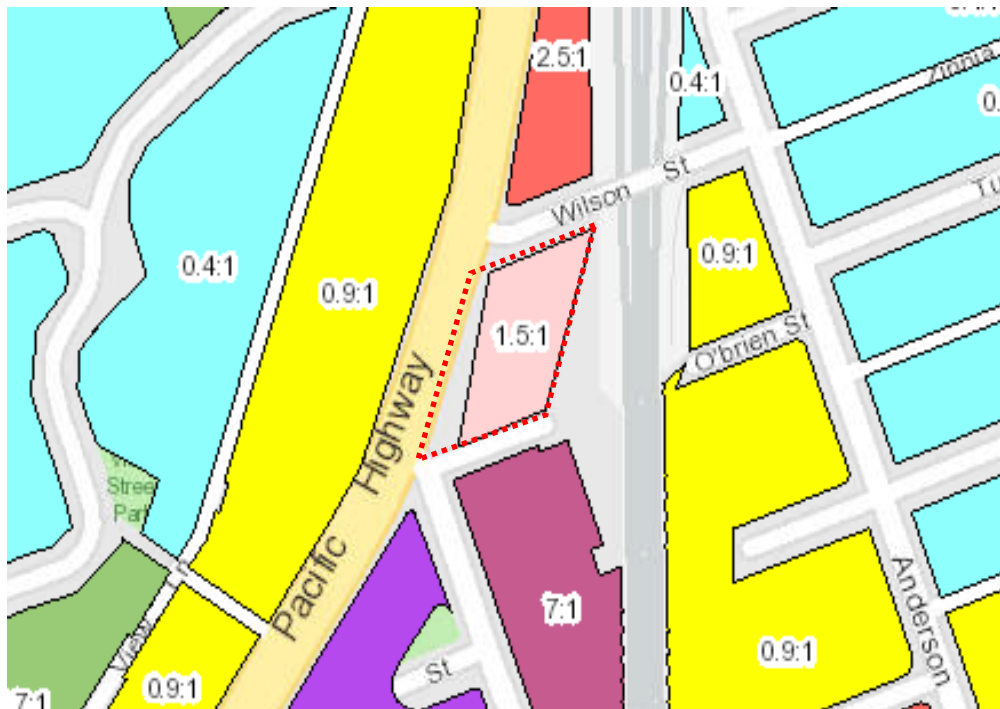


Figure 19: FSR Map, site outlined in red (Source: e-Planning Spatial viewer)

3.7. Site Constraints and Opportunities

The identification of constraints and opportunities relating to the site helps to frame the planning principles that will guide future development.

In summary these constraints include:

- Consideration of SP2 zoned land along Pacific Highway identified for acquisition;
- Consideration of adjacent SP2 Infrastructure Railway zoned land including an industrial building to the east and its opportunity for redevelopment and possible issues of site isolation. This site is not identified in the adopted and endorsed CBD Strategy and is approximately 1,595m2 in site area.

The opportunities include:

- Council support for the expansion of Chatswood CBD and increased development on the periphery.
- Create a gateway development for the northern end of Chatswood CBD.
- The site benefits from three street frontages, being Pacific Highway to the east, Wilson Street to the north and O'Brien Street to the south, maximising residential amenity and access to the site.
- Provide a sound architectural solution which will improve the appearance of the site.
- The site is highly accessible by public transport and located less than a 10-minute walk from Chatswood Train Station and major bus interchange.
- The site is significant in size (2.6 x the minimum site area under the Strategy) and largely flat.
- Views from the site to Ku-ring-gai, Manly, the CBD and Blue Mountains.
- The amalgamation of the site provides an opportunity to dedicate SP2 Land to RMS for future road widening subject to agreement.
- Opportunity to provide large extent of non-residential floor space to provide additional local services and potentially an adaptable community facility subject to agreement.

- The location of the site would enable employment and housing growth to support an integrated land use and transport approach, consistent with the walkable and 30-minute cities as per the Regional Plan.
- The site has strategic merit to provide additional housing and jobs in a highly accessible location which leverages the State Government investment in the Sydney Metro.
- The site size and shape is suitable to accommodate a mixed use tower with a slender tower with limited constraints.

Overall, the site is limited in constraints and includes an opportunity to provide a high quality residential tower with non-residential uses and community spaces, including affordable housing; and facilitating public dedication of a significant parcel of land for future road widening to the Pacific Highway and local public domain upgrades.

SECTION B – PLANNING PROPOSALS

4. PART 1 – OBJECTIVES AND THE INTENDED OUTCOMES

4.1. Objectives of the Planning Proposal

The intended outcome of the PP is to enable a development outcome that will achieve State Government objectives and deliver public benefits with minimal environmental and economic impacts.

The objectives of the PP therefore are:

- To satisfy State Government objectives in the Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan as well as relevant Section 9.1 directions to focus and encourage employment and services in a conveniently accessible network of evolving centres connected to homes via good public transport service;
- To satisfy State Government objectives to grow jobs, housing and infrastructure within Strategic Centres and to enhance Chatswood's role as a major regional mixed-use centre providing housing, jobs and services in a genuine mixed-use development;
- To provide increased housing supply outside of the Chatswood CBD Commercial Core, which responds to the needs of the local community, including the provision of affordable housing;
- To ensure that Chatswood's future as an employment centre is protected whilst also allowing capacity for residential growth close to the Chatswood CBD;
- To provide mixed-use development with an appropriate balance of commercial, retail and residential uses to contribute to the existing vibrant and active community in Chatswood;
- To capitalise on opportunities within the site to provide an economic and orderly use of the land for a mixed-use development;
- To provide the ability for public benefits by dedicating the SP2 road widening to RMS and the provision of a commercial adaptable community facility to Council;
- To avoid the potential for isolation of the adjoining site by giving consideration to the future development on both sites;
- To facilitate a high quality urban and architectural design that responds to adjoining land uses;
- To provide an opportunity to improve the presentation of the site to the public domain, and enhance the streetscape in doing so;
- To achieve high benchmarks in sustainability and promote public art;
- To minimise adverse impacts on existing development;
- To ensure the future development and use of land is appropriate to minimise environmental risks and potential impacts on adjoining land uses; and
- To ensure the use of land is appropriate to managing and minimising environmental risks.

4.2. Intended development outcome

The purpose of this Planning Proposal is to allow for increased development on the site in accordance with the CBD Strategy. The intended development outcome is to facilitate a mixed-use development at the northern gateway of the Chatswood CBD. The additional GFA as a result of the LEP amendments will facilitate the dedication of the SP2 land to RMS for future road widening, provide a building envelope and GFA consistent with the CBD Strategy, provide increased housing options and supply outside of the Chatswood Commercial Core as well as providing additional commercial floor space. The specific outcome of this Planning Proposal is to facilitate the following:

- Change the zoning from R4 High Density Residential to B4 Mixed Use;
- Increase the allowable height from 24 metres to 90 metres;
- Increase the achievable FSR from 1.5:1 to 6:1;
- 4% of the residential GFA uplift in the building to be used for affordable housing;

- Require a maximum non-residential FSR of 1:1;
- Introduce a minimum lot size of 1,200m²; and
- Introduce a new local provision in Part 6 of the WLEP that allows the total site area (including the SP2 land) to be included for the purposes of calculation of GFA/FSR, only if the SP2 land is dedicated to the authority for road widening.

The indicative proposal prepared by PBD Architects provides a possible development outcome for the site demonstrating the anticipated built form outcome for the site which responds to the proposed Willoughby LEP amendments and facilitates the positive outcomes in this PP. The potential yield of the indicative development is shown in Table 4 below.

Table 4: Key Statistics of Indicative Development Outcome

Element	Provision
Site Area	3,166sqm
Commercial GFA	3,166sqm
Residential GFA	15,830sqm
Commercial FSR	1:1
Residential FSR	5:1
Height	90m
Total Residential Units	190
Parking	272

PBD have prepared the following indicative plans illustrating the design concept. Please refer to the Urban Design Report provided at Appendix B for further detail.

4.2.1. Indicative Concept Scheme

The indicative scheme for the subject site includes the following:

- 2 storey podium of commercial development with tower element above. This podium is to have a 4m setback to the Future Road Widening along Pacific Highway and nil boundary setback to the other boundaries.
- Ground floor will activate the three streets with commercial frontage along Pacific Highway, O'Brien Street and Wilson Street;
- Vehicular access, services, and loading areas will be at the eastern portion of the site, furthest from Pacific Highway, with access from Wilson and O'Brien Streets. Loading and services are from Wilson Street, with O'Brien providing the main entrance to the parking;
- The tower will be setback 10m to the Future Road Widening along Pacific Highway, 6m to the northern (Wilson Street) frontage, 15m to the southern frontage (O'Brien Street) and 4.5m – 6m to the eastern boundary, taking into consideration the width of the eastern adjoining site and the development potential in the narrower portion of that adjoining site. (Refer to Section 4.2.3 below);
- The 3 street frontages and north-south site orientation allows good solar access and ventilation to be achieved to the residential units;
- The result is a slender tower ensuring solar access to neighbouring dwellings;
- Landscaped areas are proposed within all setbacks and on the podium and roof levels, ensuring an extensive green character in accordance with the Chatswood CBD Strategy Principle. 1 metre wide deep soil landscaping is achieved within the setback from the Pacific Highway.
- A public benefit in the form of dedicating 400sqm-450sqm of gross commercial floor area on the eastern side of Level 1 for a new community facility.

The indicative concept scheme illustrates how the site could be redeveloped in the future based on the planning controls for the site as included within the endorsed Chatswood CBD Strategy.

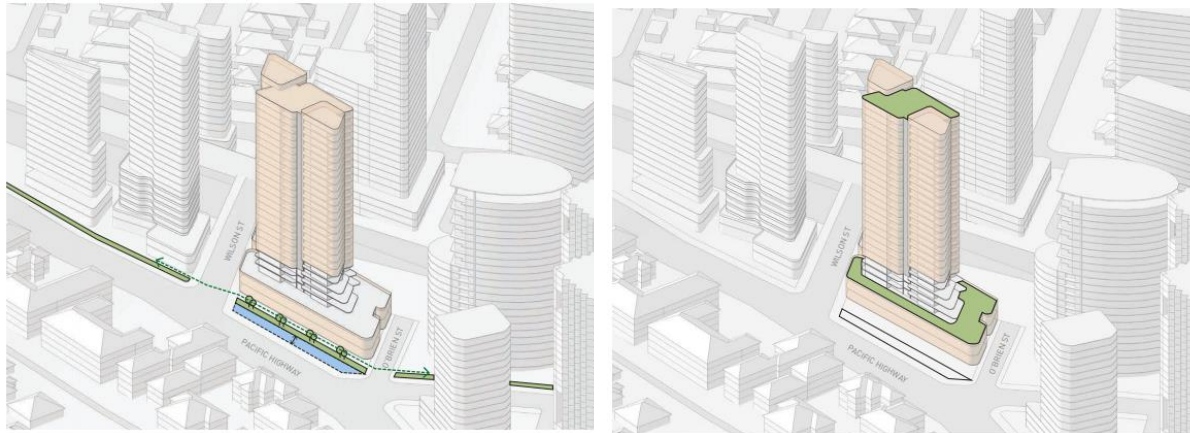


Figure 20: Indicative Concept Diagrams - Streetscape and Landscape, including the road widening shown in blue. (Source: PBD Architects)

4.2.2. Inclusion of SP2 Zoned Land

The western extent of the subject site is zoned SP2, which is included in the Strategy. The existing buildings of 849 and 853 Pacific Highway physically sit over the area identified for acquisition and will require future compulsory acquisition and demolition of the actual unit block structures to allow for the construction of road widening. During the pre-PP process, Council requested that both of these sites were amalgamated with 859 Pacific Highway and 2 Wilson Street for the purposes of a PP, to achieve Council's desired development outcome.

