GYDE



Planning Proposal – Chatswood

Revised Planning Proposal

849, 853 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood

submitted to Willoughby City Council
on behalf of 853 Pacific Hwy Pty Ltd
17/08/2022

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EXECUTIVE SUMMARY

This Revised Planning Proposal has been prepared by GYDE Consulting on behalf of 853 Pacific Hwy Pty Ltd (the "proponent") and is submitted to Willoughby City Council (Council) for assessment under Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Planning Proposal intends to unlock the development potential for land at Pacific Highway, Wilson Street and O'Brien Street Chatswood (the "site"). The land that has a total site area of 4,751 sqm, of which 4,294 sqm is applicable to the planning proposal (as identified in Table 1) excluding the western boundary SP2 Classified Road zoned land.

The site includes 849,853 & 859 Pacific Highway and 2 Wilson St Chatswood, which was subject to a rezoning review. This was subsequently recommended for refusal by the Sydney North Planning Panel on 29 September 2021, and as a result this proposal will not include GFA or site area from the SP2 Classified Road land situated along the western frontage to Pacific Highway.

This proposal additionally includes 8 Wilson Street (also known as Lot 1 O'Brien Street) as part of the consolidated site. The land at 8 Wilson Street is surplus to Transport Asset Holding Entity (TAHE) and Transport's requirements, under the ownership of TAHE, and is currently not being used for railway purposes. At present, it contains an industrial building under an expired lease to a community support service provider. Although previous uses of this land for transport related purposes has meant the omission of this lot from the Chatswood CBD Strategy, its inclusion is justified on the basis that the proposal prevents the lot from being isolated, provides a uniform planning outcome for the entire street block, and is no longer being used for rail purposes. 853 Pacific Highway Pty Ltd have entered into a purchase rights agreement with TAHE and TAHE support the rezoning of their site to B4, in accordance with all neighbouring sites.

It is the intention of this Planning Proposal to consolidate 849, 853 & 859 Pacific Highway and, 2 Wilson Street, and 8 Wilson Street Chatswood. This would provide a development that spans the block bounded by O'Brien Street, Wilson Street and the Pacific Highway.

23 Nov 2021 – Original planning proposal was lodged with Council.

7 Feb 2022 – letter received from Council requesting amendments to the Planning Proposal including deletion of the through-site link and pocket park at the rear of the site along with changes to the ground floor including vehicular access.

25 Feb 2022 – a response letter was sent to Council which included the changes and was accompanied with amended architectural plans, landscape plan, site specific DCP and revised VPA letter.

9 March 2022 - Council requested the deletion of the Community Facility as part of the VPA.

Thus, the design has been revised accordingly.

28 July 2022 – Gateway determination was issued by NSW Department of Planning and Environment. Conditions of consent have been addressed in this revision.

This revised Planning Proposal seeks to:

Provide a Mixed-use scheme on consolidated site (849, 853 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood)

- rezone the consolidated site to B4 Mixed Use, excluding the SP2 Classified Road portion which fronts the Pacific Highway and is not part of the applicable site area. This is to be retained for future acquisition by TfNSW for road dedication.
- introduce a maximum building height of 90m across the applicable site.
- introduce an FSR of 6:1 across the applicable site
- introduce a local clause requiring a minimum of 1:1 non-residential FSR.

The concept design prepared by PBD Architects demonstrates the intended design of the site, including potential developable areas suitable for residential and commercial development.

This Planning Proposal clearly demonstrates consistency with the objectives of the strategic planning framework, including the Chatswood CBD Strategy and achieves full ADG compliance, as well as site-specific merit.

Key factors addressed in this Planning Proposal and the supporting documentation relate to:

- Implementing the objectives and desired outcomes of the Chatswood CBD Strategy;
- Investment in community facilities to support the strategy;
- Delivery of increased housing supply and diversity to assist in reaching housing targets;
- Increased availability of new housing and commercial space close to transport and other infrastructure; and
- Proposed shared pedestrian and cycle pathway to complete Willoughby shared path vision with the inclusion of a pocket park.

SECTION A - OVERVIEW

1. BACKGROUND

1.1. Chatswood CBD Planning and Urban Design Strategy (CBD Strategy)

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.

To meet these aims, the Strategy recommended 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. It presents a unique opportunity to consolidate a whole island site and provides a scheme that achieves 100% ADG compliant development.

1.2. Previous Planning Proposal for 849,853 & 859 Pacific Highway and 2 Wilson St Chatswood (PP 2020/010)

In November 2020, a Planning Proposal for 849,853 & 859 Pacific Highway and 2 Wilson St Chatswood was lodged with Willoughby Council, which sought to amend the Willoughby Local Environmental Plan 2012 (WLEP) in relation to zoning, height and FSR to be consistent with the objectives in the Chatswood CBD Strategy. Council took the view that the proposal is not consistent with endorsed Chatswood CBD Planning and Urban Design Strategy (CBD Strategy). On 17 March 2021 Gyde Consulting made a formal request to the Department of Planning, Industry & Environment for a rezoning review. The Sydney North Planning Panel recommended on 29 September 2021 that the proposal should not proceed to Gateway because the future road widening was not certain and imminent and there was no letter of support from TfNSW.

However, “The Panel suggested that given there was only one point of disagreement between the Applicant and Council that there would be significant merit in the two parties coming to an agreement in order to allow this significant site involving the amalgamation of four lots to be progressed”.

This new proposal goes one step further and amalgamates the 5 sites to create a consolidated development potential in a significant location near the Chatswood CBD. The consolidated site includes 38 individual properties. The difference with this proposal is there is a letter of support from TAHE for the rear SP2 land to be included. This land is considered surplus, and they are in support of the rezoning. This will not be setting a precedent as this land is not needed for railway purposes as the letter of support suggests. Furthermore, there is no suggested FSR transfer, as appeared to be a concern with the previous proposal.

1.3. Current planning proposal

This Planning Proposal site includes a lot at 8 Wilson Street, also known as Lot 1 O’Brien Street, Chatswood. This site is zoned primarily SP2 Infrastructure – Railway and runs adjacent to the rail corridor. The land is affected by various easements created by DP1189541. Refer to Annexure 10. A small section (approximately 22%) is zoned B4 mixed use. The land has been omitted from the Chatswood CBD strategy, presumably because it was State Government Land, and therefore the site has not been identified as part of the new controls to be implemented as part of the LEP and DCP review.

However, there has been a material change as this land is deemed surplus to requirement as noted by the Transport Asset Holding Entity (TAHE) and TAHE has given their support for the development of the lot as this site is currently not being used for railway purposes. The SP2 Railway land at 8 Wilson Street is unrelated to the SP2 Classified Road land at the western extent of the site.

Currently, the SP2 Railway land has no maximum FSR or height controls, so to provide a uniform outcome it is proposed as part of this Planning Proposal to consolidate the 5 allotments and provide for a maximum 6:1 FSR and 90m height limit across the consolidated site, excluding the western boundary SP2 Classified Road zone. (Refer to Figure 1 below).

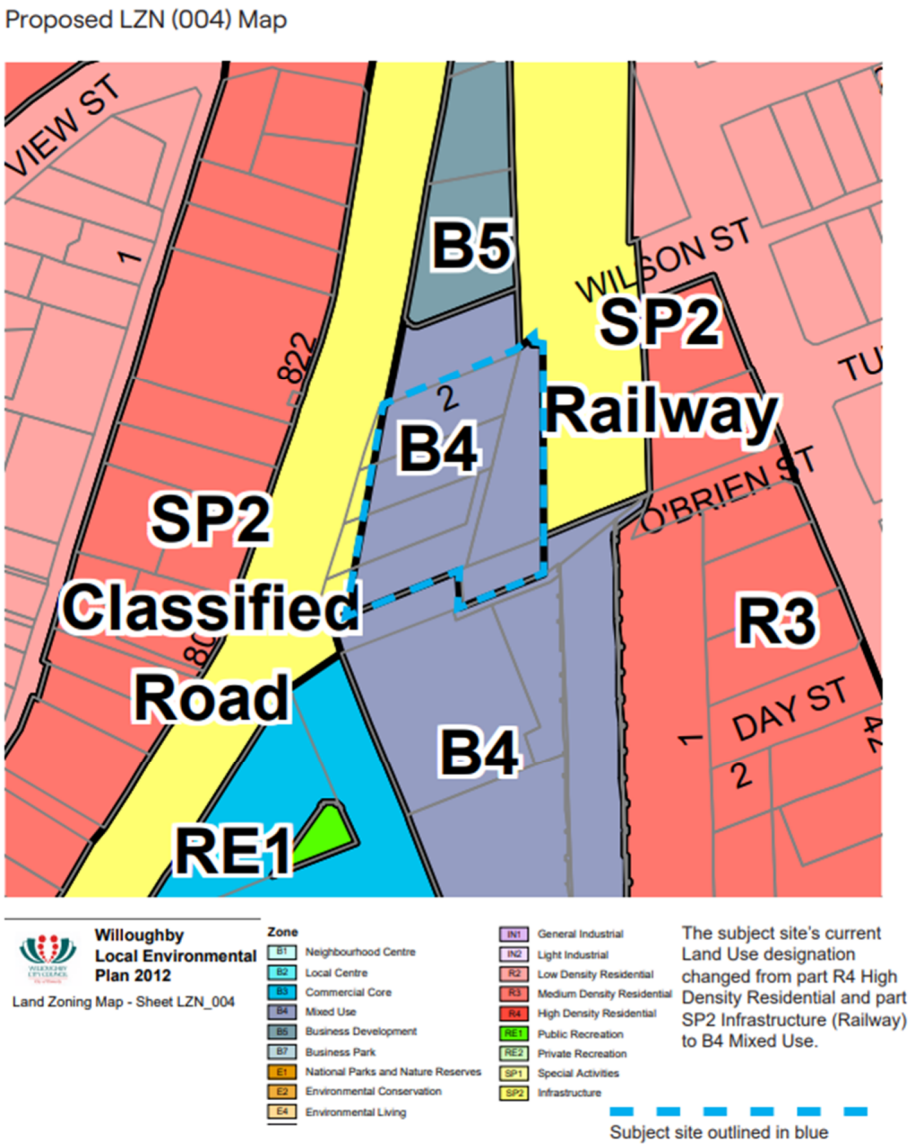


Figure 1: Proposed rezoning showing the proposed applicable site shown in dashed-blue outline, excluding the SP2 Classified Road portion of the land.(Source: Gyde Consulting and Willoughby LEP 2012)

2. THE SITE AND ITS CONTEXT

2.1. Location and description

The land that is subject to this Planning Proposal with a total area of 4,294 sqm is identified in Table 1 below and Figure 2 below. The site currently comprises a singular light industrial/ commercial building currently used for a community support service provider under an expired lease at 8 Wilson Street (refer to Figure 4), and four residential flat buildings which front Pacific Highway (refer to Figure 3 below). It is bounded by Wilson Street, O'Brien Street, Pacific Highway and the T1 North Shore & Western Line, T9 Northern Line, and the Metro North West Line. It is situated on the northern fringe of the Chatswood CBD and is accessible via major arterial roads including Pacific Highway, the M2 Motorway and the Lane Cove Tunnel.

Table 1: Legal description of site, including details of site area and land ownership

Address	Lot Description	Site Area
8 Wilson Street (Lot 1 O'Brien Street)	Lot 1 DP1189541	1,585 sqm
2 Wilson Street	SP 52947	3,166 sqm (including land designated SP2 Classified Road)
849 Pacific Highway	SP 1496	
853 Pacific Highway	SP 60178	
859 Pacific Highway	SP 10110	
SP2 land fronting Pacific Highway		
Actual Site Area		4,751 sqm (including land designated SP2 Classified Road)
Applicable Site Area for the Planning Proposal		4,294 sqm (excluding SP2 Classified Road zoned land along the Pacific Highway, subject of this Planning Proposal)



Figure 2: Aerial view of site with lot shown in red. (Source: Six Maps)



Figure 3: View of Site from the intersection of Pacific Highway and Railway Street. View looking towards O'Brien Street, with the site to the centre and left, and a mixed-use development at 11 Railway Street to the right (Source: Google Maps dated Nov 2020)



Figure 4: View of Site from O'Brien Street, with 2 Wilson Street visible to the left and 8 Wilson Street at the centre (Source: Google Maps dated Nov 2020)

2.2. Adjacent and surrounding development

The site is located in the Willoughby local government area, approximately 8km north from Sydney Central Business District and approximately 450m north of Chatswood Station.

The site forms part of the extended area of the Chatswood CBD as identified in the Chatswood CBD Planning and Urban Design Strategy 2036. The surrounding area comprises a mixture of land uses as shown in Table 2.

