

23 December 2020

Our Ref: P-20212 (TC)

Mr Craig OBrien

Willoughby Council

PO BOX 57

CHATSWOOD NSW 2057

Craig.obrien@willoughby.nsw.gov.au

Dear Mr O'Brien,

RE: SUBMISSION TO PRELIMINARY ASSESSMENT OF PLANNING PROPOSAL 2020/10 - 849, 853 AND 859 PACIFIC HIGHWAY AND 2 WILSON STREET, CHATSWOOD

This submission has been prepared by City Plan Strategy & Development (City Plan), on behalf of 853 Pacific Highway Pty Ltd (ATF) (the client), in response to preliminary advice received from yourself regarding the Planning Proposal 2020/10 at 849 - 859 Pacific Highway and 2 Wilson Street, Chatswood (the subject site).

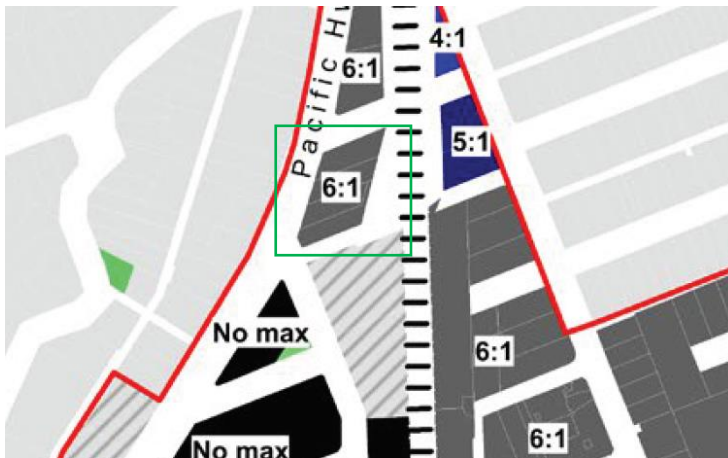
The Planning Proposal was submitted to Council in November 2020 after numerous meetings and discussion with Council extending back to 26 September 2017.

On 7 December 2020, written advice was received from Council advising that a preliminary assessment had been undertaken involving internal referrals and that Council encourages amendments to be made to allow Council to be in a position to support the Planning Proposal. Each of these issues will now be addressed below, with revised Architectural Plans provided in **Appendix 1**:

1. FLOOR SPACE IS TO BE BASED ON THE SITE AREA AFTER LAND RESERVATION ACQUISITION UNDER WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012.

The concern suggests that the current PP is not consistent with the *Chatswood CBD Planning and Urban Design Strategy to 2036* (Strategy). On the contrary, we believe that the proposal is wholly consistent with this Strategy for the following reasons:

- The subject site is an amalgamation of four (4) allotments,
- Currently SP2 land is included in the Strategy and the WLEP 2012 is being updated in accordance with the Strategy (refer to **Figure 1** below),
- The SP2 road reservation is on private land. The proposal does not seek to obtain a larger development on the site, but "reallocate" allowable GFA to facilitate the dedication of the road at nil cost, and
- The proposal results in a building envelope compliant with the Strategy.



(Figure 1: Subject site identified in the Strategy Map as 6:1 for whole of site. Source: Willoughby City Council)

Currently the SP2 portion of site is in private ownership and physically has unit buildings sitting on the land. To allow the future dedication of this land, it would require the compulsory acquisition and demolition of the unit blocks. The acquisition of the land would need to be based on the highest and best value of the land, in accordance with the valuation methodology prescribed in the Land Acquisition (Just Terms Compensation) Act, 1991. In this case, the DPIE having adopted the Chatswood Strategy, the highest and best value would be a 6:1 FSR mixed use building to a max height of 90m.

During the pre-PP meeting process with Council, this issue was raised. In 2017, Council expressed their desire for the four (4) sites to be amalgamated, achieving 3,000sqm; and it was advised that the best way moving forward would be to "shift" the allowable GFA to the remainder of the site and, through a VPA, consider the dedication of the SP2 land at nil cost for the road widening. This would be consistent with Clause 6.21 in the WLEP 2012 - bonus height and floor space ratio available for development on consolidated sites on Pacific Highway and would allow for the dedication of the road widening to occur.

Should the additional gross floor area not be allocated to the SP2 portion of the site, it would not be viable to dedicate this land at Nil cost in addition and deliver a 400sqm dedicated community facility as a public benefit.

We note that in the proposed WLEP Planning Proposal update, that Council is maintaining the requirement for the site to be equal to or greater than 3,000sqm. Although this is contrary to the CBD Strategy (requiring a minimum of 1,200sqm for this site), the submitted PP for this site achieves this and ensures consistency with the future expectations of the site.