This PP facilitates the dedication of land identified for acquisition to Transport for NSW (TfNSW) for nil cost. However, the PP seeks to utilise a 6:1 FSR across the whole portion of the land zoned SP2 Infrastructure Classified Road to enable future road widening by RMS. The future dedication of this land provides a significant public benefit.

As illustrated in the indicative concept scheme prepared by PBD Architects the floorspace inclusive of the SP2 zoned portion of the land can suitably be accommodated within the B4 Mixed Use zoned portion of land and within the 90m height standard; to achieve compliance with the controls included within the Chatswood CBD Strategy. Firstly, this situation is totally unique to the subject site, being a four block (37 strata subdivision lot) amalgamation sought by Council and will not set precedence given there are only two sites affected by SP2 road widening withing the endorsed CBD Strategy.

With regard to the additional floorspace created, we note there has been a significant reduction (61,000sqm) of floorspace in the revised and endorsed CBD Strategy following GMU's Chatswood Urban Design Study and Weir Philips Chatswood Precinct Heritage Review Report, which resulted in lower heights for areas which abut heritage conservation areas. We note the subject site is located on the northern extent of the CBD and is sufficiently separated from any heritage interface. The subject site is a suitable site to provide additional density and housing in line with the strategic directions of the North District Plan and will provide a building envelope and GFA maximum that is consistent with the CBD Strategy.

The PP and indicative concept proposal demonstrate compliance with all key elements of the endorsed CBD Strategy, including an appropriate setback from the road widening reservation. The maximum residential floorplate permissible under the Strategy represents 58% of the minimum site area (700sqm / 1,200sqm), however on the consolidated subject site, the residential floorplate represents 22% of the site area which will enable the tower to be read as a slender and tall building. The indicative concept proposal illustrates a tall slender tower can be accommodated at the site whilst achieving the maximum FSR standard for the entire site.

The SP2 zoned land is a substantial portion of the site area (15%) and is required to be incorporated into the site to make the site feasible to develop, given 37 units are required to be purchased to enable amalgamation of the site. The fair market value of the entire development site includes the SP2 land given its inherent value, BUT it is not possible to force TfNSW to acquire the land on just terms at this point in time, so without a timeframe or obligation, development cannot proceed with a 15% reduction in land size.

By not resolving this matter now, at this appropriate time, without SP2 GFA, no developer can deliver on the strategy to provide housing, create jobs, add to future employment in the area or provide such an economic benefit to TfNSW. Given their desire for the land to be used for road widening and in the absence of an agreement to acquire the land at this time at the fair value of 6:1, the PP offers to dedicate the land for nil consideration subject to the use of the SP2 land in the site area calculation for GFA and FSR.

Furthermore, the additional floorspace will result in circa \$1.56 million in developer contributions for affordable housing and Section 7.11 contributions alone. The proposal is justified to achieve the planning objective of the development standards and provides significant public benefits.

4.2.3. Site Isolation

While this PP does not include the adjoining site to the east owned by RailCorp, the indicative concept plans have shown a potential development on this site which can work together with the subject site.

The following key considerations have led to the indicative concept plans for the adjoining site:

- North/south orientation of the site and solar access;
- Proximity to rail line;
- Limited street frontage and access; and
- Irregular lot shape that tapers in a northerly direction.

The indicative concept has resulted in a building that:

- Positions the upper built form towards the south (where the site is wider), and achieves good solar access to the narrower northern portion of the site;
- Provides for a possible 2-storey podium boundary to boundary and 9-storey building;
- Provides a variety of uses on the site;
- Achieves good solar access to all levels, with good communal open space to the north where the site is narrower; and
- Possibility of vehicular access from O'Brien Street.

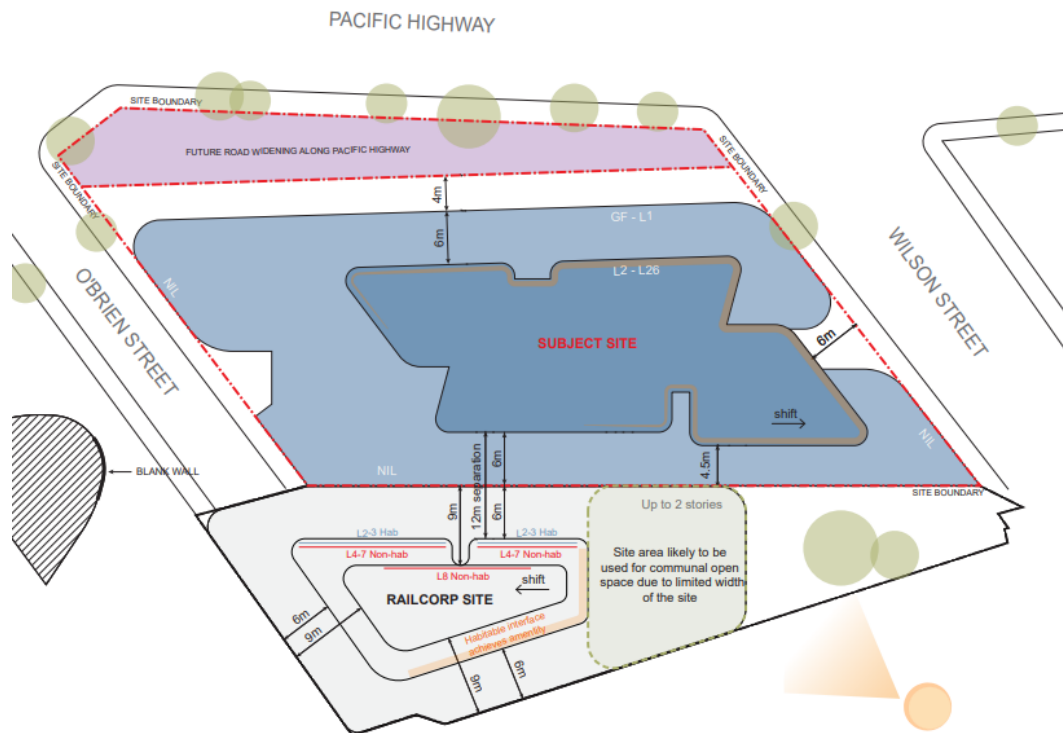


Figure 21: Built Form Concept showing subject site and adjoining eastern site with appropriate setbacks. (Source: PBD Architects)

This schematic envelope has been designed with the built form positioned in the southern portion of the site where it is wider, thus allowing a more useable floorplate. The scenario provides for a mixed-use development complying with ADG provisions, being the more constrained option with setbacks and the like. However, the site currently contains an industrial facility and it is envisaged this will remain with the existing tenant or a specific RailCorp usage.

It is noted that Council in its formal written response stated, “The Rail Corporation property is approximately 1,585m², above the minimum lot size under the Strategy of 1,200m². It is considered that this property is not isolated by the subject Planning Proposal”.

4.2.4. Voluntary Planning Agreement

Accompanying the PP are two letters of offer from the applicant which includes the following:

- Dedication of the frontage of the development site zoned SP2 to RMS for nil consideration to provide for future road widening;
- The gross floor area uplift applicable to the SP2 land will increase the overall CIS contribution to Council, and further provide additional affordable housing and s7.11 monetary contributions;
- Dedication of between 400sqm-450sqm of gross commercial floor area on the eastern side of Level 1 to Council for the purpose of a new community facility that can be used for a flexible range of potential uses. This will include the provision of 2 parking spaces and 10 bicycle spaces.
- Affordable housing will be provided at the rate of 4% of the proposed additional private residential gross floorspace. The subject site is not currently identified under cl 6.8 of the Willoughby LEP 2012 or on the Special Provisions Area Map and there is no requirement for this provision.

Refer to Appendices 9 and 10 for detail.

5. PART 2 – EXPLANATION OF THE PROVISIONS

5.1. LEP Amendments

This PP seeks to amend the Willoughby Local Environmental Plan (WLEP) 2012 as follows:

- Rezone the site from R4 High Density to B4 Mixed Use;
- Amend the Floor Space Ratio from 1.5:1 to 6:1.
- Increase the maximum building height from 21m to 90m.
- Add a minimum non-residential floor space of 1:1 within the Mixed-Use zone on the site.
- Require the development of the site to provide 4% of the residential gross floorspace uplift as Affordable Housing as per Clause 6.8 of the LEP and
- Introduce a new local provision in Part 6 of the WLEP that allows the total site area (including the SP2 land) to be included for the purposes of calculation of GFA/FSR through the amendment of CI4.5 of the WLEP.

It is proposed to implement these amendments by updating the relevant WLEP 2012 Maps as follows:

- Amend the Land Zoning Map (Sheet LZN_004) for 849, 853, and 859 Pacific Highway, and 2 Wilson Street, Chatswood, and rezone the site to B4 Mixed Use.
- Amend the Height of Buildings Map (Sheet HOB_004) for 849, 853, and 859 Pacific Highway, and 2 Wilson Street, Chatswood, and increase the maximum height limit to 90m.
- Amend the Floor Space Ratio Map (Sheet FSR_004) for 849, 853, and 859 Pacific Highway, and 2 Wilson Street, Chatswood, and increase the maximum FSR to 6:1.
- Amend the Special Provisions Area Map (Sheet SPA_004) for 849, 853, and 859 Pacific Highway, and 2 Wilson Street, Chatswood, as "Area 3".

The minimum non-residential floor space will be implemented by adding a new Clause in Part 6 'Local Provisions' to the LEP as follows:

Minimum non-residential floor space within the Mixed-Use zone on this site

Any redevelopment on 849, 853 and 859 Pacific Highway and 2 Wilson Street, Chatswood shall contain a minimum non-residential floor space component of 1:1.

The mechanism to facilitate the inclusion of the SP2 zoned part of the site for the purposes of calculating the FSR, if the SP2 land is dedicated to the authority; will be implemented by adding a new Clause in Part 6 'Local Provisions' to the LEP as follows:

Development on Consolidated Sites located at 849-859 Pacific Highway and 2 Wilson Street, Chatswood

1. *This clause applies to the following land at Chatswood: 849 Pacific Highway, Chatswood (SP1496), 853 Pacific Highway, Chatswood (SP60178), 859 Pacific Highway, Chatswood (SP10110), 2 Wilson Street, Chatswood (SP52947)*
2. *Despite clauses 4.3 and 4.4 of the LEP, development consent may be granted to development that will have a gross floor area not exceeding 18,997.2sqm; if the portion of land highlighted on the Land Reservation Acquisitions Map zoned SP2 is dedicated to the authority of the land.*

The Strategy also identifies that Design Excellence will be required for all future development benefiting from the recommended uplift and that a competitive process will be required for buildings above 35m.