Table 2: Description of surrounding land uses

LOCATION	SURROUNDING LAND USES
North	▪ 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. This PP has received Gateway Approval on 5 March 2021 and is currently at post-exhibition stage.
South	▪ 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.
West	▪ To the west are several low-rise apartment buildings along the Pacific Highway that are not identified for rezoning in the Chatswood CBD Strategy and will appear to remain as is for the foreseeable future.
East	▪ The site is bounded by the rail corridor to the east. The corridor services the T1 North Shore & Western Line, T9 Northern Line, and the Metro North West Line. ▪ The opposite side of the rail corridor contains two low-rise older apartment blocks ▪ Anderson Street has three current planning proposals for mixed-use developments; o 44 - 52 Anderson Street Chatswood – received Gateway approval on 17/09/2021 and is currently post exhibition. This proposal is to increase the height to 90m and a FSR of 6:1 with minimum commercial of 1:1. o 54-56 Anderson Street Chatswood – received Gateway approval on 06/07/2021 and is currently post exhibition. This proposal is to increase the height to part 90m and part 53m, and a FSR of 5:1. o 58 Anderson Street Chatswood – was published on 28/02/2022. This proposal increased the height to 53m and allowed a FSR of 4:1 with 1:1 minimum commercial.



Figure 5: View of northeast corner of the site, looking south from Wilson Street. Wilson Street driveway access to the site is visible on the left, as is the rail corridor. Part of 2 Wilson Street is visible to the right. (Source: Google Maps dated Nov 2020)

Being part of the Chatswood CBD, the site has good access to a variety of services and facilities including retail, recreational, health, educational services, public transport, cultural facilities and key utilities and infrastructure. Large retail services are available within walking distance at Westfield Chatswood (located approximately 450m from the site).

There are 5 public and private schools within a 1km radius of the site, including Chatswood Public School, Chatswood High School, St Pius X College, Mercy Catholic College, and Our Lady of Dolours Primary.

There are significant major industrial and commercial centres in close proximity, providing key sources of employment opportunities. The Chatswood business park is situated less than 2km east of the Site, the Gore Hill industrial area is 2km south, and Lane Cove business park is 3.5km to the southwest.

The Royal North Shore Hospital Precinct, which includes major hospitals, a TAFE and medical research institutions, is approximately 3km to the south and connects the community to health and education services.

2.3. Accessibility and Transport

2.3.1. 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. Wilson Street also provides secondary access to the site.

The site location allows vehicle access without the need to traverse the 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.

2.3.2. 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 150m. At a distance of approximately 450m, 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.

2.4. Local planning controls

The Willoughby LEP 2012 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.

2.4.1. Existing Zoning

In accordance with the Willoughby LEP, the site is zoned a mix of R4 High Density Residential, SP2 Infrastructure, and B4 Mixed Use. The TAHE lot at 8 Wilson Street is zoned both SP2 “Railway” and B4 Mixed Use. The lots at 849, 853, 859 Pacific Highway and 2 Wilson Street are zoned R4 High Density Residential, with the portion of each lot zoned SP2 ‘Classified Road’ not being subject to this proposal (refer to Figure 6 and Figure 7 below).

Existing LZN (004) Map

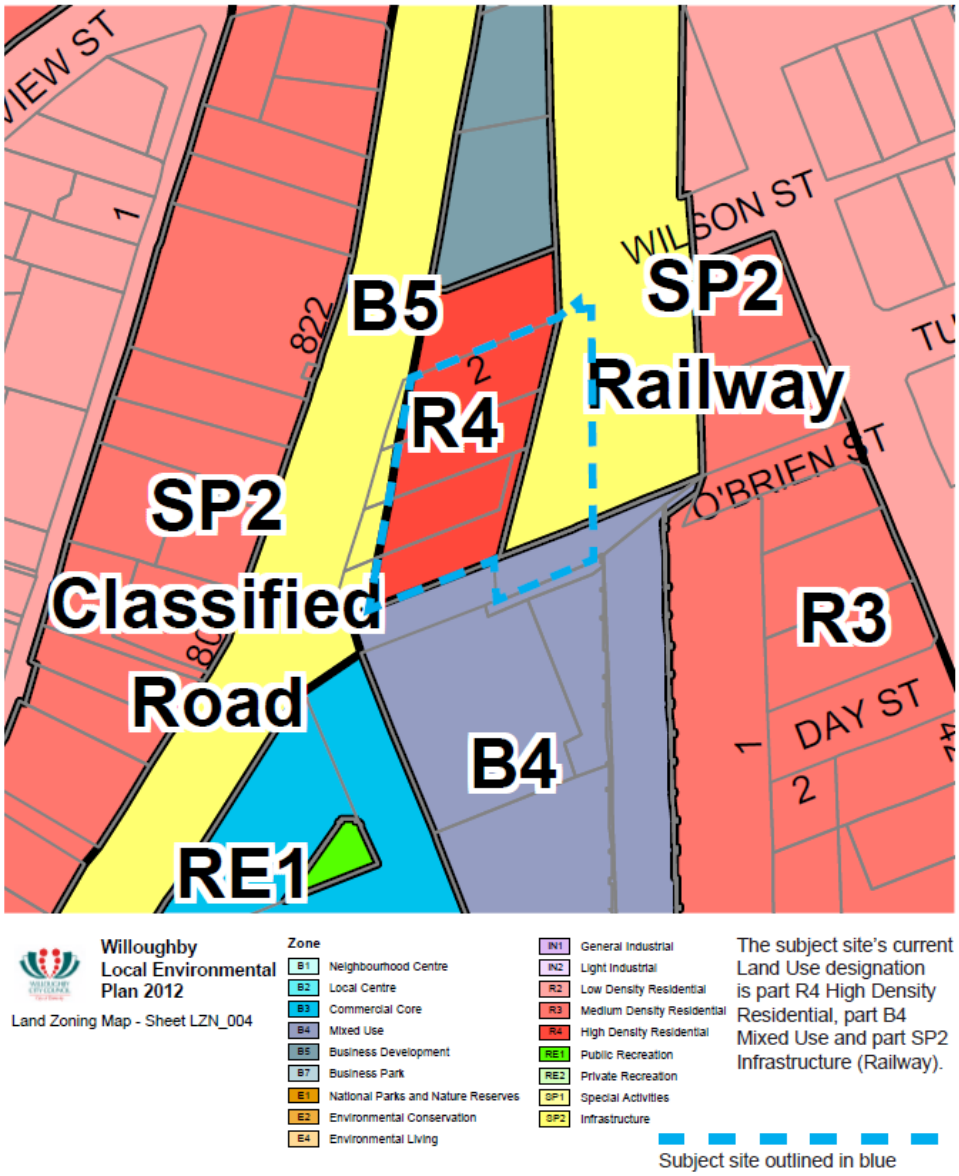


Figure 6: Zoning Map, with site outlined in blue (Source: e-Planning)

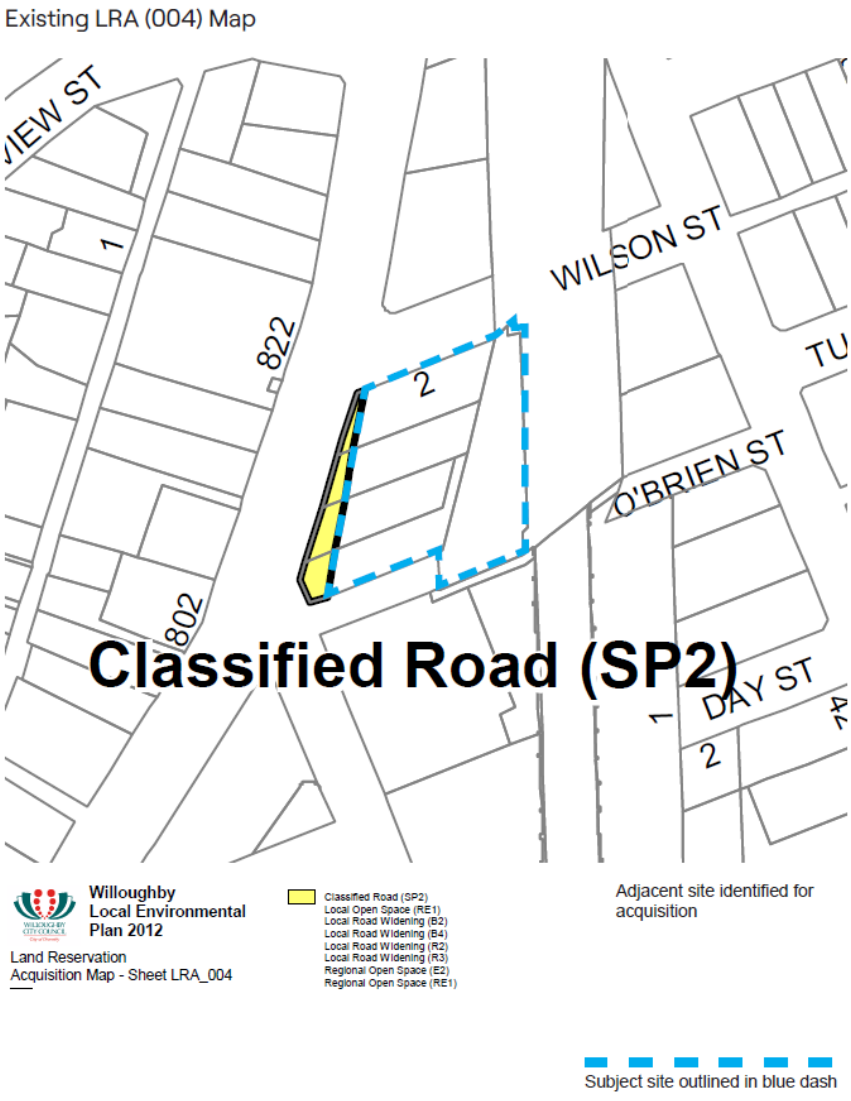


Figure 7: Land Acquisition Map, site outlined in blue dash (Source: e-Planning)

2.4.2. Existing Permissibility

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

The following objectives and land use permissibility apply within the B4 Mixed Use zone:

Zone B4 Mixed Use

1 Objectives of zone

- *To provide a mixture of compatible land uses.*

- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

- *To allow for city living on the edges of the city centre of Chatswood, which supports public transport use, shopping, business and recreational services that contribute to the vitality of the centre, without undermining its commercial role.*

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

2.4.3. Existing Building Height

The portion of the site at 849,853 & 859 Pacific Highway and 2 Wilson St is currently subject to a maximum building height of 24 metres. Land at 8 Wilson Street is currently not subject to any height limit (refer to Figure 8 below)

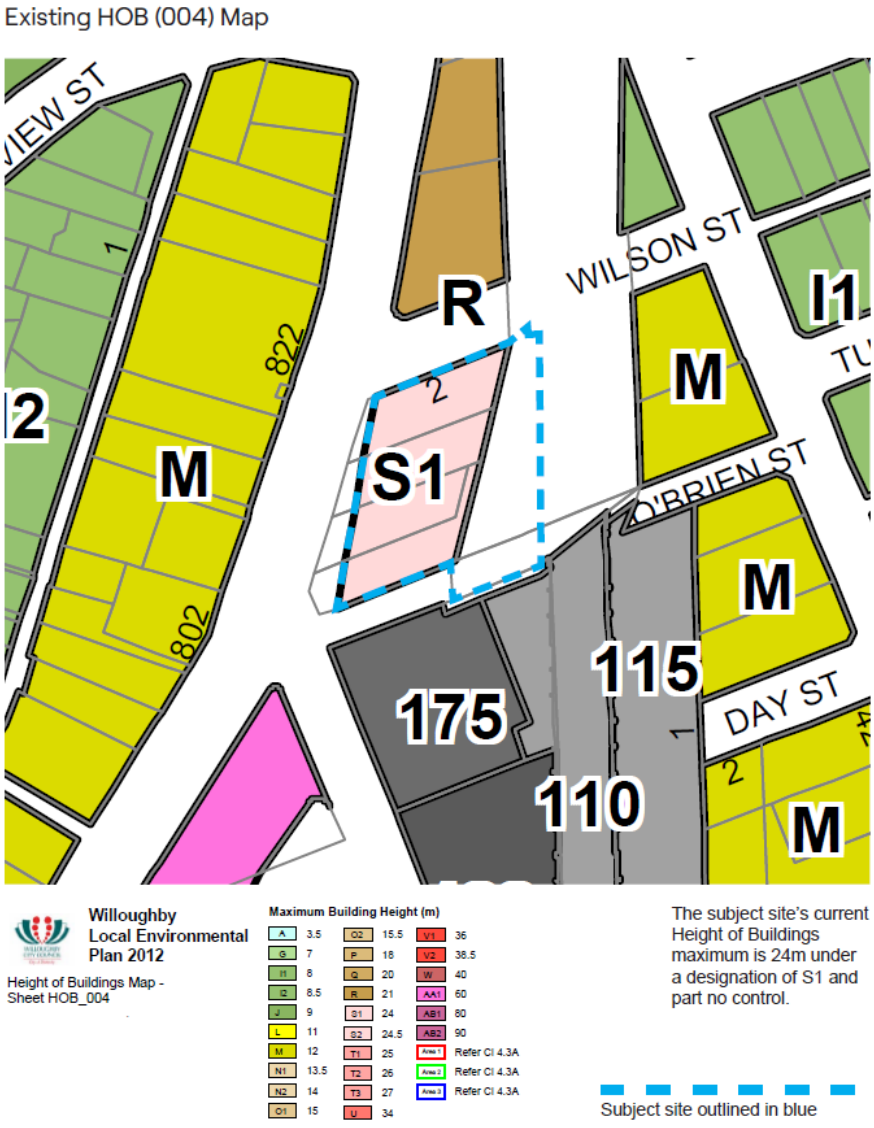


Figure 8: Height of Buildings Map, site outlined in blue (Source: e-Planning)

2.4.4. Existing Floor Space Ratio

The portion of the site at 849,853 & 859 Pacific Highway and 2 Wilson St is currently subject to a maximum FSR of 1.5:1. Land at 8 Wilson Street is currently not subject to an FSR control. Refer to Figure 9 below.