Lastly, the Chatswood Strategy lost a significant amount of uplift in the immediate area following the Department and GMU review after Council's endorsement of the original CBD Strategy in 2017. Traffic analysis demonstrated the future transport network can be accommodated by the Strategy; however, yields were reduced in the transitional areas due to the sensitive interface with the Heritage Conservation Areas. This does not include the subject site. This proposal is unique in that it can replace some of the lost uplift whilst being consistent with the North District Plan to provide housing and maintaining a Strategy compliant envelope on site achieving the required setbacks and heights. This demonstrates that the proposed PP is consistent with the Strategy for the immediate area.

This PP will not set a precedent as it is the only site affected in this manner. Rather it will provide the following State and Local public benefits:

- Dedication of SP2 land (approximately 470sqm) at nil cost to Government and the community, as stated above. The alternate cost to the public to be in the order of \$7.5million,
- 400sqm of dedicated community facility,
- Increased affordable housing dedication,

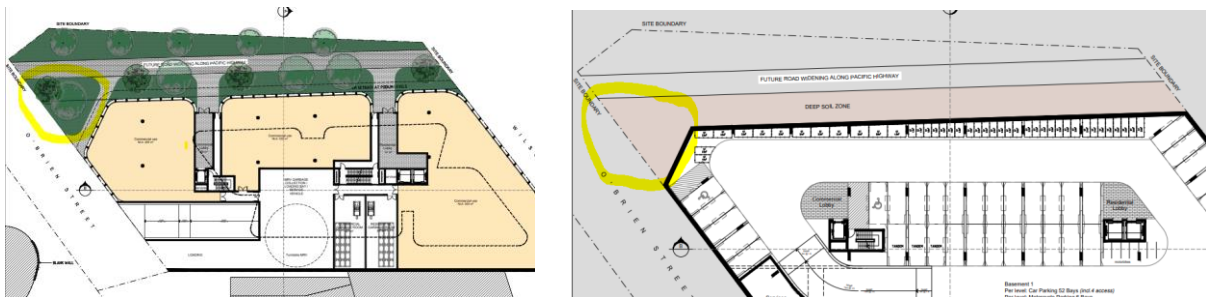
- Additional s7.11 contributions through the additional GFA generated from the whole site,
- Additional commercial GFA in the immediate area,
- Additional housing in this immediate area, close to a major transport hub, and
- Allow for the revitalisation of this section of the Pacific Highway.

2. ENHANCEMENT OF PUBLIC REALM

In particular, Council seeks the provision of 'public realm' within the site at ground level, which is consistent with the objective under the Strategy of greening the city and enhancing public domain, specifically by providing additional space at either/or the corners of Pacific Highway and O'Brien Street or Pacific Highway and Wilson Street.

In accordance with the Strategy, a 4m setback is proposed to the portion of the land zoned SP2 to enable publicly accessible land containing deep soil, pathways and mature planting.

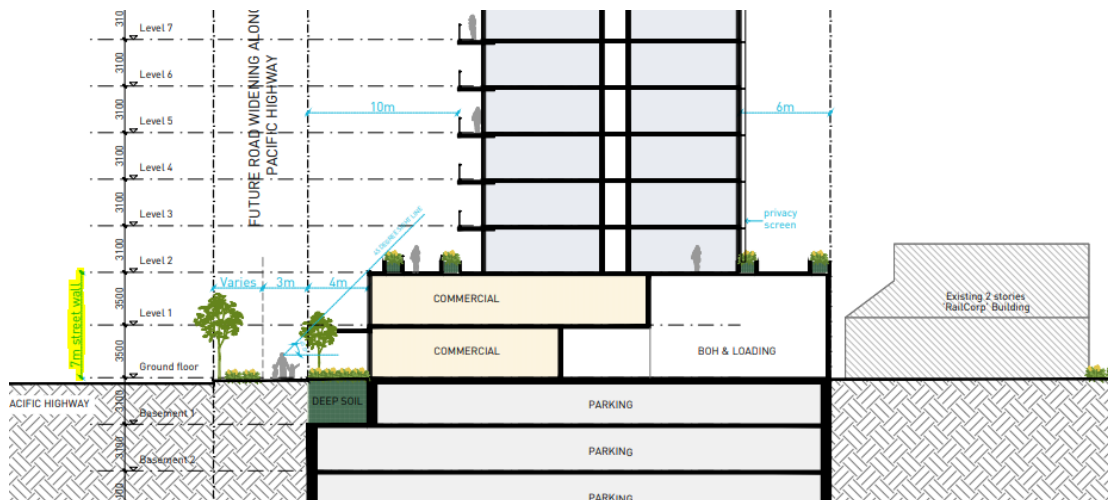
As illustrated in the concept plan below, additional deep soil planting is able to be provided to the corner of the Pacific Highway and O'Brien Street which could facilitate substantial tree planting. (Refer to **Appendix 1** and **Figure 2** below)



(Figure 2: Location of additional pocket park on corner of Pacific Highway and O'Brien Street, with deep soil. Source: PBD Architects, Drawing PP101 and Dwg PP102).