Council have not yet resolved how they would like to undertake this process. An additional clause could be inserted into the LEP and/or DCP. This can be informed from the principles established in 'Better Placed' prepared by the Government Architects Office. Once Council have resolved how they would like to undertake this process, we would be pleased to assist with the required changes, however, we have included a draft provision in the DCP for consideration.

The proposed controls would enhance the viability of the redevelopment of the site into a mixed-use building, consistent with the recommendations in the Chatswood CBD Planning and Urban Design Strategy. The Strategy also requires that development benefiting from uplift in the Chatswood CBD is to provide 4% of the residential floor space uplift as affordable housing. To achieve this, the Special Provisions Area Map will be amended to apply to the subject site. Affordable housing on the site will be provided within the maximum floor space ratio.

Proposed amendments to the Willoughby Development Control Plan (DCP)

A site specific DCP has been prepared by 853 Pacific Highway Pty Ltd (ATF) which includes building envelope diagrams prepared by PBD Architects and attached in Appendix K to this planning proposal report. The proposed DCP mirrors the adopted and endorsed Chatswood CBD Strategy with the exception of the podium height control. The justification for the alternative podium height is discussed in Section 6.1 below and is to ensure compliance with SEPP 65 and the apartment design guideline.

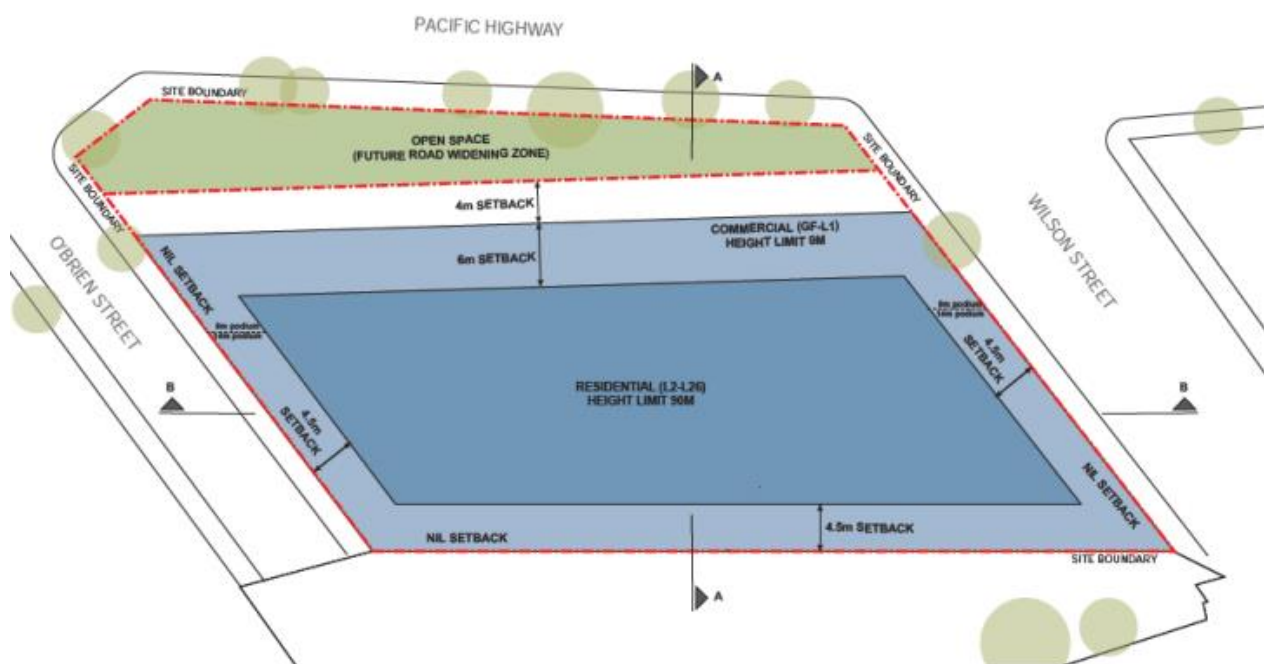


Figure 22: Site Specific DCP controls for Building frontage, heights and setbacks. (Source: PBD Architects)

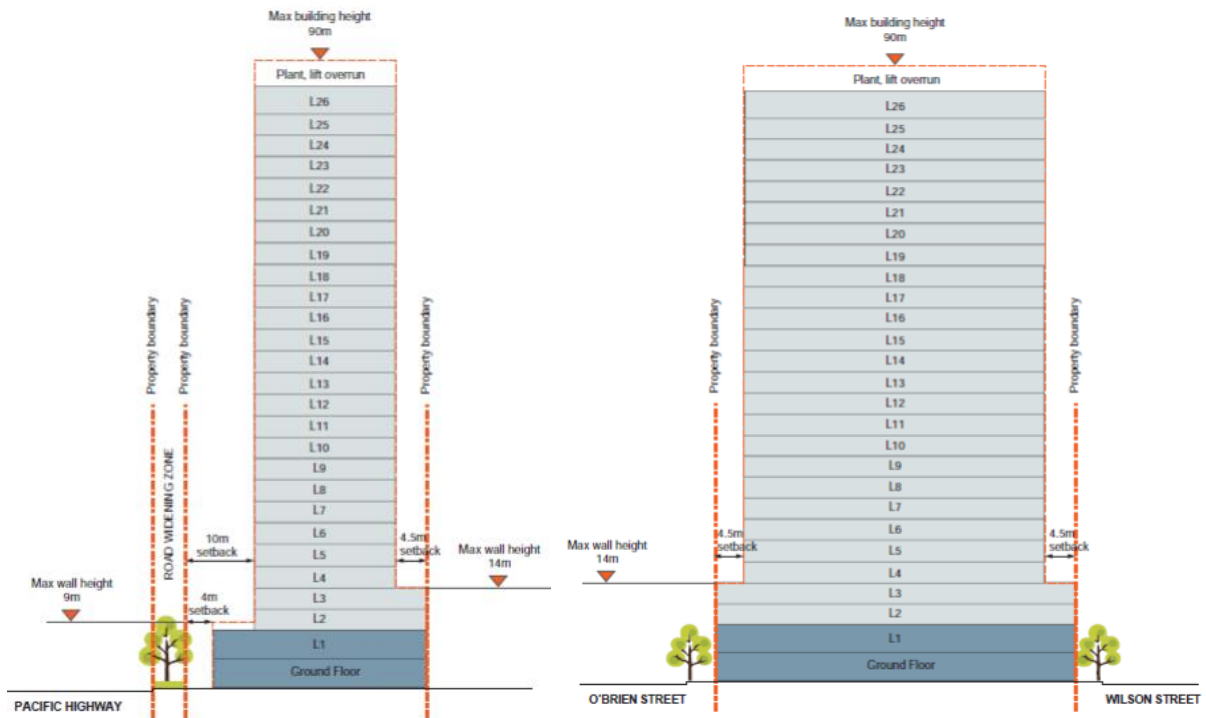


Figure 23: Site Specific DCP Controls showing the building envelopes. (Source: PBD Architects)

6. PART 3 – JUSTIFICATION

6.1. Section A - Need for a Planning Proposal

6.1.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

This PP is the direct result of the now endorsed Chatswood CBD Planning and Urban Design Study (CBD Strategy). The Chatswood CBD Strategy aims to establish a strong framework to guide future private and public development as the CBD grows over the next 20 years. The Strategy seeks to provide capacity for future commercial and mixed use growth, and achieve exceptional design and a distinctive, green, resilient and vibrant CBD. The Strategy will inform changes to the Willoughby LEP & DCP.

To ensure the office core is protected, the Strategy has identified growth of mixed-use developments on the CBD periphery, which encompasses the subject site, as shown in Figure 24 below.

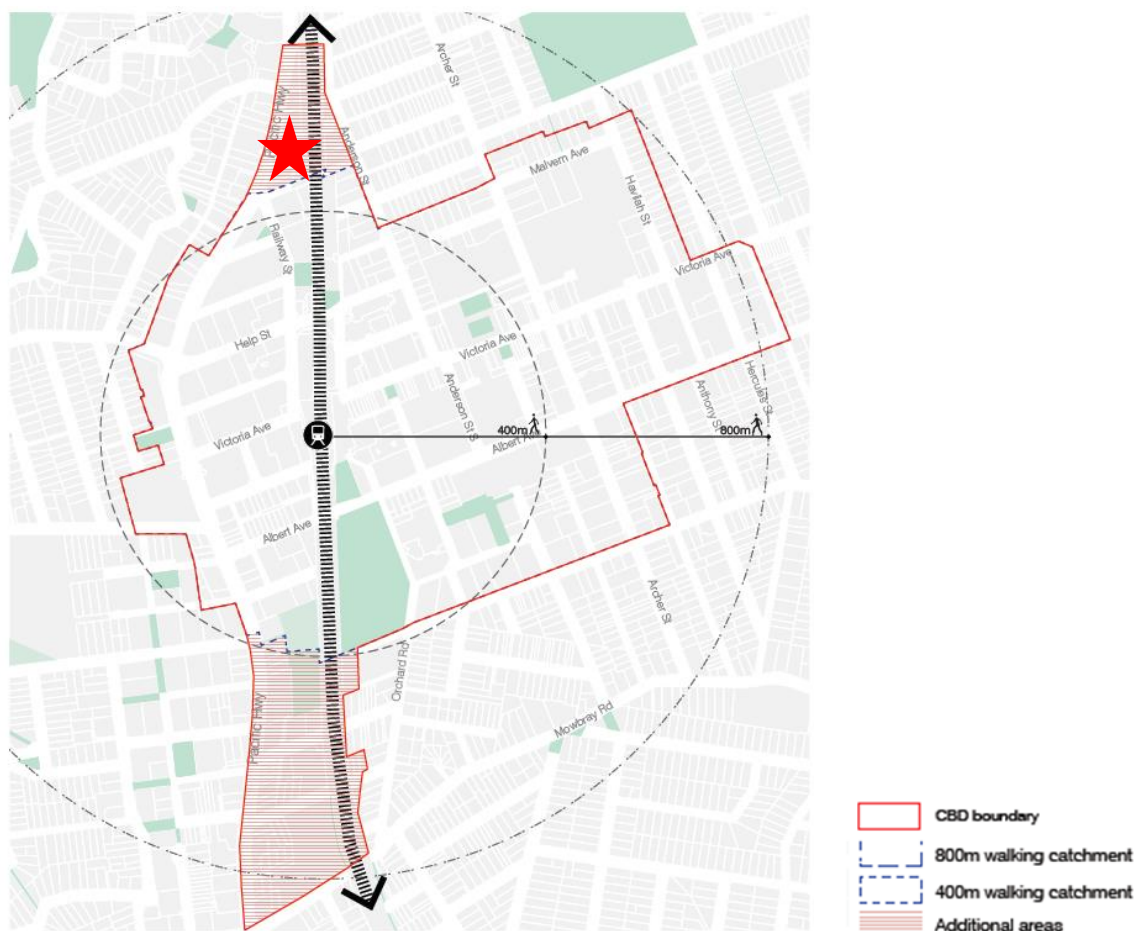


Figure 24: Proposed CBD Boundary, approximate location of the site outlined with a red star (Source: CBD Strategy)

This PP seeks to facilitate the future re-development of the subject site by amending the planning framework to allow development on the land which is consistent with the recommendations of the Strategy.