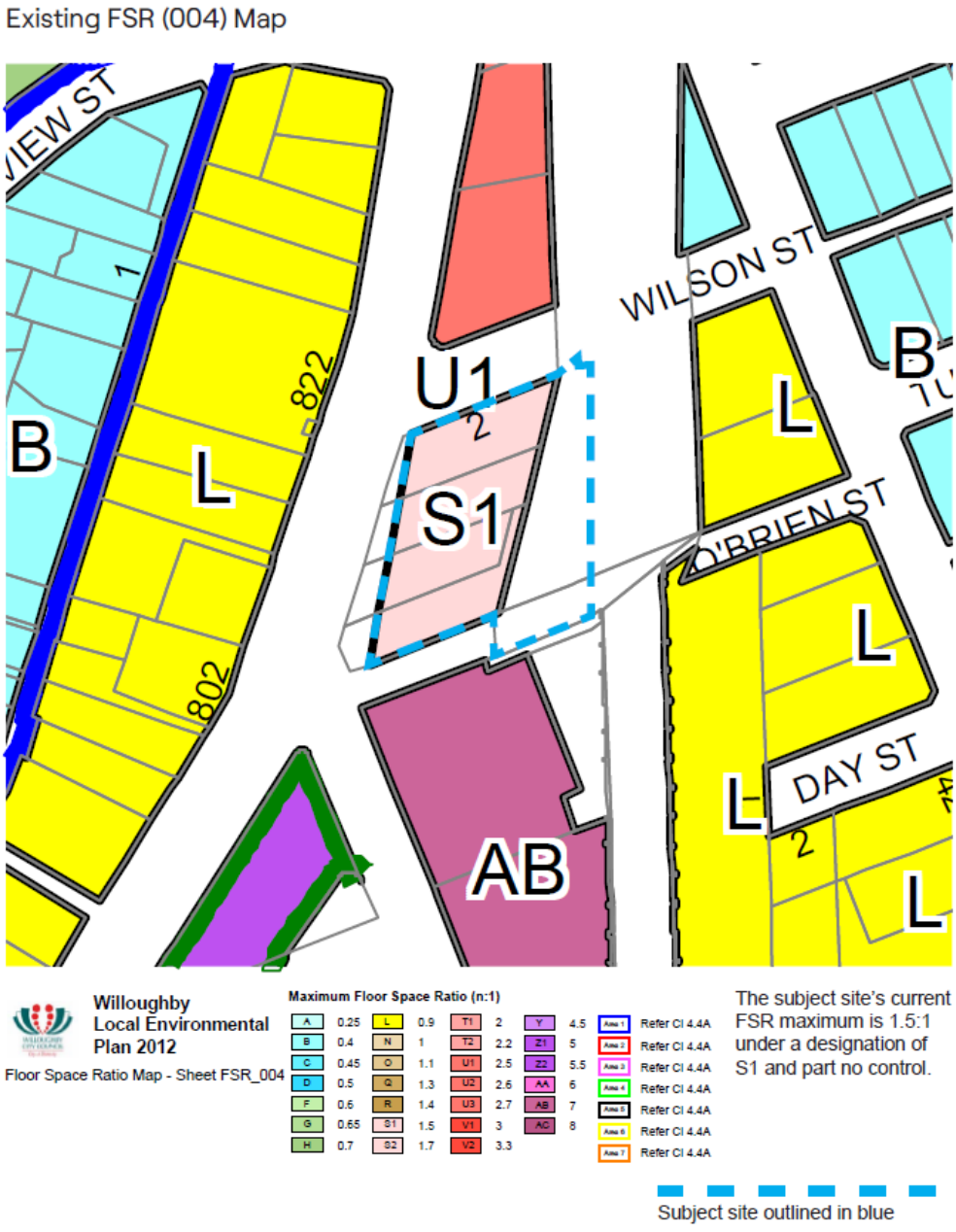


Figure 9: FSR Map, site outlined in red (Source: e-Planning)

2.5. 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:

- Solar access requirements for high-rise development to the south of the site
- Consideration of SP2 zoned land along Pacific Highway identified for acquisition. The planning proposal excludes this land.
- The land at 8 Wilson Street (also known as Lot 1 O'Brien Street) identified as SP2 Railway includes various easements along the eastern boundary which are to remain with the land (Refer to Annexure 10)

The opportunities include:

- Council support for the expansion of Chatswood CBD and increased development on the periphery.
- Provision of 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.
- Opportunity to provide non-residential floor space to provide additional local services
- Opportunity to place height and FSR controls on 8 Wilson Street in line with the Chatswood CBD Strategy
- 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.
- 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.
- The consolidated site is significant in size (4 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.
- Opportunity to provide large extent of non-residential floor space to provide additional local services.
- The site size and shape is suitable to accommodate slender mixed use towers with limited constraints.
- Opportunity to provide public open space and active transport links consistent with Council's proposed Bicycle Network
- Opportunity to enhance passive surveillance through street level activation and public space.

Overall, the site is limited in constraints and includes an opportunity to provide high quality residential towers with non-residential uses, community spaces, including affordable housing; and enabling additional public space through a pedestrian and cycle link shared path and the provision of a pocket park and embellishments.

SECTION B – PLANNING PROPOSAL

3. PART 1 – OBJECTIVES OR INTENDED OUTCOMES

3.1. 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 one consolidated development site within close proximity to the Chatswood CBD;
- To avoid site isolation by consolidating surplus land;
- 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 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 provide additional public open space and the connection of the pedestrian/bicycle pathway along a recognised regional route;
- 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.

3.2 Intended development outcome

The purpose of this Planning Proposal is to allow for increased development on the site in accordance with the Chatswood 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 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 and SP2 Railway to B4 Mixed Use;
- Increase the allowable height from 24 metres to 90 metres across the consolidated site, including introducing a maximum height control of 90m to 8 Wilson Street (also known as Lot 1 O'Brien Street);

- Increase the achievable FSR from 1.5:1 to 6:1 across the consolidated site (excluding SP2 land for acquisition on Pacific Highway in calculation), including introducing a FSR control for 8 Wilson Street;
- 4% of the residential GFA uplift in the building to be used for affordable housing;
- Require a minimum non-residential FSR of 1:1 through a new local provision;
- Introduce a minimum lot size of 1,200m2; and
- Provide a functional open space and shared path, linking to the regional bike path and the provision of a pocket park.

As demonstrated by the diagrams below, this Planning Proposal is intended to be consistent with the endorsed Chatswood CBD Strategy. The inclusion of the rear allotment at 8 Wilson St allows for a consolidated site, not isolating any allotments and to bring it into conformity with the surrounding provisions.

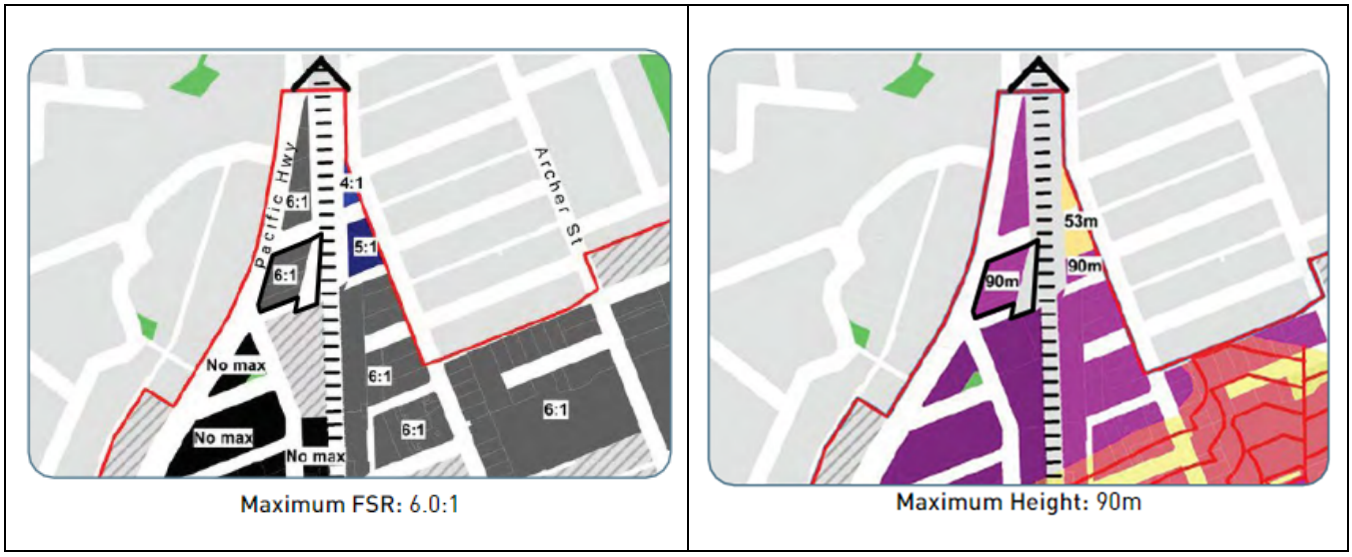


Figure 10: Endorsed Strategy Diagrams (Source: Chatswood CBD Strategy)

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 3* below.

Table 3: Key Statistics of Indicative Development Outcome

Element	Provision
Applicable Site Area	4,294 sqm
Commercial GFA	4,294 sqm (target)
Residential GFA	21,470 sqm
Commercial FSR	1:1
Residential FSR	5:1
Height	Maximum 90m
Total Residential Units	247
Parking	260

PBD have prepared the following indicative plans illustrating the design concept. Please refer to the Urban Design Report provided as part of this package for further detail.

3.2.1 Indicative Concept Scheme

The indicative scheme for the subject site includes the following:

- 2 storey podium of commercial development with tower elements above. This podium is to have a 4m setback to the Future Road Widening along Pacific Highway and nil boundary setback to Wilson and O'Brien Streets.
- Ground floor will activate the three streets with commercial frontage along Pacific Highway, O'Brien Street and Wilson Street, as well as activating the rail corridor through the provision of commercial fronting that corridor
- All vehicular access is provided off O'Brien Street in the south-eastern corner, away from the Pacific Highway,
- The towers will be setback 10m to the Future Road Widening along Pacific Highway,
- 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 two slender towers ensuring solar access to neighbouring dwellings with floor plates of 353sqm and 592sqm;
- Landscaped areas are proposed within all setbacks and on the podium, ensuring an extensive green character in accordance with the Chatswood CBD Strategy Principle, including a pocket park in the south-western corner which wraps around the intersection. 4 metre wide deep soil landscaping is achieved within the setback from the Pacific Highway, excluding the SP2 land for future road widening. 21.7% of the 4,294m2 site area (excluding the road widening SP2 land) has been provided as deep soil. The total site area provides 29% of the site as deep soil landscaped area. Soft landscaping includes a total of 31.8% of the site (excluding the SP2 Road Widening portion), or 38% of the total site area.
- A public benefit in the form of a substantial pocket park on the corner of Pacific Highway and O'Brien Street, and a shared pedestrian and bike path, refer to Annexure 10 for further detail.

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.