3. PACIFIC HIGHWAY STREET WALL - MAXIMUM 7M IN HEIGHT

The revised concept plans in **Appendix 1** have been amended to demonstrate a 7m street wall height, consistent with the Strategy. The commercial component floor to floor height has been reduced to 3.5m. The podium landscaped edge along the Pacific Highway has been setback 1m to achieve the 7m street wall presentation. (Refer to **Figure 3** below)



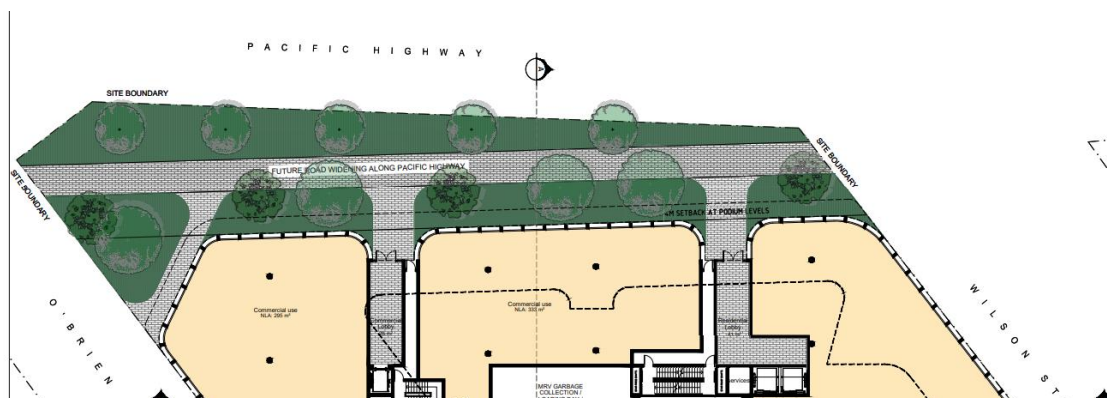
(Figure 3: Extract on revised Section showing the 7m Street Wall height. Source: PBD Architects)

4. PACIFIC HIGHWAY FRONTAGE - THE FRONT SETBACK SHOULD BE CHARACTERISED BY TREE PLANTING AND SHARED PATH.

The concept Ground Floor Plan has been revised to demonstrate the following, consistent with 27(e) of the Strategy:

- 4m setback of deep soil allowing for substantial planting and defined entry into the residential and commercial lobbies (allowing a minimum 4m setback at ground level from the front boundary, after considering the future road dedication), and
- Indicative verge and shared path along the Pacific Highway frontage.

This reflects the Strategy in that the planting does not interrupt the use of the shared path and the shared path has been integrated into the holistic design of the site. The path wraps around the building at the intersection with O'Brien Street, reinforcing the pocket park in this corner. (Refer to **Figure 3** above and **Figure 4** below). Council is preparing a public domain plan for a future shared cycling and pedestrian path along the Pacific Highway including planting. The future DA will be designed to ensure it is consistent with this plan, the current public domain concept plan is a placeholder until Council's plan has been finalised.



(Figure 4: Extract of Ground Floor Plan showing the shared path and deep soil landscaping along Pacific Highway and integrated as part of the overall design. Source: PBD Architects)

5. DEEP SOIL PLANTING - ADDITIONAL TO BE PROVIDED ALONG PACIFIC HIGHWAY

The Basement Level 1 has been setback 4m to demonstrate greater deep soil for this frontage and achieve compliance with the Strategy, Key element 27. (Refer to **Figure 3** above and the basement plan in **Figure 2**). The proposal is consistent with the Strategy in this respect.

6. LANDSCAPE PLAN -

Council has requested that the deep soil and planting along Pacific Highway is to be shown, along with green roofs are to be provided on roofs up to 30m and a minimum 20% of the site area is to be provided as soft landscaping.

The Urban Design Report submitted with the PP, included Indicative Podium Sections and Analysis which demonstrated that planting was to be provided on the podium levels. Further, a landscape concept plan was submitted which demonstrated deep soil and soft landscaping to be provided at the ground level and on the podium levels above.