An assessment of the Planning Proposal against the 35 key elements is provided in the table below.

Key Element of Future LEP & DCP Controls	Response
CBD Boundary	
1 The Chatswood CBD boundary is expanded to the north and south as per Figure 3.1.1. to accommodate future growth of the centre.	Noted, the site is located within the expanded Chatswood CBD boundary as illustrated in Figure 3.1.1.
Land Use	
2 Land uses in the LEP will be amended as shown in Figure 3.1.2, to: a) Protect the CBD core around the Interchange as commercial, permitting retail throughout to promote employment opportunities. b) Enable other areas to be mixed use permitting commercial and residential.	Noted, Figure 3.1.2 recommends the site is rezoned to B4 Mixed Use. The Planning Proposal is consistent with this and seeks a rezoning from R4 High Density Residential to B4 Mixed Use.
3 The existing DCP limits on office and retail use in parts of the Commercial Core to be removed.	Noted.
4 Serviced apartments to be removed as a permissible use from the B3 Commercial Core zone.	Noted.
Planning Agreements to Fund Public Domain	
5 Planning Agreements will be negotiated to fund public domain improvements.	The applicant acknowledges public benefit contributions will be provided as part of any agreed VPA with Council where greater GFA is sought under the strategy. These discussions will be guided by Council and DPIE guidelines.
6 A new Planning Agreements Policy will apply and be linked to a contributions scheme that will provide the public and social infrastructure in the Chatswood CBD necessary to support an increased working and residential population.	Noted. Given a contribution regime is yet to be finalised, the applicant acknowledges public benefit contributions will be provided as part of any agreed VPA with Council where greater GFA is sought under the strategy. An offer to Council is included as part of this PP, refer to Appendix I with the public benefits identified in Section 4.2.4 of this PP.
7 All redevelopments in the Chatswood CBD should contribute to public art in accordance with Council's Public Art Policy	Contribution to public art onsite will be considered at the competitive process stage and DA stage.
Design Excellence and Building Sustainability	
8 Design excellence is to be required for all developments based on the following process: a) A Design Review Panel for developments up to 35m high. b) Competitive designs for developments over 35m high.	Design excellence is required for all developments that have a height of 35m or more, unless the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances or that the development.
9 Achievement of design excellence will include achievement of higher building sustainability standards.	Noted - this will be a matter required to be addressed at the competitive process stage and DA stage.
10 The Architects for design excellence schemes should be maintained through the development application process and can only be substituted with written agreement of Council.	Noted - this will be a matter required to be addressed at the competitive process stage and DA stage.

Key Element of Future LEP & DCP Controls	Response
Floor Space Ratio (FSR)	
11 Figure 3.1.3 shows the existing FSR controls under WLEP 2012	Noted.
12 Minimum site area of: a) 1800sqm for commercial development in the B3 Commercial Core zone. b) 1200sqm for mixed use development in the B4 Mixed Use zone.	The site has an area of approximately 3,166sqm (including SP2 zoned land) and meets this requirement. The DCP includes a control stipulating that a minimum site area of 1,200sqm is required for a mixed-use development.
13 The FSRs in Figure 3.1.4 (page 34), should be considered as maximums achievable in the centre subject to minimum site area and appropriate contributions, and are as follows: a) No maximum FSR for commercial development in the B3 zone. b) A range of FSR maximums in the B4 zone, surrounding the B3 zone, reflecting context. c) Retention of 2.5:1 FSR along northern side of Victoria Avenue east.	An FSR of 6:1 for the subject site is sought in accordance with Figure 3.1.4. The FSR is sought to apply across the entire site including the land identified for acquisition. A site-specific clause is proposed to enable a redistribution of GFA subject to dedicating the portion of the land zoned SP2 to the relevant authority of the land.
14 Affordable housing is to be provided within the maximum floor space ratio, and throughout a development rather than in a cluster.	It is proposed to provide 4% of the residential FSR uplift as affordable housing (within the maximum FSR for the site). There is an ability to provide the affordable housing accommodation on-site or make a monetary contribution in lieu.
15 Where the maximum floor space ratio of 6:1 is achieved, the minimum commercial floor space ratio sought in development in a Mixed-Use zone is 1:1.	It is proposed to include a site-specific clause requiring a minimum non-residential FSR of 1:1.
Built Form	
16 In order to achieve the slender tower forms sought by Council the maximum floor plate at each level of a development should be no more than: a) 2000sqm GFA for office (to achieve this maximum a large site would be required). b) 700sqm GFA for residential towers above Podium within Mixed Use zones.	The proposal achieves these requirements.
17 In pursuit of the same goal of slender tower forms, the width of each side of any tower should be minimised to satisfactorily address this objective. To the same end, design elements that contribute to building bulk are not supported and should be minimised.	The width of the tower, sitting above a 2-storey podium has been minimised to ensure the tower form is slender and does not contribute to building bulk.
18 If there is more than one residential tower on a site, sufficient separation is to be provided in accordance with setbacks required in this Strategy, SEPP 65 and the Apartment Design Guidelines, to ensure that the slender tower form objective is achieved. Council will seek to	The indicative concept scheme illustrates compliance with this can be achieved based on the proposed built form controls. This clause has been incorporated into the site specific DCP.

Key Element of Future LEP & DCP Controls	Response
avoid an outcome where two towers read as one large tower. Towers are not to be linked above Podium and should operate independently regarding lifts and services.	
Sun Access to Key Public Spaces and Adjacent Conservation Areas	
19 The sun access protection and heights in Figure 3.1.5 will be incorporated into LEP controls, to ensure no additional overshadowing and protection in mid winter of: a) Victoria Avenue (between interchange and Archer St) 12pm - 2pm. b) Concourse Open Space 12pm - 2pm. c) Garden of Remembrance 12pm - 2pm. d) Tennis and croquet club 12pm - 2pm. e) Chatswood Oval 11am - 2pm (which in turn also protects Chatswood Park). In addition, f) Heights adjoining the South Chatswood Conservation Area will provide for a minimum 3 hours solar access between 9am and 3pm mid winter.	The site is not within the vicinity of any of these identified areas and will not cause additional overshadowing to these key public spaces and adjacent conservation areas.
Building Heights	
20 Maximum height of buildings in the CBD will be based on Figure 3.1.6, based on context and up to the airspace limits (Pans Ops plane), except as reduced further to meet: a) Sun access protection	The Planning Proposal is consistent with Figure 3.1.6 and seeks to amend the maximum height of building control to 90 metres. The site is not affected by sun access protection areas.
21 All structures located at roof top level, including lift over runs and any other architectural features are to be: a) Within the height maximums. b) Integrated into the overall building form	These criteria will be complied with and has been included as a control within the site specific DCP.
Links and Open Spaces	
22 The links and open space plan in Figure 3.1.7 (page 36) will form part of the DCP. All proposals should have regard to the potential on adjacent sites. Pedestrian and cycling linkages will be sought in order to improve existing access within and through the CBD. New linkages may also be sought where these are considered to be of public benefit. All such links should be provided with public rights of access and designed with adequate width, sympathetic landscaping and passive surveillance.	The site, nor any site within its vicinity, is affected by any links or open space plan identified in Figure 3.1.7.
23 Any communal open space, with particular regard to roof top level on towers, should be designed to address issues of quality, safety and usability.	These criteria will be complied with and has been included as a control within the site specific DCP.
Public Realm or Areas Accessible By Public on Private Land	

Key Element of Future LEP & DCP Controls	Response
24 Public realm or areas accessible by public on private land: a) Is expected from all B3 and B4 redeveloped sites. b) Is to be designed to respond to context and nearby public domain. c) Should be visible from the street and easily accessible. d) Depending on context, is to be accompanied by public rights of way or similar to achieve a permanent public benefit.	Opportunities for public realm or areas accessible by public exist. These criteria will be complied with and has been included as a control within the site specific DCP.
Landscaping	
25 All roofs up to 30 metres from ground are to be green roofs. These are to provide a green contribution to the street and a balance of passive and active green spaces that maximise solar access.	These criteria will be complied with and has been included as a control within the site specific DCP.
26 A minimum of 20% of the site is to be provided as soft landscaping, which may be located on Ground, Podium and roof top levels or green walls of buildings.	These criteria will be complied with and has been included as a control within the site specific DCP. However, there is scope for the podium level and roof level to provide soft landscaped areas, combined with the landscaping that can be achieved in the Pacific Highway setback.
Setbacks and Street Frontage Heights	
27 Setbacks and street frontage heights are to be provided based on Figure 3.1.8, which reflect requirements for different parts of the Chatswood CBD. With setbacks of 3 metres or more, including the Pacific Highway, deep soil planting for street trees is to be provided. d) Mixed use frontage with commercial Ground floor: i) 6-14 metre street wall height at front boundary ii) Minimum 3 metre setback above street wall to tower. e) Pacific Highway frontage: i) Minimum 4 metre setback at Ground level from front boundary ii) Maximum 7 metre street wall height iii) Minimum 6 metre setback above street wall to tower.	Figure 3.1.8 identifies the site with a Pacific Highway frontage along its western extent and a mixed-use frontage with commercial along its northern, eastern and southern frontages. The conceptual design illustrates a built form with a 4 metre setback to Pacific Highway based on the new street alignment. A two-storey street wall height is proposed to all elevations with the tower element setback above. The 4 metre frontage to Pacific Highway will be landscaped to provide the green buffer and some is proposed at the lobby entries to the residential and commercial components. A deep soil width of 1m is achieved closest to Pacific Highway. The Site Specific DCP includes a control requiring a 9-14m street wall height and 3m tower setback to Wilson Street and O'Brien Street in accordance with the design criteria. It also includes a 4m podium setback to the SP2 land and 6m tower setback above the podium in accordance with the design criteria. The design criteria include a requirement for a maximum 7m street wall height to Pacific Highway. This is reflective of the current DCP,