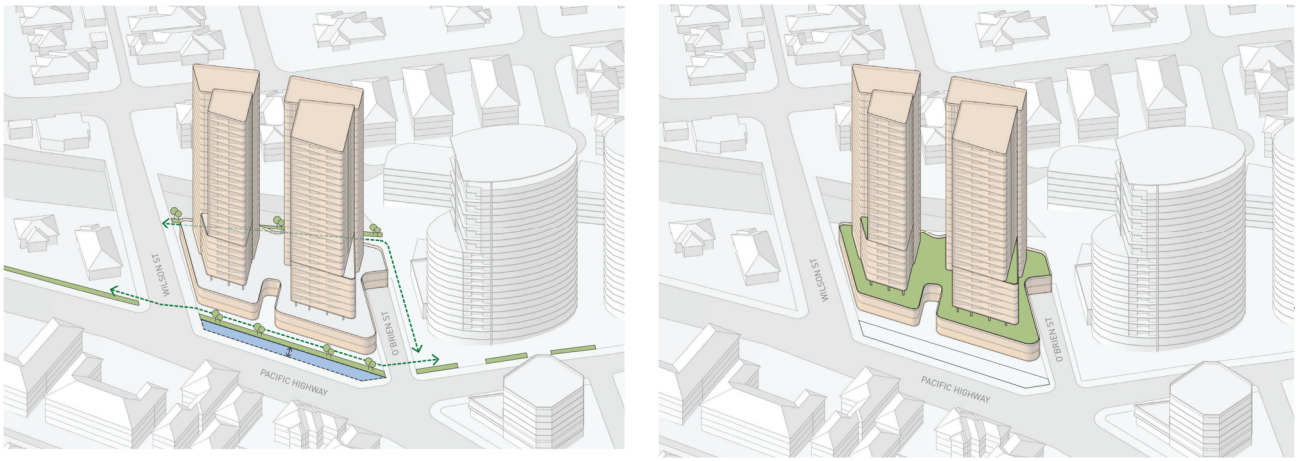


Figure 11: Indicative Concept Diagrams - Streetscape and Landscape, including the road widening shown in blue. (Source: PBD Architects)

3.2.2 Voluntary Planning Agreement

Accompanying the PP is a VPA offer addressing the provision of the following as part of the consolidated site:

i. Community Infrastructure monetary Contributions.

4. PART 2 – EXPLANATION OF THE PROVISIONS

4.1. LEP Amendments

This PP seeks to amend the Willoughby Local Environmental Plan (WLEP) 2012 as follows, with full maps in Annexure 3:

- Rezone the site from R4 High Density and part SP2 Railway to B4 Mixed Use;
- Introduce a maximum Floor Space Ratio of 6:1 for the consolidated site. (Currently 849, 853, and 859 Pacific Highway, and 2 Wilson Street have 1.5:1 and 8 Wilson Street has none).
- Increase the maximum building height to 90m for 849, 853, and 859 Pacific Highway, and 2 Wilson Street.
- Introduce a maximum building height of 90m to 8 Wilson Street, currently it does not have a maximum height limit.
- 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

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 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood, and rezone the site to B4 Mixed Use. (Refer to Figure 12 below).
- Amend the Height of Buildings Map (Sheet HOB_004) for 849, 853 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood, increase the maximum height limit to 90m. (Refer to Figure 12 below)
- Amend the Floor Space Ratio Map (Sheet FSR_004) for 849, 853 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood, and increase the maximum FSR to 6:1. (Refer to Figure 12 below)
- Amend the Special Provisions Area Map (Sheet SPA_004) for 849, 853 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood, as “Area 9”. (Refer to Figure 12 below)

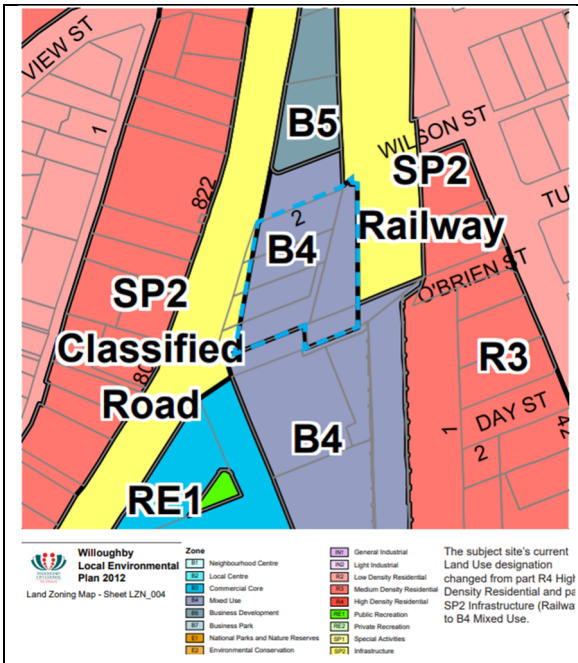
The minimum non-residential floor space will be implemented by adding a new Clause in Part 6 'Local Provisions' to the LEP as follows:

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

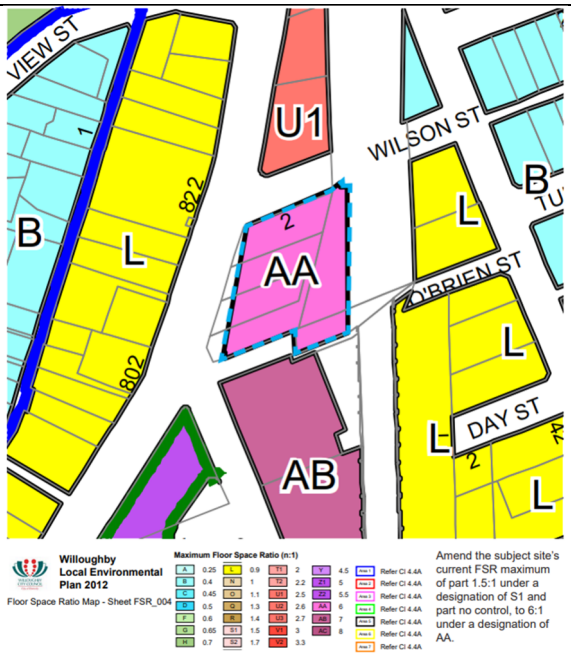
Any redevelopment on 849, 853 & 859 Pacific Highway, 2 Wilson Street, and 8 Wilson Street, Chatswood, shall contain a minimum non-residential floor space component of 1:1.

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.

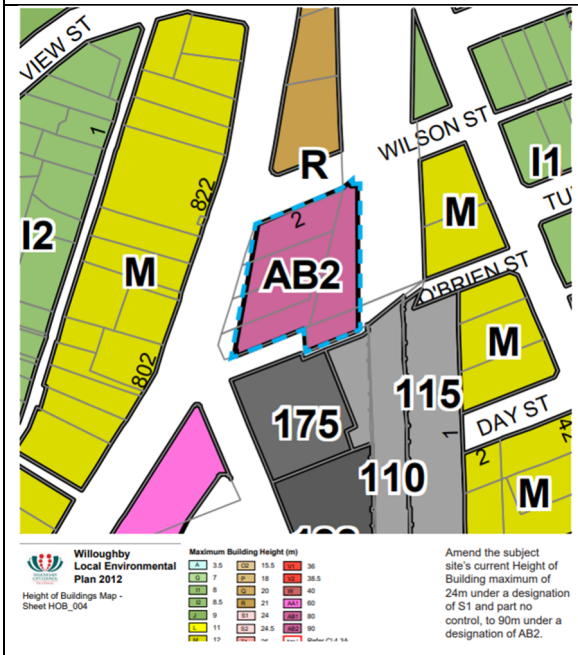
The proposed controls would enhance the viability of the redevelopment of the site into a mixed-use building, consistent with the recommendations in the Chatswood CBD Planning and Urban Design Strategy. The Strategy also requires that development benefiting from uplift in the Chatswood CBD is to provide 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.



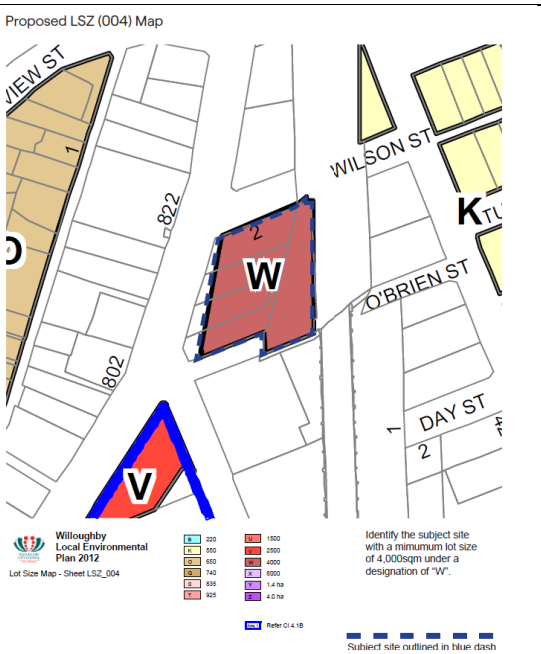
Proposed zoning



Proposed Floor Space Ratio



Proposed Height of Buildings



Proposed Minimum Lot Size

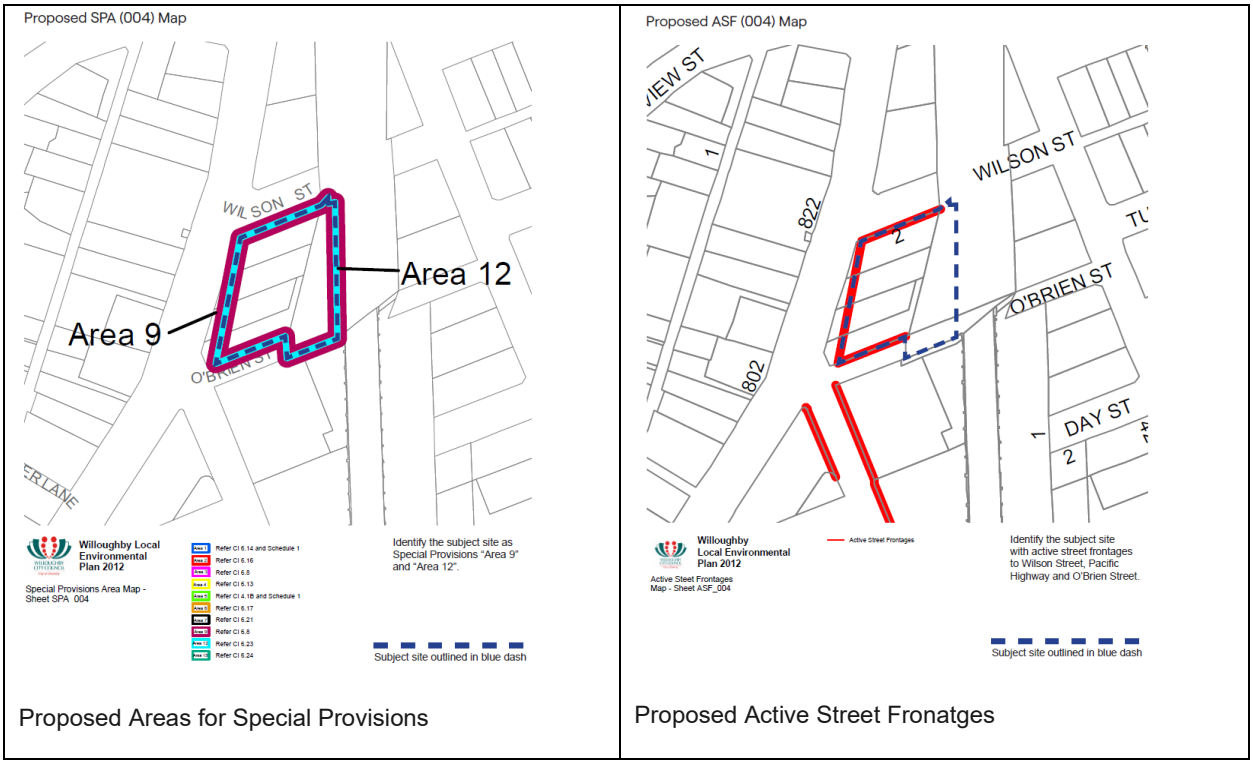


Figure 12: Extract of maps showing proposed changes to WLEP 2012. (Source: NSW Legislation and Gyde Consulting)

4.1.1. Employment Zone Reform

The Department of Planning, Industry and Environment is progressing the delivery of a simplified employment zones framework. The existing Business (B) and Industrial (IN) zones will be replaced with five new employment zones and three supporting zones under the Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 (SI LEP Order). This includes a new MU1 Mixed Use zone, which is generally equivalent to the current B4 Mixed use zone under WLEP 2012.

As of 1 December 2022, these new zones (potentially tailored to local context) will be incorporated under the WLEP 2012. It is therefore highly likely that at the time this PP is finalised, that the MU1 Mixed Use zone will be in effect.

Under the *Standard Instrument—Principal Local Environmental Plan* the MU1 Mixed Use zone permits (with consent) the following uses which align with the intended objectives of the Planning Proposal:

- Shop top housing
- Commercial premises
- Community facilities
- Recreation areas
- Car parks

The above uses are generally consistent with those permitted in the current B4 zone and align with the intended outcomes of this PP. As such, there is no need for the introduction of a local provision or Additional Permitted Uses.