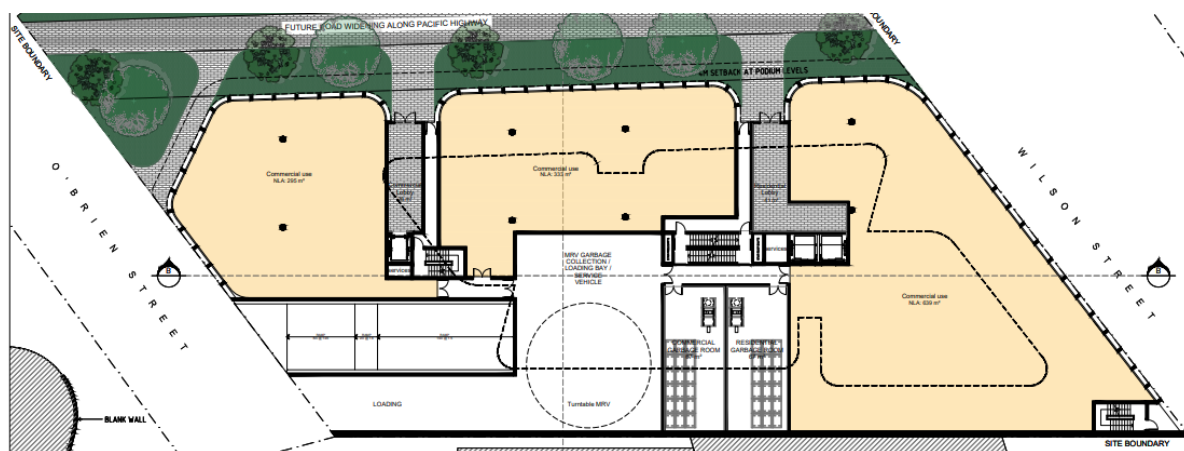
The proposal can achieve the minimum 20% of the site as soft landscaping (which includes deep soil landscaping); particularly with the revised plans which has increased the extent of deep soil landscaping along the Pacific Highway frontage.

The result will be a design that is consistent with Element 25 and 26, providing a balance of passive and active green spaces that maximise solar access and provide a green contribution to the street. The 20% of the site as soft landscaping can be located on ground, podium and roof top levels or green walls of buildings, and the specific design of this will be provided at DA stage.

7. VEHICLE ACCESS ENTRY POINTS ARE TO BE RATIONALISED, WITH ONE AREA INTO AND EXITING THE SITE, AND

8. LOADING/SERVICING

The revised indicative concept ground floor plan has consolidated the vehicular access to demonstrate that all vehicles enter and are able to exit from O'Brien Street. The concept plan also illustrates tenant vehicle access can be separated from the loading access, minimising the service frontage while maximising the street frontage for Commercial use. (Refer to **Figure 5** below). The concept plan demonstrates achievement of Element 35 of the Strategy, particularly subsections a) and c). All vehicles can enter and exit the site in a forward direction and the amendments ensure the revised indicative design is consistent with the Strategy.



(Figure 5: Extract of revised ground floor plan showing the rationalised vehicular entry points to the site. Source: PBD Architects)

9. CARPARKING - LOWER CAR PARKING PROVISION IS SUPPORTED

Council has requested that the parking rates provided are to be reduced due to the proximity of the site to the Chatswood CBD and train/Metro station/Bus interchange.

This can of course be achieved and the details provided at the later DA stage, in accordance with the local provisions of the imminent future DCP which are yet to become publicly available. Nevertheless, the Planning proposal demonstrates that the total parking rates can be reduced, if required.

10. DRAFT DCP PROVISIONS ARE REQUIRED

Council has requested the preparation of the Draft DCP provisions to be consistent with other Draft DCPs in the immediate area. These comments have been noted, and the alterations to the proposal have been reflected in the amended DCP in **Appendix 2**.

11. CONCLUSION

The concerns raised by Council in the preliminary assessment of the submitted PP have been taken into consideration and the indicative Architectural Plans and the DCP has been amended accordingly.

The proposal is as demonstrated is consistent with the Strategy, for the reasons identified above. It will provide numerous public benefits to the State and Local communities and will revitalise the current Pacific Highway stretch north-west of the major transport hub. It will allow the dedication of land for road reserve and will provide for a building within the expected height and setback building envelopes for the site. It also achieves the expected commercial floor space ratio of 1:1 and provides for a variety of housing, consistent with the North District Plan. It is an orderly and economic development of the land as it achieves the amalgamation of the four (4) sites in the northern bookend of Chatswood.

If you wish to discuss this matter any further, please do not hesitate to contact the undersigned.

Yours Faithfully / Sincerely,

A handwritten signature in black ink, appearing to read "T. Christy".

Tina Christy
Associate Director

APPENDIX 1 - REVISED ARCHITECTURAL PLANS

APPENDIX 2 - REVISED DRAFT DCP PROVISIONS