Key Element of Future LEP & DCP Controls	Response
	which may not reflect a two-storey non-residential podium. - Section 4C of the ADG illustrates a 4m floor to ceiling height on the ground level and 3.3m floor to ceiling height on the first floor within mixed use developments. This translates to a podium height of 9m when factoring in 0.35m freeboard for each level and allowing a tolerance for the slope of the land to prevent internal stepping of commercial uses and to accommodate the podium roof profile. - Clause 6A(1)(e) of SEPP 65 stipulates that where there is an inconsistency between the floor to ceiling design criteria within the ADG it prevails over the DCP floor to ceiling height regardless of when the development control plan was made. Therefore, a podium height of 9m should be provided to ensure compliance with the SEPP 65.
28 All towers above podiums in the B3 Commercial Core and B4 Mixed Use zones are to be setback from all boundaries a minimum of 1:20 ratio of the setback to building height.	This design criteria requires a 4.5m tower side setback based on the proposed 90m tower height. This design criteria have been included as control within the site specific DCP.
29 Building separation to neighbouring buildings is to be: a) In accordance with the Apartment Design Guide for residential uses. b) A minimum of 6 metres from all boundaries for commercial uses above street wall height.	The site is located on a corner block with Wilson Street separating the site from neighbouring buildings to the north, Pacific Highway separating the site from neighbouring buildings to the west and O'Brien Street separating the site from neighbouring buildings to the south. The site adjoins the RailCorp site to the east. This site is zoned SP2 Infrastructure – Railway. The site is narrow and is unlikely to be redeveloped for residential uses given its proximity to the adjacent rail corridor and its narrow width in the northern part. The site is considered to have a low development potential, with redevelopment more suited to non-residential uses. This design criteria have been included as a control within the site specific DCP which will ensure the future residential uses will comply with ADG.
Active Street Frontages	
30 At ground level, to achieve the vibrant CBD Council desires, buildings are to maximise active frontages. Particular emphasis is placed on the B3 Commercial Core zone. Blank walls are to be minimised and located away from key street locations.	Active street frontages will be provided to Wilson Street, Pacific Highway and O'Brien Street. This design criteria have been included as control within the site specific DCP.
Further Built Form Controls	

Key Element of Future LEP & DCP Controls	Response
31 Site Isolation will be discouraged and where unavoidable joined basements and zero-setback podiums should be provided to encourage future efficient sharing of infrastructure.	The site is not isolated and would not prevent the adjoining RailCorp site from being redeveloped in accordance with the Chatswood CBD Strategy controls prescribed for the site.
32 Controls will be applied to ensure the traditional lot pattern along Victoria Ave east (building widths of between 6-12m) is reflected into the future.	N/A.
33 Floor space at Ground level is to be maximised, with supporting functions such as car parking, loading, garbage rooms, plant and other services located in Basement levels.	Due to the site's three frontages and its site depth, any design requiring garbage trucks to access the basement will significantly reduce the GFA at ground floor level due to associated height clearances, a long and wide ramp provision and turning bays. Where possible, plant rooms will be located within the basement. Therefore, the site specific DCP includes a control permitting loading docks on the ground floor where it can be demonstrated and designed to accommodate vehicles up to and including 8.8-metre-long medium rigid trucks, and details of any such Council garbage truck specifications will form part of any Development Application.
34 Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages.	This design criteria have been included as control within the site specific DCP.
Traffic and Transport	
35 The CBD Strategy employs a Travel Demand Management approach seeking to modify travel decisions to achieve more desirable transport, social, economic and environmental objectives consistent with Council's Integrated Transport Strategy. In addition, site specific traffic and transport issues are to be addressed as follows: a) Vehicle entry points to a site are to be rationalised to minimise streetscape impact, with one entry area into and exiting a site. To achieve this objective loading docks, including garbage and residential removal trucks, are to be located within Basement areas. Where possible, cars and service vehicle access should be separated. b) In order to facilitate rationalisation of vehicle entry points on neighbouring sites, all development sites are to provide an opportunity within Basement levels to provide vehicle access to adjoining sites when they are developed. c) All vehicles are to enter and exit a site in a forward direction. Physical solutions rather than mechanical solutions are sought.	This design criteria have been included as control within the site specific DCP. a) Vehicle entry points have been rationalised, with the principal vehicular ingress and egress access way for commercial and residential users proposed from O'Brien Street. As mentioned at 33, it is not possible to locate the truck loading bay in the basement without significantly impacting the GFA on ground floor. A vehicle entry point for the loading bay is located to the rear northern corner off Wilson Street. Cars and service vehicle access has been separated. b) Noted, the vehicular entry point is located on the southern extent of the site, adjacent to the existing vehicular entry to the neighbouring RailCorp site. c) Noted and this can be achieved. d) Noted, all loading will occur on-site. e) A Traffic and Parking Report is submitted with the Planning Proposal. f) This can be resolved at the competitive process stage and DA stage.

Key Element of Future LEP & DCP Controls	Response
d) All commercial and residential loading and unloading is required to occur on-site and not in public streets. e) Car parking should be reduced consistent with the objectives of Council's Integrated Transport Strategy and in accordance with any future revised car parking rates in Councils DCP. f) Other strategies for car parking reduction include reciprocal arrangements for sharing parking and car share.	

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

Yes, this PP is the only way of achieving the objectives to trigger the redevelopment of the site in accordance with the objectives in the endorsed Chatswood CBD Strategy. The scale of change sought is outside the scope of Clause 4.6. A PP provides a transparent method of facilitating change and allows the community and opportunity to engage in the process.

There are a range of alternate means of amending the WLEP that could be considered to facilitate the concept development, including:

- Option 1 - Introduction of a site-specific provision under Part 6 of the WLEP.
- Option 2 - Introduce a new provision under Schedule 1 Additional Permitted Uses under the WLEP to include the development controls as required. This could be amended in a way that would be specific to the site, or, make an amendment to the 'Key Sites Map' which has been relied upon for other sites.
- Option 3 - Amend the FSR and Height of Building Map so that they identify the site as a particular area on the maps (e.g. 'Area 1'), and subsequently introduce an additional subclause under Clause 4.3 and 4.4 of the WLEP that allows the desired development outcome.
- Option 4 – The preferred option is to amend the FSR, Height of Buildings and Zoning maps under the WLEP.

The proposal incorporates site amalgamation and allows for the future dedication of road widening. Thus, the preferred option is Option 4, which is a simpler way of achieving the objective and intended outcome of this PP and the Council's Strategy.

6.2. Section B - Relationship to Strategic Planning Framework

6.2.1. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

▪ Greater Sydney Region Plan

The Greater Sydney Region Plan - A Metropolis of Three Cities was released in March 2018 and is the first Region Plan prepared by the Greater Sydney Commission. It is 20-year plan to manage growth and change and is built on a 40-year vision where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places. This vision is consistent with the 10 Directions established in the Directions for a Greater Sydney that are a set of common guiding principles that will assist in navigating Greater Sydney's future as follows:

- A city supported by infrastructure.
- A well-connected city.

- A collaborative city.
- A city for people.
- Housing the city.
- A city of great places.

Jobs and skills for the city.
A city in its landscape.
An efficient city.
A resilient city.

The Plan encompasses a global metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City. It is envisioned that people of Greater Sydney will live within 30 minutes of their jobs, education and health facilities, services, and great places. Refer to Figure 25 below for the general location of the site within the Eastern Harbour City. The site is located along the Eastern Economic Corridor, where Chatswood is noted as a major asset and identified as a Strategic Centre.

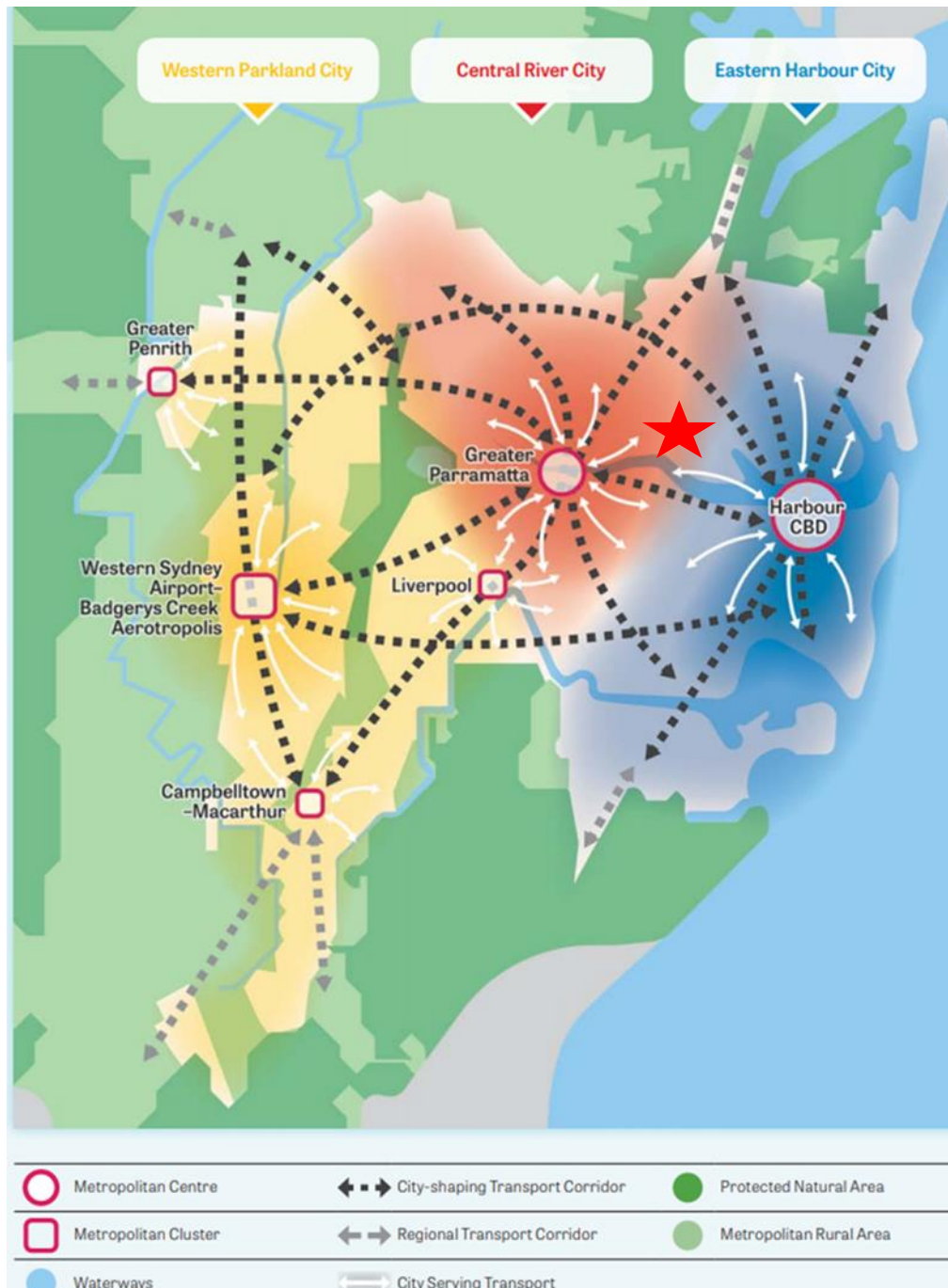


Figure 25: Metropolis of Three Cities, subject site identified with a star (Source: Greater Sydney Region Plan)

Table 5 provides an overview of how the PP meets the relevant objectives of the Greater Sydney Plan.