4.1.2. Proposed amendments to the Willoughby Development Control Plan (DCP)

A site specific DCP has been prepared by PBD Architects and is provided in Annexure 9.

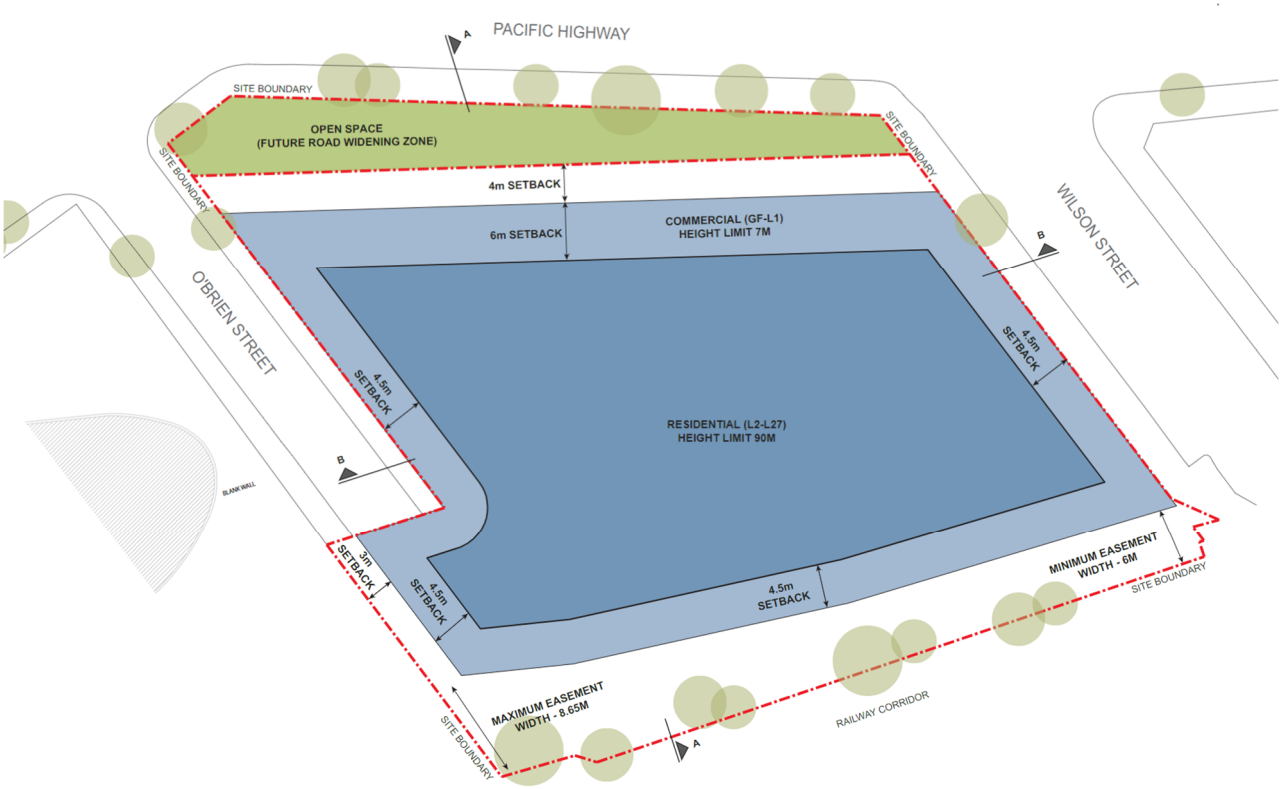


Figure 13: Site Specific DCP controls for Building frontage, heights and setbacks. (Source: PBD Architects)

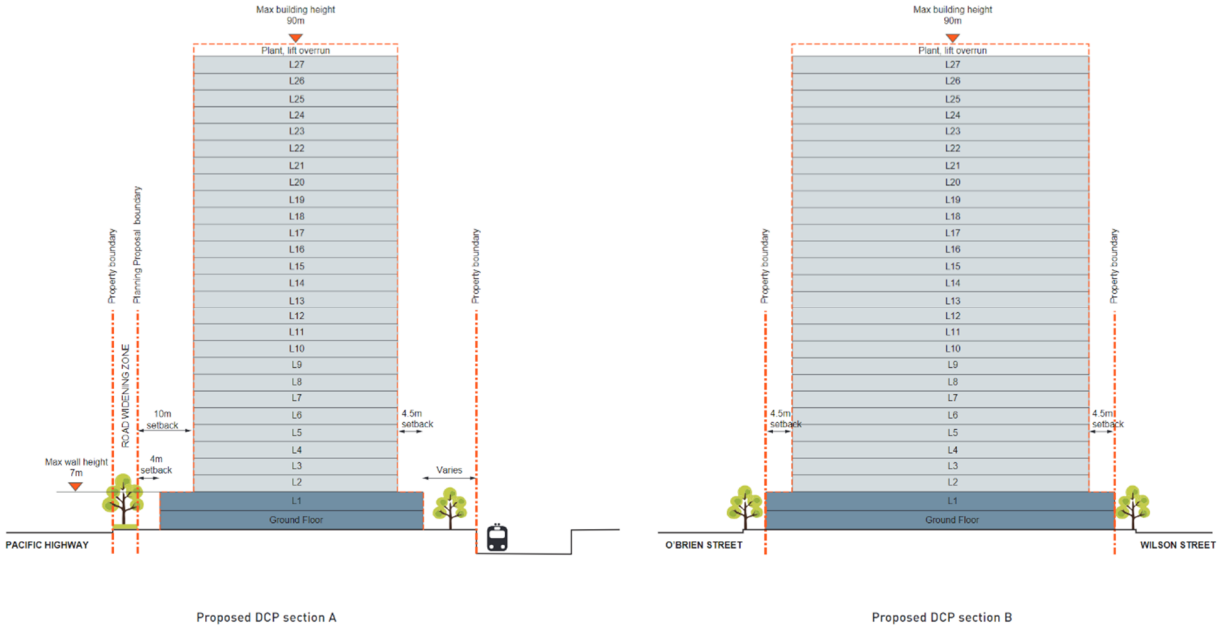


Figure 14: Site Specific DCP Controls showing the building

4.1.3. Relationship to the Draft Comprehensive Willoughby LEP

The site is identified in the Draft LEP as part of implementing the proposed planning control changes of the *Chatswood CBD and Urban Design Strategy*. The changes proposed in the Draft LEP are consistent with this proposal for 849-859 Pacific Highway & 2 Wilson Street. The TAHE land at 8 Wilson Street is not included as part of these proposed control changes, however inclusion of this land within the proposal is justified given it is an isolated site that would result in site fragmentation and prevent the realisation of the objectives of the CBD Strategy should it not be included; in addition to the material change by TAHE who deemed this land surplus to requirement, also providing their support.

5. PART 3 – JUSTIFICATION

5.1. Section A - Need for a Planning Proposal

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

This planning proposal 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.

This proposal additionally includes 8 Wilson street (also known as Lot 1 O'Brien Street) as part of the consolidated site. The land at 8 Wilson is surplus transport land associated with the rail corridor, under the ownership of the

Transport Asset Holding Entity (TAHE), and is currently not being used for railway purposes. Although this has meant the omission of this lot from the Chatswood CBD Strategy, its inclusion is justified on the basis that the proposal prevents the lot from being isolated and provides a uniform planning outcome for the entire street block. 853 Pacific Highway Pty Ltd AFT 2017 PHC Trust have entered into a purchase rights agreement with TAHE and TAHE support the rezoning of their site to B4, in accordance with all neighbouring sites. A letter of support and consent is provided with this Planning Proposal package.

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 15 below.

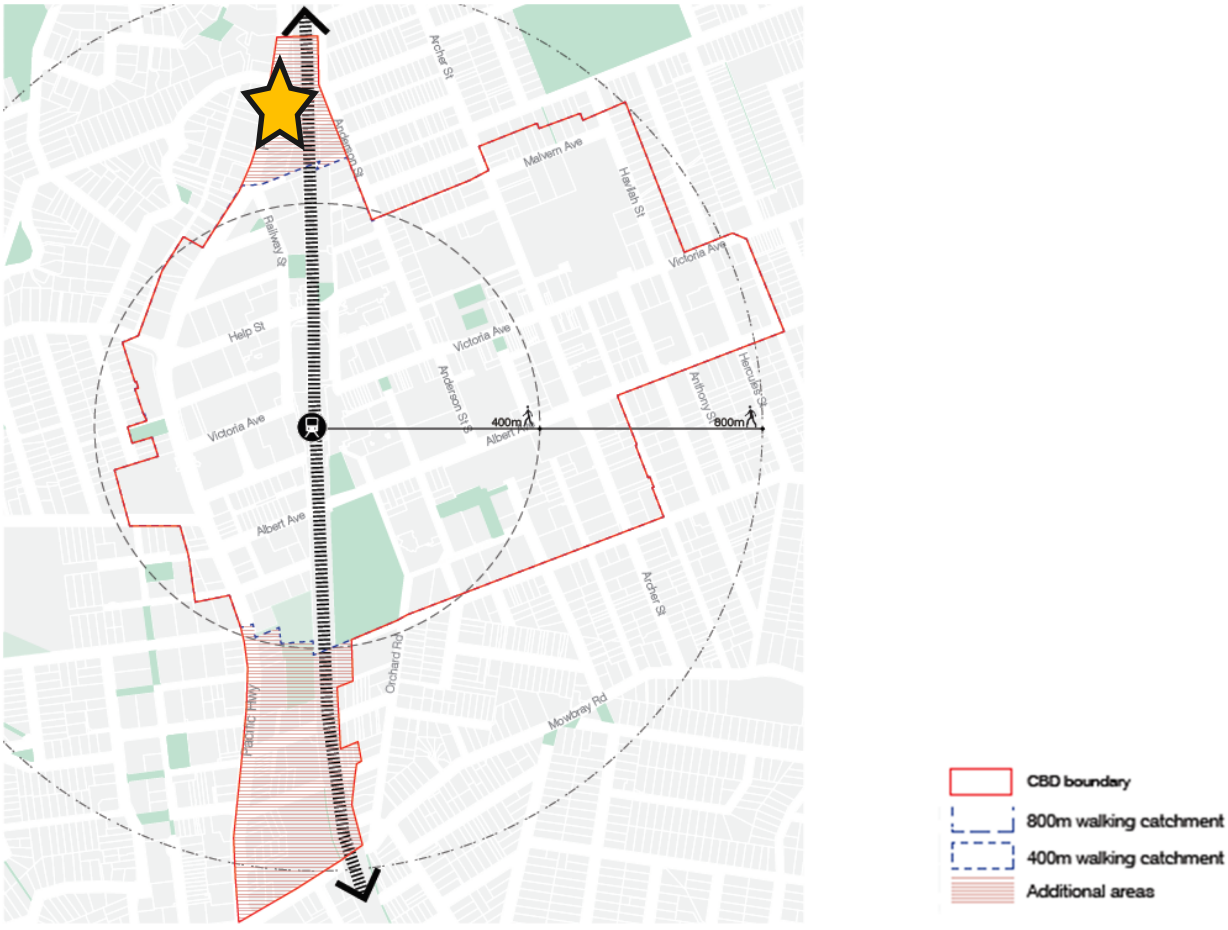


Figure 15: Proposed CBD Boundary, approximate location of the site outlined with a gold star (Source: CBD Strategy)

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.

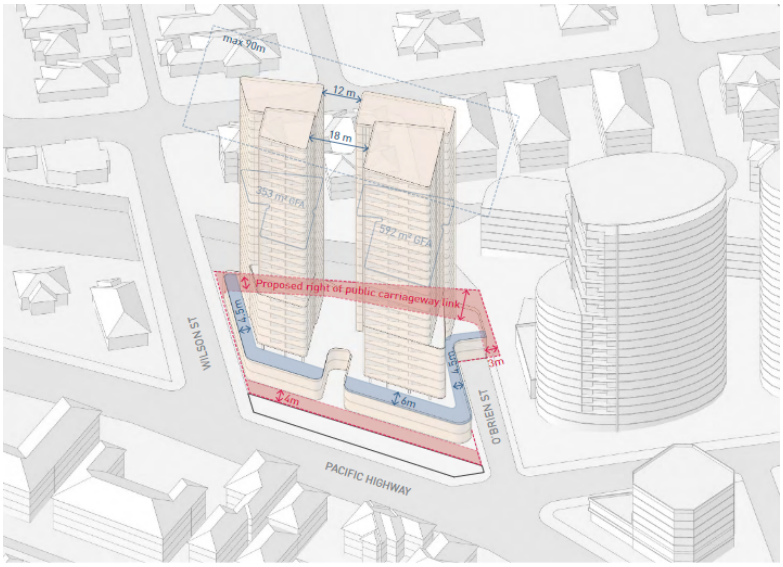
An assessment of the Planning Proposal against the 35 key elements is provided in the Table 4 below.

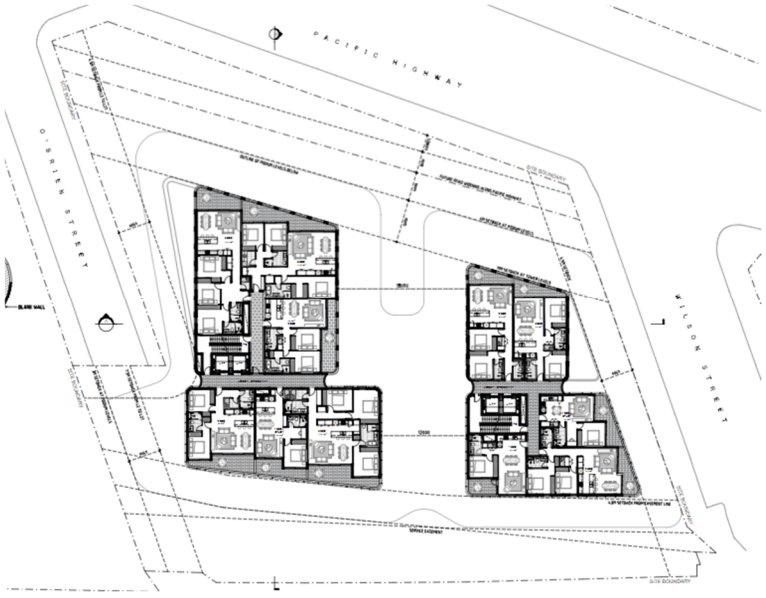
Table 4: Response to CBD Strategy Key Elements

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 portion of the site at 849, 853 & 859 Pacific Highway and 2 Wilson St be rezoned to B4 Mixed Use. The Planning Proposal is consistent with envisaged land use and seeks a rezoning from R4 High Density Residential and SP2 Railway to B4 Mixed Use. The adjoining property at 8 Wilson Street (also known as Lot 1 O'Brien Street), will also be rezoned to B4 (currently part B4 and part SP2 Railway). This will bring it in line with the surrounding properties and ensure it is consistent with the strategy.
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. A draft VPA accompanies this Planning Proposal in which it is

Key Element of Future LEP & DCP Controls	Response
	sought to provide the following public benefits: • Community Infrastructure Contributions in monetary form. It should also be noted that 4% of the proposed additional private residential gross floorspace to be affordable housing.
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. An offer to Council is included as part of this PP 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. The provision of the public art will be in accordance with Council's Public Art Policy.
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 given the circumstances.
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.
Floor Space Ratio (FSR)	

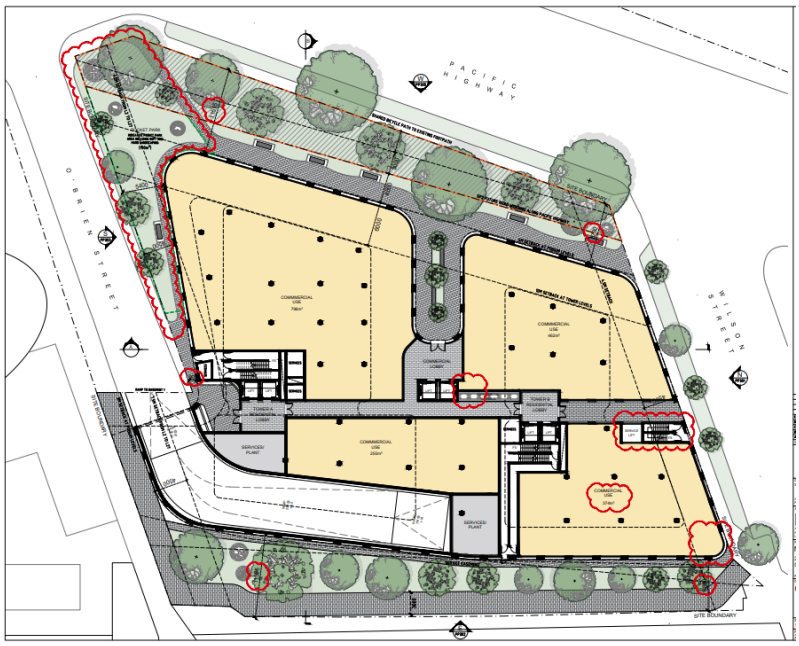
Key Element of Future LEP & DCP Controls	Response
11 Figure 3.1.3 shows the existing FSR controls under WLEP 2012	Noted. The site at 8 Wilson Street does not have an FSR control under the existing WLEP. This planning proposal intends to make this allotment consistent with the surrounding sites, by achieving a maximum 6:1 across the consolidated site.
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 4,294 sqm (excluding SP2 zoned land for road acquisition) 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, noting that a portion of the site at 8 Wilson Street did not have a recommended FSR. The FSR is sought to apply across the entire site and make this a consolidated site consistent with the Strategy for this immediate area.
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	It is proposed to include a site-specific clause requiring a minimum non-residential FSR of 1:1.

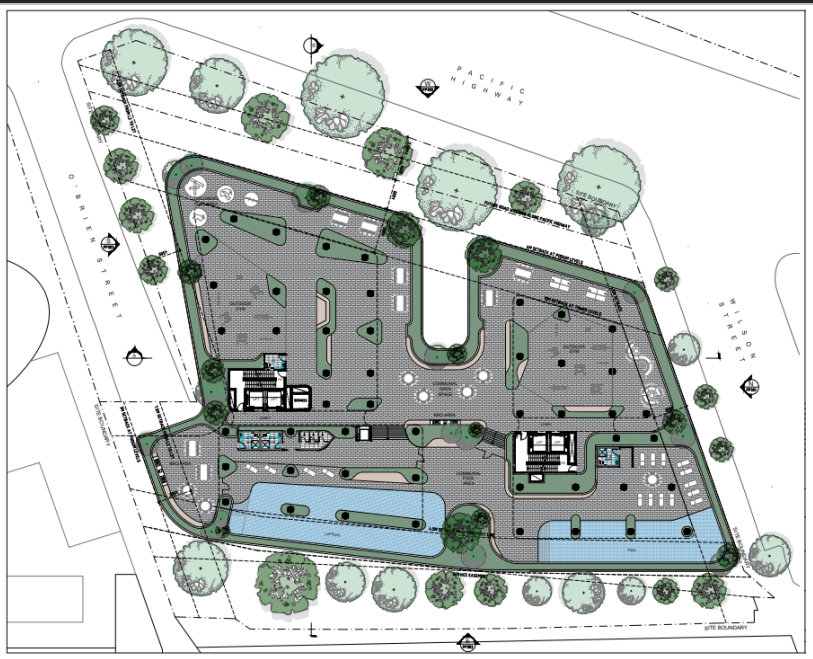
Key Element of Future LEP & DCP Controls	Response
development in a Mixed-Use zone is 1:1.	
Built Form	
16 In order to achieve the slender tower forms sought by Council the maximum floor plate at each level of a development should be no more than: a) 2000sqm GFA for office (to achieve this maximum a large site would be required). b) 700sqm GFA for residential towers above Podium within Mixed Use zones.	The proposal achieves these requirements. The towers will have maximum floorplates of 353sqm and 592sqm, with separation of 12m – 18m between them. (Refer to Concept Diagrams in section 5 of the Urban Design Report and extract below). 
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 towers, sitting above a 2-storey podium have been minimised to ensure the tower forms are slender and do not contribute to building bulk. Excerpts from the Urban Design Report below show the slender floorplate of levels 3-8 and then 9-26, demonstrating the slender nature and the articulation as the tower increases in height.

Key Element of Future LEP & DCP Controls	Response
	 Indicative levels 3-8 Floor Plan.  Indicative levels 9-26 Floor Plan

Key Element of Future LEP & DCP Controls	Response
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 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.	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 and demonstrated in the diagram in point 16 and 17 above.
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	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.

Key Element of Future LEP & DCP Controls	Response
mid winter.	
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, noting that no recommended height was given for the portion at 8 Wilson Street. This provides a uniform outcome and limits any future development to maximum 90m across the entire site. 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	This 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	This criteria will be complied with and has been included as a control within the site specific DCP.

Key Element of Future LEP & DCP Controls	Response
issues of quality, safety and usability.	
Public Realm or Areas Accessible By Public on Private Land	
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.	The concept includes a shared pathway along the Pacific Highway boundary and the provision of a pocket park to the south-west, therefore the criteria will be complied with. The proposal includes embellishment of the new future public open space including new shared path, landscaping, lighting, drainage, and public art. Open space can be seen in the excerpt below. 
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.	The proposed concept includes landscaping and communal open space on the ground level and podium level, therefore the criteria will be complied with and has been included as a control within the site specific DCP. Refer to excerpt below showing the indicative podium landscaping, with the ground floor landscaping is demonstrated in the figure above.

Key Element of Future LEP & DCP Controls	Response
	
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.	This criteria will be complied with and has been included as a control within the site specific DCP. As shown in the excerpt above, the site has extensive landscaping at the ground floor and podium levels. There is deep soil along the Pacific Highway to the front, exclusive of the SP2 road widening dedication land, deep soil to the majority of O'Brien St frontage, as well as deep soil at the rear of the site acting as a buffer to the rear railway corridor. This is demonstrated in the concept basement 1 plan below.

Key Element of Future LEP & DCP Controls	Response
	 The concept proposal 31.8% of the applicable site as soft landscaping (excluding the SP2 Road dedication fronting Pacific Highway); being a total of 1366.3sqm over the ground floor, podium and on lower residential levels. (It's interesting to note that the whole site, including the SP2 (Classified Road) zoning will include additional soft landscaping, totaling 38% of the whole site.)
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	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 elements setback above. The 4 metre frontage to Pacific Highway will provide deep soil landscaped area to provide a green buffer and this will follow around the south-western corner of the Pacific Highway and O'Brien street, allowing substantial

Key Element of Future LEP & DCP Controls	Response
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.	planting along this primary frontage and improving the public realm. The Site Specific DCP includes a control requiring a 4.5m tower setback to Wilson Street, O'Brien Street and the service easements to the east, in accordance with the design criteria. It also includes a 4m podium setback to the SP2 Road Acquisition 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.
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 concept design accompanying this Planning Proposal has been based on satisfying SEPP 65 and ADG provisions. 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, O'Brien Street separating the site from neighbouring buildings to the south, and the rail corridor separating the site from buildings to the east. The proposal will also activate the rear of the site by providing commercial which opens to that area. This area is proposed to be used as private open space and allows for deep soil.
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	Active street frontages will be provided to Wilson Street, Pacific Highway and O'Brien Street. This design criteria has been included as control within the site specific DCP.

Key Element of Future LEP & DCP Controls	Response
minimised and located away from key street locations.	
Further Built Form Controls	
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 Planning Proposal has specifically been designed to not isolate the existing SP2 rail land at the rear. The inclusion of this land allows for a greater consolidated development within close proximity to the Chatswood CBD and is definitively in accordance with the Chatswood CBD Strategy.
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.	All loading, parking and garbage rooms have been provided within the basement, with access from O'Brien Street in the south-eastern corner of the site. The proposal maximises commercial floorspace at ground level, thus activating all three streets
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	This design criteria have been included as control within the site specific DCP. a) Vehicle entry points have been rationalised, with vehicular ingress and egress access proposed from O'Brien Street. b) Noted, the vehicular entry point is located on the south-eastern corner of the site. c) Noted and this can be achieved. d) Noted, all loading will occur on-site and the basement allows for

Key Element of Future LEP & DCP Controls	Response
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. 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.	forward entry and exit of the site for the vehicles. e) A Traffic and Parking Report is submitted with the Planning Proposal. However, parking for the residential component has since been reduced with the rates complying with the current RMS requirements for Residential Flat Buildings in Metropolitan Regional (CBD) Centres. This is compliant with the ADG provisions due to the proximity to Chatswood Rail Station and is consistent with other recent Planning Proposals that have achieved Gateway recently. f) This can be resolved at the competitive process stage and DA stage.

5.1.2. 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 and 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 an opportunity to engage in the process. It allows for the consolidation of a number of allotments to provide a large parcel of land, that will allow the orderly and economic development to occur within close proximity to the Chatswood CBD. The inclusion of 8 Wilson Street (also known as Lot 1 O'Brien Street), ensures no land is left isolated and allows for the provision of commercial space to open towards the rear of the site, providing passive surveillance of this area.

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. 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.

5.2. Section B – Relationship to Strategic Planning Framework

5.2.1. 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 collaborative city.
- A city for people.
- Housing the city.
- A city of great places.
- A well-connected city.
- 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 16 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.