Table 5: Consistency with the relevant Greater Sydney Region Plan Directions

Direction	Response
Housing the City	This PP will facilitate increased residential accommodation in a highly accessible location, which supports the objective to provide a greater housing supply. The proposal seeks to provide approximately 190 dwellings which will contribute to the medium-term housing targets for the North District.
A City of Great Places	This PP will facilitate the redevelopment of the site and create the opportunity to improve the built environment and create an attractive, safe and enjoyable space.
A Well-Connected City	The site is well connected to public transport being in close proximity to Chatswood Train Station, Chatswood Metro Station and nearby bus stops. The proposal will contribute to an efficient city with walkable neighbourhoods and low carbon transport options and will reduce private car use. By increasing employment and housing on the site this will assist in the creation of the 30-minute City.
Jobs and Skills for the City	The increased development on the site in accordance with this PP will provide additional employment opportunities with commercial and retail spaces. Furthermore, the concept will provide housing on the site which is located within close proximity to a number of nearby employment hubs, thereby improving opportunities to reduce travel time to work.
A City in its Landscape	This PP provides the opportunity to enhance the quality of landscaping on the site, particularly adjoining the railway line.

North District Plan

The North District Plan identifies planning priorities and actions for improving the quality of life for residents of the North District as the area grows and changes. The District Plan has identified Chatswood as a strategic centre, which is located within the Eastern Economic Corridor and comprises a mix of retail, office, and residential uses as well as community and health.

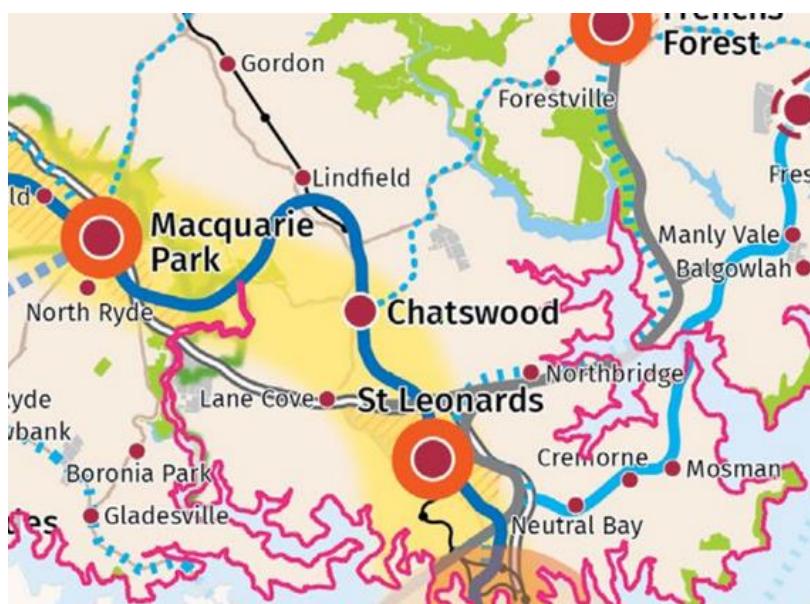


Figure 26: Extract of the North District Plan (Source: GSC)

Table 6 provides an overview of how the PP meets the relevant objectives of the North District Plan.

Table 6: Consistency with North District Plan Planning Priorities

North District Planning Priority	Response
Planning Priority N4 – Fostering healthy, creative, culturally rich and socially connected communities	This objective recognises streets and public places as key contributors to wellbeing by encouraging spontaneous social interaction and community cultural life when they are designed at a human scale for walkability. Active street life provides the greatest social opportunities when they are inclusive, intergenerational, and multipurpose. This planning proposal provides the opportunity for active street life through active retail and commercial uses at street level. The planning proposal will create a framework to deliver a unique building, that activates the ground floor plane and enhances connectivity from the site to the Chatswood CBD and Chatswood Rail and Metro Interchange.
Planning Priority N5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport	This objective notes the importance of providing ongoing housing supply and a range of housing types in the right locations to create more liveable neighbourhoods and support Greater Sydney's growing population. This PP will provide housing in a location that is in close proximity to existing and soon to be completed city shaping infrastructure, and is readily accessible to Chatswood, Sydney/North Sydney metropolitan centre and multiple strategic and regional centres and the jobs and services they offer.
Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's heritage	This PP will facilitate the renewal of four separate allotments currently occupied by residential flat buildings. The site is located to the north of the Chatswood CBD and will not overshadow any key spaces identified in the Chatswood CBD Strategy. The proposed building envelope envisages a high-quality development, with an active ground floor plane comprising commercial uses. The tower element is slender to minimise its visual bulk.
Planning Priority N10 – Growing investment, business opportunities and jobs in strategic centres	The PP includes a quantum of commercial FSR and seeks to strengthen and grow the Chatswood strategic centre by providing additional opportunities for commercial uses on the northern fringe of the CBD. The future delivery of housing on the site will also assist in providing increased housing outside of the Chatswood CBD and will protect the commercial core.
Planning Priority N12 – Delivering integrated land use and transport planning and a 30-minute city	The subject site is located approximately 500m from the Chatswood Rail and Metro Station and is well serviced by bus routes also Pacific Highway. The subject site's location will offer its residents and users access to Chatswood and wider Sydney using low carbon transport methods. The accessibility to public transport of the site will reduce private vehicle dependency and access to a walkable and 30-minute city.
Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiently.	The objective seeks to mitigate climate change by reducing the emission of greenhouse gases to prevent more severe climate change and adapting to manage the impacts of climate change. This PP seeks to facilitate greater use of public transport to combat the use of private vehicles and in doing so reduce greenhouse emissions. The site is well located in proximity to road and metro based public transport, as well as local employment opportunities in the Chatswood strategic centre, to enable access to jobs and services without reliance on private motor vehicles.

The PP is considered consistent with the Region Plan. It is considered that the renewal of the site will also contribute to the following 'key directions' articulated in the District Plan:

- Plan for housing choice in an appropriate location;

- Develop and support improvements to the increasingly integrated transport system; and
- Improve the quality of the built and natural environment while aiming to decrease the district's ecological footprint.

6.2.2. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The relevant local strategies to be considered are detailed below:

- Chatswood CBD Planning and Urban Design Study;
- Willoughby City Strategy 2013-2029;
- Willoughby Housing – Position Statement; and
- Willoughby Local Strategic Planning Statement.
- **Chatswood CBD Planning and Urban Design Strategy**

Consistency of this PP with the Chatswood CBD Strategy is discussed in detail at Section 6.2.1.

Willoughby City Strategy 2013-2029

The PP is consistent with the following key strategic directions of Council's Community Strategic Plan 'Willoughby City Strategy':

- **Homes** - This PP can facilitate increased housing choice, quality and character on the site to respond to the changing demographics of the Willoughby Area. The site is highly accessible and there is adequate infrastructure to support future development. The proposal will also provide affordable housing in accordance with the Willoughby Affordable Housing Policy.
- **Infrastructure** - As the site is highly accessible the proposal has the opportunity to reduce car dependence and encourage the use of active and public transport as an alternative.
- **Economic Activity** - This PP will facilitate the proposed concept which can provide retail and commercial floor space on the site, providing business and employment opportunities.
- **Willoughby Housing - Position Statement**

The Willoughby Housing - Position Statement was released in 2017 and includes discussion on the future housing needs of the Willoughby LGA over the next 20 years. The principles underpinning the Position Statement are as follows:

- *Provide sufficient and well-designed housing for the next 20 years.*
- *Provide for a mix of housing types to suit various community needs including affordable housing.*
- *Focus new housing growth in larger centres and areas of medium and high density with access to public transport to protect lower density neighbourhoods.*
- *Promote community health and wellbeing by locating new housing within walkable access (400m) to transport and other local services and amenities.*
- *Respect and promote the heritage and environmental qualities of WCC in planning for new housing*

This PP will facilitate the proposed concept which will provide high density residential development on the site increasing housing supply and choice within Chatswood. The existing site is located within a medium density area and therefore this PP will protect the existing low-density neighbourhoods within the locality. The site is highly accessible being located approximately 500m from Chatswood Station and a number of local services and amenities provided in Chatswood CBD. As such, future development as a result of this PP is consistent with the key principles outlined in the Willoughby Housing Position

Statement. This is due to the site's convenient location and ability to accommodate high density development.

▪ **Willoughby Local Strategic Planning Statement**

The Willoughby Local Strategic Planning Statement (LSPS) sets out the 20-year vision for land use in the local area and responds to A Metropolis of Three Cities and the North District Plan. The LSPS also informs amendments to Willoughby Local Environmental Plan 2012 and Willoughby Development Control Plan. In the context of the Willoughby LGA, the LSPS also provides information on the following:

- The existing and future character of Willoughby.
- Future housing, jobs and services.
- Future infrastructure requirements such as community facilities and transport initiatives.
- Protection of the environment and heritage values, areas and items.

A draft LSPS was exhibited from 15 August 2019 to 27 September 2019. Following exhibition, a draft final LSPS was reported to and adopted by Council on 10 February 2020.

Some of the key priorities in the LSPS that this PP is consistent with include:

- **Priority 1:** Increasing housing diversity to cater to families, the aging population, diverse household types and key workers
- **Priority 2:** Increasing the supply of affordable housing
- **Priority 3:** Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features
- **Priority 6:** Planning for local centres which are vibrant places that meet the everyday needs of the population
- **Priority 9:** Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor

Overall, the future development of the site as a result of this PP will increase housing supply and diversity within the LGA, provide 4% of the residential GFA uplift as 'affordable housing', improve the public domain surrounding the site and in turn walking and cycling connections. Further, the proposal will provide a high-quality mixed-use building within Chatswood CBD. The proposal is therefore consistent with the Willoughby LSPS.

6.2.3. Is the planning proposal consistent with applicable state environmental planning policies?

Table 7: Consistency with State Environmental Policies (SEPPs).

SEPP Title	Consistency	Comment
SEPP No. 19 Bushland in Urban Areas	N/A	Not applicable
SEPP No. 21 Caravan Parks	N/A	Not applicable
SEPP No. 33 Hazardous and Offensive Development Complex	N/A	Not applicable
SEPP No. 36 Manufactured Home Estates	N/A	Not applicable
SEPP No. 47 Moore Park Showground	N/A	Not applicable
SEPP No. 50 Canal Estate Development	N/A	Not applicable
SEPP No. 55 Remediation of Land	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP. The sites historical use was for residential purposes and the proposed use will continue for commercial / retail purposes with residential uses above. The attached Preliminary Site Investigation report concludes the potential for contamination is low and the site can be made suitable for residential development.
SEPP No. 64 Advertising and Signage	N/A	Not applicable to the subject PP but may be relevant to future DA(s).
SEPP No. 65 Design Quality of Residential Flat Development	Yes	The PP will achieve consistency with the SEPP through application of design excellence provisions. The Urban Design Analysis investigates the implications for realising the design quality principles in the SEPP and demonstrates an appropriate built form on the site.
SEPP No. 70 Affordable Housing (Revised Schemes)	Yes	If a requirement for affordable housing is introduced in the PP, the relevant provisions will be consistent with this SEPP.
SEPP (Aboriginal Land) 2019	N/A	Not applicable
SEPP (Affordable Rental Housing) 2009	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.