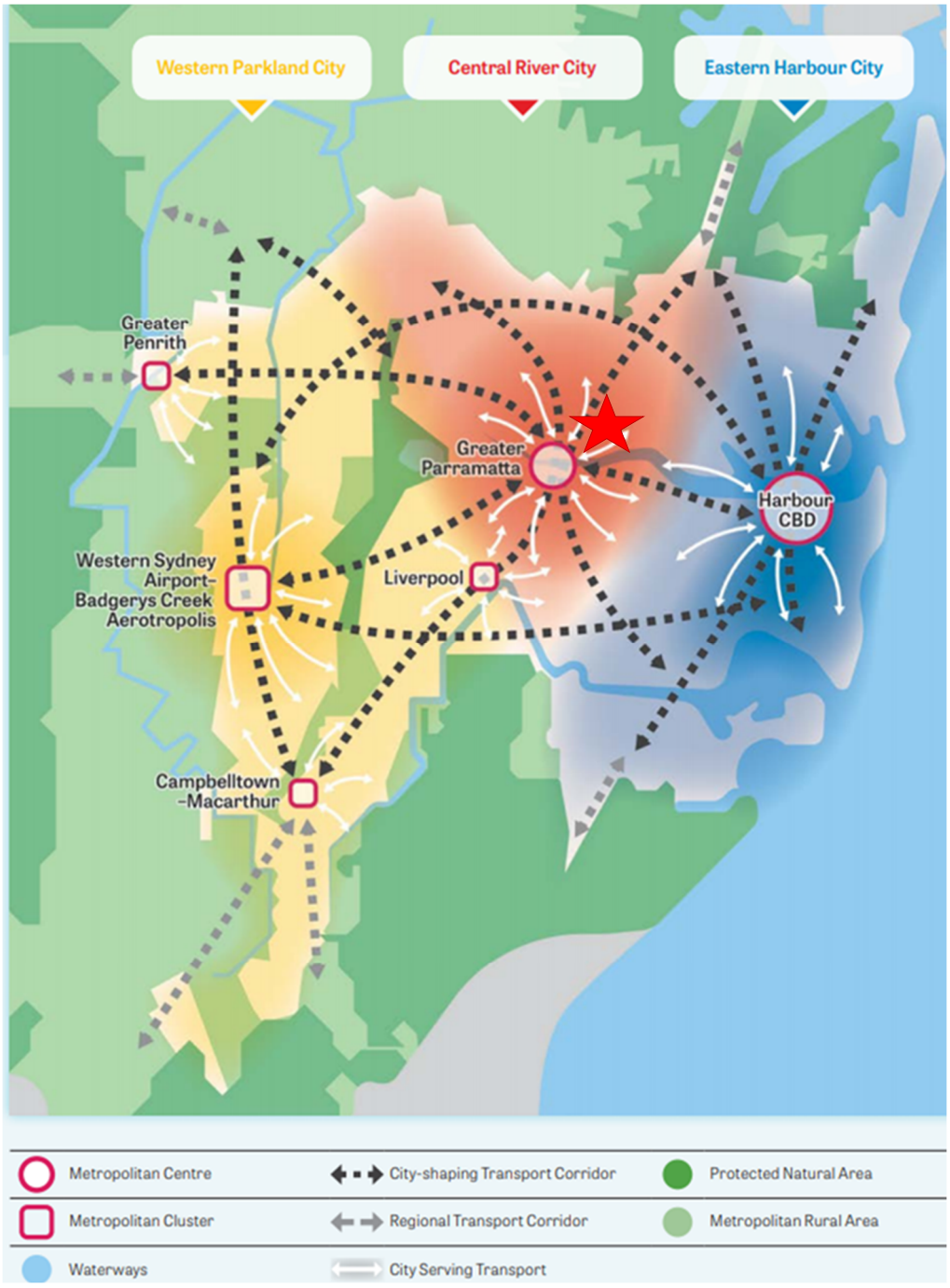


Figure 16: Metropolis of Three Cities, subject site identified with a star (Source: Greater Sydney Region Plan)

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 247 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. The provision of commercial space fronting the rear of the site provides surveillance of this area and allows for a safer accessible connection.
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. As stated above, the introduction of the shared pedestrian/bike path improves pedestrian and cycle connectivity to and around the Chatswood CBD.
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 to the rear and the Pacific Highway to the front. Extensive deep soil areas are provided which allow for a large open space area on the corner of Pacific Highway and O'Brien Street, along the Pacific Highway frontage and along the rail corridor. This will enhance the public space along this part of the highway and improve the pedestrian experience from the highway to the Chatswood CBD.

- **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.

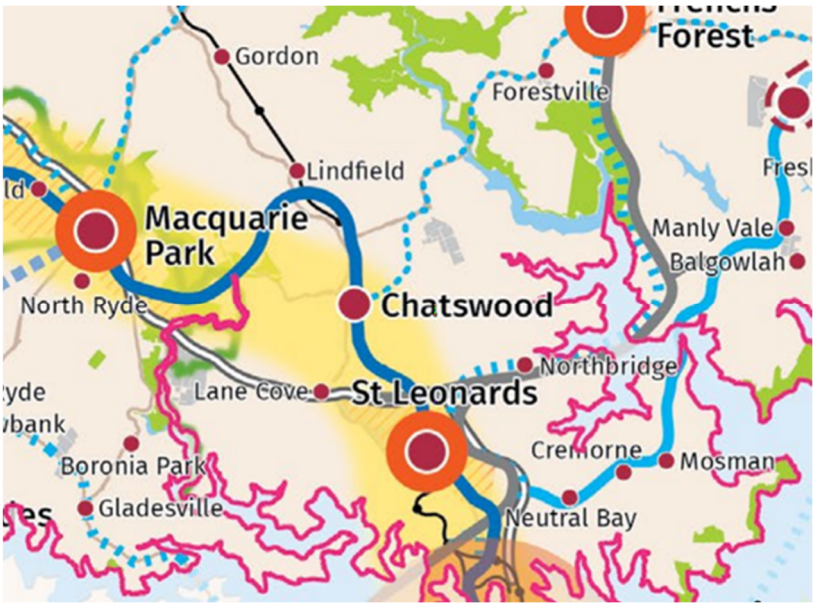


Figure 17: Extract of the North District Plan (Source: GSC)

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, and the provision of a shared pathway and pocket park. 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	This PP will facilitate the renewal of five separate allotments currently occupied by residential flat buildings. The site is located to the north of the Chatswood CBD and will

great places and local centres, and respecting the District's heritage	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 and community uses. The tower elements are slender to minimise 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 450m 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 N20 – Delivering high quality open space	As part of the consolidated site, the proposed pocket park and landscaped areas can be delivered as high quality open space. A 4m wide deep soil setback is provided from the front of the site, excluding the portion of SP2 land required for potential future road widening. This deep soil area continues around the south-west corner of the site at the intersection of Pacific Highway and O'Brien Street, providing extensive open space which will improve the public realm along the highway. This allows for the provision of approximately 190sqm for a pocket park in this corner location, which will enhance the public connection between the highway and the Chatswood CBD, as shown in the figure below.

	
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 and active 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 provision of a shared bike and pedestrian pathway will further encourage reduced car dependency.

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.

5.2.2. 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.
- Willoughby Housing Strategy 2036

- **Chatswood CBD Planning and Urban Design Strategy**

  Consistency of this PP with the Chatswood CBD Strategy is discussed in detail at Section 5.1.1

- **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 450m 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.

- **Willoughby Housing Strategy 2036**

The Willoughby Housing Strategy is a 20 year guide for future housing in Willoughby City with regards to the quantity, location and type of future residential development within the LGA. It is based on community engagement and analysis of factors influencing residential development. The strategy identifies three focus areas, of which Focus Area 2 is directly applicable to the site:

- Focus area 2 to be on the proposed B4 Mixed Use zone which surround the B3 Commercial Core of the Central Business District as identified in The Chatswood CBD Planning and Urban Design Strategy to 2036.

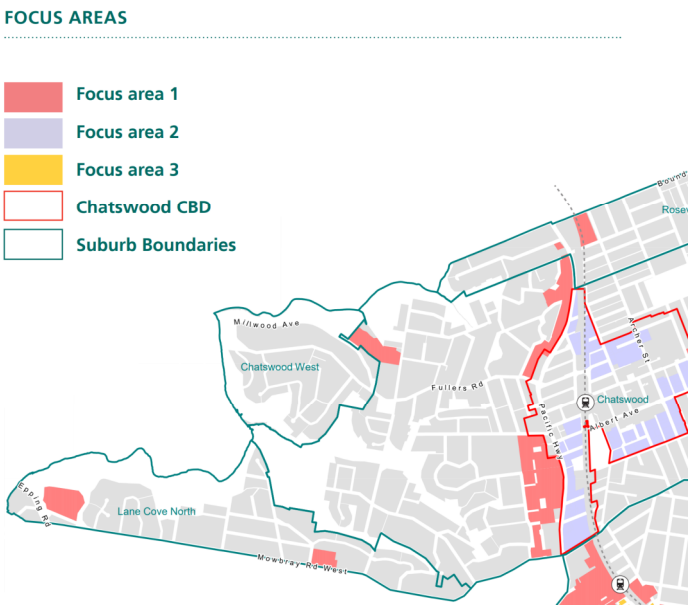


Figure 18: Focus Areas identified in Willoughby Housing Strategy 2036 (source: Willoughby City Council)

The PP is consistent with the following recommendations of the Willoughby Housing Strategy 2036:

- Additional housing be located on the edge of Chatswood CBD as part of mixed use developments as recommended in the Chatswood CBD Planning and Urban Design Strategy to 2036.

- New up zoning of land to include an amended Affordable Housing Provision of 4% which is consistent with the Strategy.

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

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

SEPP Title	Consistency	Comment
Consolidated SEPPs		
State Environmental Planning Policy (Housing) 2021	**Yes**	Chapter 2 Affordable Housing If a requirement for affordable housing is introduced in the PP, the relevant provisions will be consistent with this section, and will not contain provisions that will contradict or would hinder application of this section.
	Yes	Chapter 3 Diverse Housing *Part 5 Housing for seniors and people with a disability* The PP will not contain provisions that will contradict or would hinder application of this section.
	N/A	Chapter 3 Diverse Housing *Part 8 Manufactured home estates* Not applicable
	N/A	Chapter 3 Diverse Housing *Part 9 Caravan parks*

SEPP Title	Consistency	Comment
		Not applicable
State Environmental Planning Policy (Transport and Infrastructure) 2021	**Yes**	Chapter 2 Infrastructure The PP will not contain provisions that will contradict or would hinder application of this Chapter. As per Division 15, Subdivision 2 'Development in or adjacent to rail corridors and interim rail corridors – notification and other requirements', any future DA will be integrated and referred to TfNSW.
	Yes	Chapter 3 Educational establishments and child care facilities The PP will not contain provisions that will contradict or would hinder application of this Chapter.
	N/A	Chapter 4 Major infrastructure corridors The PP will not contain provisions that will contradict or would hinder the application of this Chapter. The SP2 Railway land is surplus land is not required for rail use. The existing easements over that land will remain and is incorporated into the Planning Proposal.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	**Yes**	Chapter 2 Vegetation in non-rural areas The PP will not contain provisions that will contradict or would hinder application of this Chapter.
	N/A	Chapter 3 Koala habitat protection 2020 Not applicable

SEPP Title	Consistency	Comment
	N/A	Chapter 4 Koala habitat protection 2021 Not applicable
	N/A	Chapter 6 Bushland in urban areas Not applicable
	N/A	Chapter 7 Canal estate development Not applicable
State Environmental Planning Policy (Resilience and Hazards) 2021	**N/A**	Chapter 2 Coastal management Not applicable
	N/A	Chapter 3 Hazardous and offensive development
	Yes	Chapter 4 Remediation of land The PP will not contain provisions that will contradict or would hinder the application of this Chapter. The site's historical use was for residential and commercial purposes and the proposed use will continue for commercial / retail purposes with residential uses above. The attached Geotechnical and Limited Environmental Investigation reports (Annexures 7 and 11) conclude the potential for contamination is low and the site can be made suitable for residential development.
State Environmental Planning Policy (Industry and Employment) 2021	**Yes**	Chapter 3 Advertising and signage Not applicable to the subject PP but may be relevant to future DA(s).
	N/A	Chapter 2 Western Sydney employment area Not applicable

SEPP Title	Consistency	Comment
State Environmental Planning Policy (Planning Systems) 2021	**Yes**	Chapter 2 State and regional development The PP will not contain provisions that will contradict or would hinder application of this Chapter.
	N/A	Chapter 3 Aboriginal land Not applicable
	N/A	Chapter 4 Concurrences and consents Not applicable
State Environmental Planning Policy (Resources and Energy) 2021	**N/A**	Chapter 2 Mining, petroleum production and extractive industries Not applicable
State Environmental Planning Policy (Primary Production) 2021	**N/A**	Not applicable
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	**N/A**	Chapter 2 State significant precincts Not applicable
	N/A	Chapter 7 Moore Park Showground Not applicable
State Environmental Planning Policy (Precincts—Central River City) 2021	**N/A**	Chapter 2 State significant precincts Not applicable
	N/A	Chapter 3 Sydney region growth centres Not applicable
	N/A	Chapter 5 Kurnell Peninsula Not applicable

SEPP Title	Consistency	Comment
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	**N/A**	Chapter 2 State significant precincts Not applicable
	N/A	Chapter 3 Sydney region growth centres Not applicable
	N/A	Chapter 5 Penrith Lakes Scheme Not applicable
	N/A	Chapter 7 Western Sydney Parklands Not applicable
State Environmental Planning Policy (Precincts—Regional) 2021	**N/A**	Chapter 2 State significant precincts Not applicable
	N/A	Chapter 4 Kosciuszko National Park and alpine resorts Not applicable
	N/A	Chapter 5 Gosford city centre Not applicable
Other Applicable SEPPs		
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 minimizing the design quality principles in the SEPP and demonstrates an appropriate built form on the site. The concept design satisfies the SEPP 65 and ADG provisions.
SEPP (Building Sustainability Index: BASIX) 2004	**Yes**	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Exempt and Complying	**Yes**	The PP will not contain provisions that will contradict or

SEPP Title	Consistency	Comment
Development Codes) 2008		would hinder application of this SEPP.