SEPP Title	Consistency	Comment
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Coastal Management) 2016	N/A	Not applicable
SEPP (Concurrences and Consents) 2018	N/A	Not applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Gosford City Centre) 2018	N/A	Not applicable
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Infrastructure) 2007	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Koala Habitat Protection) 2019	N/A	Not applicable
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	Not applicable
SEPP (Kurnell Peninsula) 1989	N/A	Not applicable
SEPP (Major Infrastructure Corridors) 2020	N/A	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable
SEPP (Penrith Lakes Scheme) 1989	N/A	Not applicable
SEPP (Primary Production and Rural Development) 2019	N/A	Not applicable
SEPP (State and Regional Development) 2011	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (State Significant Precincts) 2005	N/A	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not applicable
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable
SEPP (Three Ports) 2013	N/A	Not applicable
SEPP (Urban Renewal) 2010	N/A	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.

SEPP Title	Consistency	Comment
SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable

There are no deemed State Environmental Planning Policies (former Regional Environmental Plans (REPs)) applicable to the PP.

6.2.4. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

It is considered that the PP is consistent with the relevant Directions issued under Section 9.1 of the Act by the Minister to Councils, as demonstrated in the assessment of the following:

Table 8: Consistency with S9.1 Ministerial Directions.

Direction Title	Consistency	Comment
Employment and Resources		
1.1 Business and Industrial Zones	Yes	The PP promotes employment growth and supports the viability of the Chatswood CBD, which is a suitable location for the mixed-use zoning of this site.
1.2 Rural Zones	N/A	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable
1.4 Oyster Aquaculture	N/A	Not applicable
1.5 Rural Lands	N/A	Not applicable
Environment and Heritage		
2.1 Environment Protection Zones	N/A	Not applicable
2.2 Coastal Protection	N/A	Not applicable
2.3 Heritage Conservation	N/A	Not applicable
2.4 Recreation Vehicle Areas	N/A	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not applicable
2.6 Remediation of Contaminated Land	Yes	Refer to SEPP 55 discussion above.
Housing, Infrastructure and Urban Development		
3.1 Residential zones	Yes	The PP encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The PP demonstrates appropriate built form whilst minimising the impact of residential development on the environment.

Direction Title	Consistency	Comment
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable
3.3 Home Occupations	N/A	Not applicable
3.4 Integrating land use and transport	Yes	The PP will enable retail / commercial and residential development near jobs and services encouraging walking, cycling and use of public transport.
3.5 Development Near Licensed Aerodromes	N/A	Not applicable
3.6 Shooting Ranges	N/A	Not applicable
3.7 Reduction in non-hosted short term rental accommodation period	N/A	Not applicable
Hazard and Risk		
4.1 Acid sulphate soils	N/A	Not applicable
4.2 Mine Subsidence and Unstable Land	N/A	Not applicable
4.3 Flood Prone Land	No	The site is not located within flood prone land Accordingly, Direction 4.3 is not applicable.
4.4 Planning for Bushfire Protection	N/A	The site is not located within a Bushfire prone area. Accordingly, Direction 4.4 is not applicable.
Regional Planning		
5.1 Implementation of Regional Strategies	Yes	The PP will be consistent with this Ministerial Direction.
5.2 Sydney Drinking Water Catchments	Yes	The PP will be consistent with this Ministerial Direction.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable
5.9 North West Rail Link Corridor Strategy	N/A	Not applicable
5.10 Implementation of Regional Plans	Yes	The PP is consistent with the applicable Regional Plan, Greater Sydney Region Plan - A Metropolis of Three Cities. Refer to Section 6.2.1.
5.11 Development of Aboriginal Land Council land.	N/A	Not applicable
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The PP will be consistent with this Ministerial Direction.

Direction Title	Consistency	Comment
6.2 Reserving Land for Public Purposes	Yes	The PP will be consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The PP will be consistent with this Ministerial Direction.
Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	The PP is consistent with the applicable Regional Plan, Greater Sydney Region Plan - A Metropolis of Three Cities. Refer to Section 6.2.1.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not applicable

6.3. Section C - Environmental, Social and Economic Impact

6.3.1. 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 subject site is located within an existing urban environment and does not apply to land that has been identified as containing critical habitat or threatened species, population or ecological communities, or their habitats.

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

The PP is unlikely to result in any environmental effects. A future development application will investigate the potential for other likely environmental effects arising for future detailed proposals. However, as part of the detailed analysis for the site, relevant environmental considerations were investigated for a future indicative development on the site and are provided in attached appendices. A summary of these impacts is discussed below.

Urban Design

An Urban Design Report has been prepared by PBD Architects and is provided in Appendix B. The Urban Design Report reviews the proposed building envelope controls in the existing and future context of the surrounding area. The proposed building envelope controls are consistent with the intent of the Chatswood CBD Strategy which include a maximum building height of up to 90m, a maximum FSR of 6:1, and minimum non-residential FSR of 1:1.

Overshadowing

A Solar Analysis has been undertaken by PBD Architects and is provided in the Urban Design Report at Appendix B, demonstrating existing context and future context.

The shadow diagrams show that future development of the site in accordance with the Chatswood CBD Strategy will maintain solar access to the west of Pacific Highway all day in mid-winter, and properties to the east of the railway line not impacted until 1pm mid-winter. The industrial property adjoining to the east has full sun mid-winter until after 11am.

The properties to the south are partially overshadowed for short periods throughout the day, however they maintain solar access during the early morning or afternoon depending on their location.

Wind

A Wind Report has been undertaken by VIPAC, dated 21 October 2020 and is provided in Appendix E. This report states that the stronger winds can be expected from the south to north-westerly directions, followed by south, then north easterly directions.

It was recommended that the northeast corner balconies at Level 22 to 26 would expect some elevated winds and thus they should incorporate wintergarden designs, such as sliding windows/louvres so that the balconies can be enclosed. Also, increasing the balustrade height to more than 1.8m at the southwest and northeast corner balconies at Level 26 was recommended.

The report concludes:

- *With the proposed design, the adjacent footpaths would be expected to have wind levels within the walking comfort criterion.*
- *The wind conditions near the main entrance areas would be expected to be within the criterion for standing comfort.*
- *With the proposed design and recommended wind control measures, the wind conditions in the apartment balconies would be expected to be within the criterion for walking.*

Traffic

A Traffic Report has been prepared by GTA Consultants dated 2 Nov 2020 and is provided in Appendix D. Key conclusions from the Traffic Report are identified below:

The proposal could generate between 38 and 49 vehicle trips in any peak hours. Accordingly, for the loss of existing site generated traffic, the net change in traffic associated with the site is expected to be between 32 and 42 vehicle trips in any peak hour.

It is estimated that most of the traffic generated by the proposal would travel to/from the north and south along the Pacific Highway, with a smaller proportion travelling to/from the west via Fullers Road (to connect with M2) and the east (through Chatswood).

While it is noted there is an existing level of congestion throughout and around Chatswood CBD (as is common in key centres across Sydney), ... the potential net increase of between 32 and 42 trips in any peak hour is not expected to have a material impact on the surrounding road network. This particularly reflects the site location adjacent to the Pacific Highway which would allow for efficient access and limited impacts on Chatswood CBD generally.

The proposal would realise a significant improvement from existing access arrangements by consolidating the four existing driveways down to two and greatly reducing the width of the two O'Brien Street driveways.

The provision of 272 on-site car parking spaces is required, equating to 245 spaces for residential uses and 27 for the commercial space. This is provided over 4 basement levels.

High quality end-of-trip facilities will be provided including secure bicycle parking for residents, staff and visitors to encourage a mode shift towards more sustainable travel modes.

All loading and servicing would occur on-site and within the dedicated loading area on ground level. The site can support access by vehicles up to 8.8 metres long medium rigid trucks, with a turntable provided to ensure all vehicles enter and exit the site in a forward direction.

It is therefore concluded the future redevelopment of the site in accordance with this PP will not result in any adverse impacts on the surrounding street network.

Noise and Vibration

An Acoustic Report dated 9 November, 2020 prepared by Renzo Tonin & Associates has been provided in Appendix F. This confirms the following potential noise and vibration impacts include:

- Road traffic noise from Pacific Highway and Wilson Street
- Rail noise and Vibration associated with the CityRail North Shore Line

It concluded that external noise and vibration into the development can achieve a satisfactory accommodation environment provided the appropriate controls and recommendations are incorporated into the building design.

Any future DA will be accompanied with a detailed Acoustic Report.

Geotechnical

A Preliminary Geotechnical Report, dated October 2020, prepared by Douglas Partners has been submitted as part of this PP and is provided in Appendix G.

Preliminary comments on earthworks, excavation support, groundwater and foundations have been provided, with no major concerns being realised.

- The geology is typically black to dark grey shale and laminate.
- The dominant soil materials include clay with red ironstone nodules often found in the deep subsoil.

- Basement excavations will expose low to medium strength or stronger rock and pad footings will probably be suitable.
- Groundwater has previously been recorded at a depth of 5m, however seepage of this can be readily controlled during excavation.
- The site is not in an area, or near an area, associated with a probability of occurrence of acid sulphate soils.
- The site is located near the Railway Corridor and various roads and associated infrastructure and is likely to be subject to Transport for NSW conditions.

It is recommended any future DA to be accompanied with more detailed geotechnical investigations.

Contamination

A preliminary Site Investigation Report dated September 2020 prepared by Douglas Partners has been submitted as part of this PP in Appendix H. In relation to contamination, this concludes:

“The site has been used for residential purposes since (at least) 1930. Between 1961 and 2000, each of the four original houses (present in 1930) were demolished and replaced by the exiting apartment buildings.

Potential sources of contamination include: demolition of previous buildings and sheds; and imported fill to form and level the site. Potential contamination from demolition is likely to have been limited to surface soils. Similarly, it is noted that extensive fill was not observed at the site and two separate basements are present at the site, suggesting that any possible contaminated fill is likely to be localised. Overall, the potential for contamination is considered to be low...

Based on the above, it is considered that the site can be made suitable for the proposed development.”

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

As previously mentioned, the land is subject to a Land Reservation Acquisition where the Roads and Maritime (RMS) is specified as the authority to acquire land. The proposed land use mix is considered to deliver the most balanced planning outcome for this site and will have the following positive social and economic effects:

- The proposed residential component will provide more housing close to services and jobs and transport. The proposal delivers more residential capacity within the Willoughby LGA in a highly accessible location which supports the State Government's significant investment in infrastructure such as the Sydney Metro. Residential uses in this location supports the notion espoused by the Regional and District plans of a 30-minute city.
- The proposal will foster liveable healthy communities by ensuring people can live where they can access jobs, transport, and services without a car.
- The proposal will provide 4% of the additional GFA for affordable housing. The provision of these affordable housing units within walking distance of accessible public transport, shops and services will be a positive social outcome.
- The proposal will deliver significant employment floor space within a Strategic Centre. The proposal will provide approximately 52 retail jobs 58 commercial office jobs. The jobs will contribute to the productivity targets for Chatswood set in the North District Plan.
- The proposal will create a vibrant and active retail frontage. The enhanced retail with improved amenity and convenience will offer greater retail choice for residents, workers, and visitors.
- The dedication of the SP2 zoned portion of the land will enable road widening and reduce congestion. The dedication of the land rather than sale of the land enables additional funds to be used for future road works or other land acquisitions.

- The dedication of the floor space to Council as part of the public benefit offer will have a positive social effect through the provision of additional floor space for community services such as shared co-working space, child-care, office and other education related space.
- The construction of the project will deliver a significant amount of temporary construction jobs and contribute to the post Covid-19 economic recovery.

Accordingly, it is considered that the PP will have a positive effect on the local economy and community.

6.4. State and Commonwealth Interests

6.4.1. Is there adequate public infrastructure for the planning proposal?

The site is within an area that is currently well serviced by public infrastructure. The site is near a range of essential health, education and emergency services.

The site's inner urban location means that it is already well serviced by necessary utilities and services including telecommunications, electricity, water, sewer, and waste. Consultation with relevant authorities during public exhibition of the Planning Proposal will confirm the capacity of existing utilities to service the proposed development. Any potential upgrades to utilities required to respond to increased demand will be assessed as part of a future DA.

The site has excellent access to public transport. The site is located within 500 metres of the Chatswood Rail and Metro Station, as well as a high frequency bus stop immediately adjacent to the site which services different bus routes.

Existing utility services will adequately service any future development proposal as a result of this PP, and will be upgraded or augmented where required.

The site is approximately 700m north of Chatswood Public School and approximately 900m north of Chatswood High School. Chatswood CBD also contains a primary school and two Colleges. The site is well serviced by medical centres and services within the nearby Chatswood CBD and the site is located approximately 3km north of Royal North Shore Hospital. The area is generally well serviced with Police, Ambulance, fire and other emergency services.

This PP does not obstruct the existing public infrastructure.

6.4.2. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

At this first iteration of this PP, the appropriate State and Commonwealth public authorities have not yet been identified, and the Gateway Determination has yet to be issued by the Minister for Planning. Notwithstanding, there has been early support for this PP from the Department of Planning and Environment and TfNSW.

6.5. Summary of the Strategic and Site-Specific Merits of the Planning Proposal

Planning circular PS 16-004 describes the independent review process related to plan-making including the Strategic and Site-Specific matters which are considered by Planning Panels and the Independent Planning Commission. They provide a useful framework to summarise the matters discussed in the preceding sections.

The following table provides summary of the strategic merits of the planning proposal in accordance with Planning circular PS 16-004.

Table 9: Strategic Merit Test

Strategic Merit Test	Response
----------------------	----------

Give effect to the relevant district plan within the Greater Sydney region, or corridor, precinct plans applying to the site, including any draft regional, district or corridor precinct plans released for public comment;	As discussed above, this PP is consistent with the Greater Sydney Region Plan and the North District Plan. The proposal will increase accommodation in Chatswood CBD with the future development accommodating up to 190 dwellings, near the Chatswood Rail and Bus Interchange.
Give effect to relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement	This PP is consistent with the endorsed Chatswood CBD Strategy. It provides for a mixture of commercial (at minimum 1:1 FSR) and residential development near public transport and the Chatswood CBD. It provides for a slender tower above a 2-storey podium which allows for appropriate building separation, solar access, and privacy to surrounding developments, whilst achieving engagement at the street level.
Respond to a change in circumstances, such as investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.	The change in circumstance in this instance relates to the desire by Willoughby City Council to provide increased development on the CBD periphery in order to protect the existing Commercial Core. This PP facilitates a mixed-use development consistent with the built form envisaged in the Strategy.

Table 10: Site Specific Merit Test

Site Specific Merit Test	Response
The natural environment (including known significant values, resources or hazards),	The site is not known to contain any significant environmental values, resources, or hazards. A preliminary Site Investigation Report is included as part of this PP which concludes " <i>the potential for contamination is considered to be low</i> ". Any DA for future works will address the potential impact of any development on adjacent land and its natural environment.
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and	As the site and immediately surrounding vicinity is subject to the Chatswood CBD Strategy, the Strategy has considered the existing and future land uses within the locality. Pursuant to the Strategy, the future land use of all land immediately adjoining the site is B4 Mixed Use. The PP has taken into consideration its surrounding context and will not adversely impact any surrounding development. Specifically, the proposal has considered the adjoining RailCorp land in the event that it was developed for a mixed-use development in the future. The PP will enable the SP2 land to be dedicated to the relevant authority of the land to provide future road widening.
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	The site is highly accessible by public transport being located within a 10-minute walk of Chatswood Rail and Bus Interchange, as well as several bus stops along Pacific Highway. We do not envisage there will be any unreasonable demand placed on services and infrastructure, beyond those already envisaged by the Chatswood CBD Strategy.

In conclusion of this assessment, the proposal will enhance Chatswood's CBD periphery by providing sustainable housing, jobs and significant public benefits that carry both strategic and site-specific merit and should be progressed for consideration of a Gateway Determination.

7. PART 4 – MAPPING

The proposal requires a straightforward mapping change to the following and are provided in Appendix C:

- WLEP 2012 Land Zoning map, extending the B4 zone to encompass the subject site;
- WLEP 2012 Height of Buildings map to permit 90 metres for the subject site;
- WLEP 2012 Floor Space Ratio map to permit a maximum 6:1 for the subject site; and
- Special Provisions Area Map will be amended to include the subject site as “Area 3”.

8. PART 5 – COMMUNITY CONSULTATION

Division 2.6 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated that the planning proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning, Industry and Environment guidelines 'A guide to preparing local environmental plans'.

There has been considerable community consultation within the area as part of Council's Chatswood CBD Strategy which included numerous community workshops and public consultation of the draft Chatswood CBD Strategy between 4 February 2017 to 17 March 2017. In addition, the community has been consulted at a high level as part of Willoughby City Council's preparation of their LSPS and Local Housing Strategy.

It is anticipated that the community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on Council's website. The written notice will:

- Give a brief description of the objectives or intended outcomes of the PP;
- Indicate the land affected by the PP;
- State where and when the PP can be inspected;
- Give the name and address of the RPA for the receipt of any submissions; and
- Indicate the last date for submissions.

The Gateway Determination, planning proposal and specialist studies would be publicly exhibited by Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation

During the exhibition period, the following material will be made available for inspection:

- The PP, in the form approved for community consultation by the Director General of Planning and Infrastructure;
- The Gateway determination; and
- Any studies relied upon by the PP.

9. PART 6 – PROJECT TIMELINE

The timeframe for the completion of the planning proposal will depend on the complexity of the matters, the nature of any additional information that may be required and the need for agency and community consultation. The following detailed are indicative only and may be amended at Gateway.

Step	Indicative Timeframe
Lodgement of Planning Proposal	November 2020
Report to Willoughby Local Planning Panel	To be determined by Council, anticipate February 2021
Report to Council	To be determined by Council, anticipate March 2021
Gateway Referral	To be determined by Council, anticipate April 2021
Gateway Determination received	To be determined by DPIE, anticipate May 2021.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	Anticipated timeframe is to run concurrently with public exhibition period.
Public Exhibition	As specified in Gateway determination, anticipate May -June 2021 Anticipated timeframe is 28 days.
Dates for public hearing (if required)	To run concurrent with exhibition period.
Consideration of Submissions	To be determined by Council, anticipate July 2021
Report to Council	To be determined by Council, anticipate August 2021
Department Referral (for making of Plan)	To be determined by DPIE, anticipate October 2021
Notification of Determination	To be determined by DPIE, anticipate January/February 2022

10. CONCLUSION

This Planning Proposal is a proposal situated in the northern part of the endorsed Chatswood CBD Strategy area and will enable the construction of a 27 storey mixed-use development comprising: -

- 2 levels of retail / commercial floor space; and
- 25 levels of residential floor space.

The Planning Proposal: -

- Is consistent with the objectives of the proposed B4 zoning pursuant to the current Willoughby Local Environmental Plan (LEP) 2012;
- Resolves the amalgamation of the site to enable mixed use development and for the portion of the land zoned SP2 to be dedicated to the relevant authority of the land for future road widening.
- Is a suitable development which is consistent with the existing and future built form and will not adversely impact on the locality;
- Establishes a proposed building height across the site which creates the opportunity for a tall slender residential tower above a commercial podium providing increased residential and commercial development to the newly expanded Chatswood CBD area to the north;
- Is consistent with the Greater Sydney Region Plan – A Metropolis of Three Cities and District Plan objectives to locate increased residential density closer to public transport and access to mature road networks and existing urban centres;
- Provides via a Draft Planning Agreement the:
 - dedication of 400sqm-450sqm of commercial floor space for a new community facility,
 - provision of affordable housing within the site,
 - the economic and orderly development of land to achieve the future widening of the Pacific Highway, and
 - the gross floor area uplift applicable to the SP2 land will increase the overall affordable housing s.7.11 and CIS contribution to Council;
- Is consistent with the Ministerial Directions; and
- Positively contributes net community benefits.

In summary there is no reasonable planning basis which would not support amending the Willoughby Local Environmental Plan 2012 in relation to the site to be consistent with the objectives in the endorsed Chatswood CBD Strategy.

Overall, the proposal balances the constraints specific to this site and leverages the opportunities to provide high quality commercial, residential and community spaces including affordable housing, and facilitates public dedication of a significant parcel of land for future road widening to Pacific Highway.

The proposal will enhance the gateway into Chatswood's CBD from the north and meets the State and Willoughby Council's objective to increase densities in major centres where there is excellent access to public transport.

APPENDIX A:

SITE AREA PLAN / SURVEY PLAN

Prepared by Burton & Field Surveying & Land
Development

APPENDIX B:

URBAN DESIGN REPORT

Prepared by PBD Architects

Dated 06 November 2020

APPENDIX C:

LEP MAPPING AMENDMENTS

Prepared by City Plan

APPENDIX D:

TRAFFIC REPORT

Prepared by GTA Consultants

Dated 02 November 2020

APPENDIX E:

WIND REPORT

Prepared by Vipac Engineers & Scientists Limited

Dated 21 October 2020

APPENDIX F :

ACOUSTIC REPORT

Prepared by Renzo Tonin & Associates

Dated 09 November 2020

APPENDIX G:

GEOTECHNICAL REPORT

Prepared by Douglas Partners

Dated October 2020

APPENDIX H:

PRELIMINARY SITE INVESTIGATION REPORT (CONTAMINATION)

Prepared by Douglas Partners

Dated September 2020

APPENDIX I :

NON-BINDING VPA OFFER TO COUNCIL

Prepared by Sanctuary Partners

Dated 06 November 2020

APPENDIX J :

NON-BINDING VPA OFFER TO TRANSPORT FOR NSW

Prepared by Sanctuary Partners

Dated 08 October 2020

APPENDIX K:

SITE SPECIFIC DEVELOPMENT CONTROL PLAN

Prepared by Sanctuary Partners

Dated 06 November 2020

APPENDIX L :

3D RENDER

Prepared by The Two Artisans Studio

Dated 03 November 2020