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

5.2.4. 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
1.1 - 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 5.2.1.
1.2 - Development of Aboriginal Land Council land	**N/A**	Not applicable
1.3 - Approval and Referral Requirements	**Yes**	The PP will be consistent with this Ministerial Direction.
1.4 - Site Specific Provisions	**Yes**	The PP will be consistent with this Ministerial Direction.
Focus Area 1: Planning Systems - Place-based		
1.5 - Parramatta Road Corridor Urban Transformation Strategy	**N/A**	Not applicable
1.6 - Implementation of North West Priority Growth Area	**N/A**	Not applicable

Direction Title	Consistency	Comment
Land Use and Infrastructure Implementation Plan		
1.7 - Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	**N/A**	Not applicable
1.8 - Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	**N/A**	Not applicable
- Implementation of Glenfield to Macarthur Urban Renewal Corridor	**N/A**	Not applicable
1.10 - Implementation of the Western Sydney Aerotropolis Plan	**N/A**	Not applicable
1.11 - Implementation of Bayside West Precincts 2036 Plan	**N/A**	Not applicable
1.12 - Implementation of Planning Principles for the Cooks Cove Precinct	**N/A**	Not applicable
1.13 - Implementation of St Leonards and Crows Nest 2036 Plan	**N/A**	Not applicable
1.14 - Implementation of Greater Macarthur 2040	**N/A**	Not applicable
1.15 - Implementation of the	**N/A**	Not applicable

Direction Title	Consistency	Comment
Pyrmont Peninsula Place Strategy		
1.16 - North West Rail Link Corridor Strategy	**N/A**	Not applicable
1.17 - Implementation of the Bays West Place Strategy	**N/A**	Not applicable
Focus area 2: Design and Place		
N/A		
Focus Area 3: Biodiversity and Conservation		
3.1 - Conservation Zones	**N/A**	Not applicable
3.2 - Heritage Conservation	**Yes**	The PP will be consistent with this Ministerial Direction. The North Chatswood HCA exists to the east of the railway line. The shadow diagrams indicate that the North Chatswood HCA will be impacted from shadow approximately 2.30pm mid-winter, however this maintains an acceptable level of solar in an urban context between 9am – 3pm mid-winter.
3.3 - Sydney Drinking Water Catchments	**Yes**	The PP will be consistent with this Ministerial Direction.
3.4 - Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	**N/A**	Not applicable
3.5 - Recreation Vehicle Areas	**N/A**	Not applicable
Focus Area 4: Resilience and Hazards		

Direction Title	Consistency	Comment
4.1 - Flooding	N/A	The site is not located within flood prone land Accordingly, Direction 4.3 is not applicable.
4.2 - Coastal Management	N/A	Not applicable
4.3 - Planning for Bushfire Protection	N/A	The site is not located within a Bushfire prone area. Accordingly, Direction 4.4 is not applicable.
4.4 - Remediation of Contaminated Land	Yes	The PP will be consistent with this Ministerial Direction. Refer to State Environmental Planning Policy (Resilience and Hazards) 2021discussion above.
4.5 - Acid Sulfate Soils	Yes	Class 5 soils are present on site; however the site is not within 500m of Class 1, 2, 3 or 4 soils and therefore an acid sulfate soils management plan is not required.
4.6 - Mine Subsidence and Unstable Land	N/A	Not applicable
Focus Area 5: Transport and Infrastructure		
5.1 - 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.
5.2 - Reserving Land for Public Purposes	**Yes**	The PP will be consistent with this Ministerial Direction.
5.3 - Development Near Regulated Airports and Defence Airfields	Yes	The PP will be consistent with this Ministerial Direction. Part of the exhibition process will involve consultation with Sydney Airport Corporation Limited, however the site is not identified within the Syndey ANEF maps nor the Obstacle Limitation Service maps.

Direction Title	Consistency	Comment
5.4 - Shooting Ranges	**N/A**	Not applicable
Focus Area 6: Housing		
6.1 - 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.
6.2 - Caravan Parks and Manufactured Home Estates	**N/A**	Not applicable
Focus Area 7: Industry and Employment		
7.1 - Business and Industrial Zones	**Yes**	The PP promotes employment growth and due to its proximity to the Chatswood CBD, supports the viability of the Chatswood CBD. The rezoning of the entire site to B4 Mixed use will result in a significant net increase of employment floor space, countering the displacement of existing employment land at 8 Wilson Street.
7.2 - Reduction in non-hosted short-term rental accommodation period	**N/A**	Not applicable
7.3 - Commercial and Retail Development along the Pacific Highway, North Coast	**N/A**	Not applicable
Focus Area 8: Resources and Energy		
8.1 - Mining, Petroleum Production and Extractive	**N/A**	Not applicable

Direction Title	Consistency	Comment
Industries		
Focus Area 9: Primary Production		
9.1 - Rural Zones	**N/A**	Not applicable
9.2 - Rural Lands	**N/A**	Not applicable
9.3 - Oyster Aquaculture	**N/A**	Not applicable
9.4 - Farmland of State and Regional Significance on the NSW Far North Coast	**N/A**	Not applicable

5.3. Section C – Environmental, Social and Economic Impact

5.3.1. 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.

5.3.2. 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 annexures, specifically relating to traffic, wind, acoustic, Geotech and contamination. A summary of these impacts is discussed below.

Urban Design

An Urban Design Report has been prepared by PBD Architects and is provided with this Planning Proposal package. 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 and not creating isolated sites.

Overshadowing

A Solar Analysis has been undertaken by PBD Architects and is provided in the Urban Design Report demonstrating

existing context and future context in the form of shadow diagrams and solar eye views.

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 are not impacted until 1pm mid-winter.

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.

Visual Impact

A Visual Impact Analysis has been prepared by Urbaine and provided in Annexure 12. The proposal is considered to be consistent with the expectations of the Chatswood Strategy and the Draft LEP, which envisaged a 90m height limit for this site. The proposal is considered to be comparable in bulk and scale to neighbouring developments and sits well within the streetscape and skyline. As such, the proposal is not considered to impact on significant regional or district views.

The proposal will have a visual impact on the communal open space (particularly the pool area) for 11 Railway Street, as seen in 'Viewpoint no. 66' of the Visual Impact Analysis. However, the proposal has two towers with floor plates of 353sqm and 592sqm which results in slender towers. This results in the pool receiving solar access mid-winter from 9am – approximately 11.30am and then again after 2.30pm. Further, any future DA will include specific details of materials to ensure minimal glare is caused from the building, and will also ensure privacy is maintained to the adjoining pool area.

Wind

A Wind Report has been undertaken by VIPAC, dated 19 October 2021 and is provided as part of this package. This report states that the stronger winds can be expected from the south to north-westerly directions, followed by south, then north easterly directions.

The ground level or communal open space on Level 2 were not expected to have wind levels exceeding the recommended comfort criteria. However, it was recommended that the northeast corner balconies of the northern tower and the western side of the towers 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.

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.*
- *The wind conditions in the Level 2 communal terraces would be expected to be within the recommended walking comfort criterion.*

- *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 19/10/2021 and is provided as part of this package. Key conclusions from the Traffic Report are identified below:

- *The proposal would also realise a significant improvement from existing access arrangements by consolidating the five existing access driveways …, and greatly reducing the width of the O'Brien Street driveways.*
- *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. Such details would be further developed as part of any future Development Application.*
- *It is noted that there is an existing level of traffic congestion in the area, as is common for key strategic centres across Sydney, with the anticipated increase in traffic 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 is considered in-line with the objectives of the Chatswood CBD Planning and Urban Design Strategy and can be supported from a transport perspective*

However, since this report was provided, the total carparking has been reduced to be consistent with the RMS provisions for Residential Flat Buildings within Metropolitan Regional (CBD) Centres, given the proximity to the Chatswood Rail Station.

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 19 October 2021 prepared by Renzo Tonin & Associates has been provided as part of this Planning Proposal package. 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
- Mechanical plant

It concluded that noise intrusion into the subject development has found that appropriate controls can be incorporated into the building design to achieve a satisfactory accommodation environment.

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

Geotechnical

A Preliminary Geotechnical Report, dated September 2021, prepared by Douglas Partners has been submitted as part of this PP and is provided as part of this package.

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 contains Class 5 soils; however the site is not within 500m of Class 1, 2, 3 or 4 soils and therefore an acid sulfate soils management plan is not required.
- 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

The allotments fronting Pacific Highway have primarily been used for residential purposes since 1930, and the rear lot for retail and light industrial. Extensive fill was not observed at the site with possible contaminated fill likely to be localised. Overall, the potential for contamination is considered to be low.

Based on the above, it is considered the site can be made suitable for the proposed development, and specific details would be required with any future DA.

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

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:

Employment Generation

The DPIE Measures of construction and job impacts from fast-tracked projects Methodology paper, dated 26 June 2020 has been used to calculate the jobs generation as a result of the proposed increase in the planning controls. This paper utilized explains how the Department of Planning, Industry and Environment measured the number of jobs that may be created during construction and once completed. The Landcom jobs calculator is used to calculate construction and job impacts in these instances. Landcom's workspace ratios were developed using evidence from both local and international sources including published sources include UK Employment Density Guide (2010, 2015), City of Sydney (2017, 2019) and NSW Government Office Design Requirements (2017).

Ongoing Jobs

The existing site includes four residential flat buildings and an industrial warehouse building (unsuitable for ongoing use) at 8 Wilson Street. The existing warehouse facility includes c. 800m2 floor area which is estimated to generate 12 fulltime jobs based on 1 job per 65m2 of manufacturing/warehouse floor area (Landcom Job Calculator, 2022).

The proposed development includes 4,294m2 of commercial floor area. It is assumed that the ground level will be used for generic shops, cafes and restaurants, finance and professional services, and supermarkets whilst the first floor will be used as a modern office.

The ongoing fulltime job generation generated will be 227 fulltime ongoing jobs calculated as follows:

- 1,597m2 ground level retail/business x 1 job per 35m2 floor area = 47 jobs
- 2,697m2 first floor level office x 1 job per 15m2 floor area = 180 jobs

Therefore, the proposed change in the planning controls will generate an additional 215 ongoing fulltime permanent jobs (227 new jobs – 12 existing jobs).

Construction Jobs

DPIE Measures of construction and job impact Methodology paper, dated 26 June 2020 stipulates the number of construction jobs is closely related to the size of construction projects. Evidence collected by Landcom indicates that 2 construction jobs per $1 million construction costs is usually generated in Australia. The proposed development includes a construction cost of c.$150,000,000 which therefore equates to 300 fulltime construction jobs.

Economic Development

- The proposal will deliver a large, consolidated site within close proximity to the Chatswood CBD to allow orderly and economic development of land.
- The proposal will deliver significant employment floor space within a Strategic Centre. 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 inclusion of TAHE land deemed surplus to Transport's needs and no longer used for rail purposes, addresses the issue of site isolation and allows for a consolidated development ensuring the orderly and economic development of land

Social Outcomes

- 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 assess 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 create activation along the rail corridor providing passive surveillance.

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

6. PROJECT TIMELINE

Stage	Timeframe
Consideration by council	June 2021
Council decision	April 2022
Gateway determination	July 2022
Pre-exhibition	August 2022
Commencement and completion of public exhibition period	August – September 2022
Consideration of submissions	September – October 2022
Post-exhibition review and additional studies	October 2022 – January 2023
Submission to the Department for finalisation (where applicable)	January 2023
Gazettal of LEP amendment	April 2023