

Place, Design and Public Spaces

IRF19/1007

Plan Finalisation Report

Local government area: Hunters Hill

1. SITE DESCRIPTION

The planning proposal applies to land at 2-10 Cowell Street, 1-3 Flagstaff Street, 1, 1A-C Massey Street and part of 215 Victoria Road, Gladesville. The site is predominantly occupied by the current Gladesville Shopping Village (marked as GSV in **Figure 1**), which includes a supermarket and a number of smaller specialty shops. A timber house at 10 Cowell Street is also included in the site and is an item of local heritage significance (marked as H in Figure 1). A small apartment building is located at 8 Cowell Street. 1 and 1A Massey Street are occupied by a single storey electrical store.

Vehicular access to properties fronting Victoria Road is provided by a right of way across the site. Public parking areas and the shopping centre also gain vehicular access across the site, resulting in poor pedestrian access with no separate and defined path provided. Pedestrian access to the shopping centre from Victoria Road is provided by way of an arcade, Glades Centre, through 225-227 Victoria Road.

The site adjoins land to the north, west and south zoned B4 Mixed Use with a mix of older 1-2 storey buildings along Victoria Road and more recently approved development of 5 storeys under construction. While zoned for mixed use, the site is adjoined by a series of 2 storey townhouses to the north fronting Massey Street.

The land to the east of the site is zoned R3 Medium Density, although the area is predominantly single dwellings.



Figure 1: Site map with subject site bound in red.

2. BACKGROUND

On 8 October 2015 a planning proposal was lodged with Council by the owners of the Gladesville Shopping Village site (**Attachment A**). Following independent analysis by Architectus the planning proposal was not supported by Council.

On 15 April 2016, the proponent requested a Pre-Gateway Review. The former Sydney East Joint Regional Planning Panel recommended on 3 November 2016 that the proposal should proceed subject to:

- amending the amount and location of open space;
- allowing the additional density and height by way of a design excellence provision, with maximum height to be determined by solar access performance;
- relocation of the heritage item to a Council owned site for adaptive reuse;
- retention of existing level of commercial floor space; and
- revision of the traffic impact assessment supporting the proposal.

The Department adopted the recommendation of the Panel in full on the 29 November 2016.

Council agreed to the role of planning proposal authority and lodged a planning proposal for Gateway determination, which was issued 16 January 2017 (**Attachment B**).

3. PURPOSE OF PLAN

The planning proposal as exhibited seeks to facilitate the redevelopment of the Gladesville Shopping Village, including shop top housing, by:

- allowing additional floor space ratio above the existing predominantly 2.7:1 up to 3.4:1, subject to design excellence and solar access performance,
- allowing additional building height above the existing predominantly 34m, subject to design excellence and determined by solar access performance; and
- include a site-specific clause requiring the provision of open space on the site.

The site specific clause specifies a minimum commercial floor area of 23% as part of the design excellence considerations. The planning proposal also outlines an intent to exclude Clause 4.6 (Exemptions to Development Standards) to the site.

At its meeting of 10 September 2018, Council resolved not to support the planning proposal as exhibited (**Attachment C**). Council instead proposed amendments which have not previously been considered by the Department. Further detail about these post exhibition changes are provided in Section 8.

Council has not prepared an amended planning proposal and has submitted the proposal for finalisation, with a recommendation that it not proceed.

As discussed further throughout this report, it is recommended that the planning proposal not proceed to an amendment to the Hunters Hill LEP 2012.

4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Lane Cove State Electorate. The Hon Anthony Roberts MP is the State Member for Lane Cove.

On 15 July 2016, Mr Roberts MP made representations on behalf of a Hunters Hill Councillor regarding concerns for the scale of the planning proposal.

On 3 June 2019, Mr Roberts MP made representations on behalf of Hunters Hill Council seeking funding to complete a masterplan for the Gladesville town centre, including this site.

The site falls within the North Sydney Federal Electorate. Trent Zimmerman MP is the Federal Member for North Sydney.

To the regional planning team's knowledge, Mr Zimmerman MP has not made any written representations regarding the proposal.

NSW Government Lobbyist Code of Conduct: There have been no meetings or communications with registered lobbyists with respect to this proposal.

NSW Government reportable political donation: There are no donations or gifts to disclose and a political donation disclosure is not required.

5. GATEWAY DETERMINATION AND ALTERATIONS

The Gateway determination issued on 16 January 2017 (**Attachment B**) determined that the proposal should proceed subject to conditions. The Gateway conditioned a number of amendments to the planning proposal which were required to be made prior to public exhibition.

Notably, the proposal was to include reference to the relocation of the heritage item at 10 Cowell Street to a site owned by Council. The proposal was also to include a plain English explanation of a design excellence clause which would allow additional height and FSR up to 3.4:1. The allowable increase to height was to be determined by the requirement to not overshadow Trim Place and a building at 3-7 Cowell St for three hours between 9am and 3pm at mid-winter.

The Gateway determination was altered on 21 August 2018 to extend the time for completion (**Attachment D**). The proposal was due for finalisation by 31 October 2018.

6. PUBLIC EXHIBITION

In accordance with the Gateway determination, the proposal was publicly exhibited by Council from 21 February until 20 March 2018. A public information session was also held on the 27 February 2018.

A total of 124 public submission were received in response to the exhibition. The key issues raised were:

- traffic and access;
- floor space/height and amenity concerns; and
- heritage.

Traffic and access

The most commonly raised issue during the exhibition period were concerns with increase traffic and congestion. The submissions suggest that Victoria Road is currently congested and additional traffic will worsen this situation and impact bus operation. Submissions point to existing use of the adjoining streets as 'rat runs' to avoid traffic congestion on Victoria Road.

Mitigation measures proposed by the Traffic Impact Assessment (TIA) are seen to shift the traffic to streets incapable of carrying such traffic. The scope and assessment of the TIA is not considered adequate by submissions.

Council response

Council agrees with the community on the significance of the traffic impact from the proposal. Despite multiple revisions, Council contends that the TIA underestimates traffic generation, includes flawed assumptions and does not provide sufficient information for the proper assessment of likely impacts. Council notes these concerns are reinforced by Roads and Maritime Services (RMS now part of Transport for NSW) and Transport for NSW (TfNSW) in their submissions.

Council disagrees with the mitigation measures proposed within the TIA, particularly the closure of Cowell Street. Council notes that the closure would redirect traffic to a narrow local road, Junction Street, and exceed RMS' environmental goal for local roads of 300 vehicles per hour.

Council suggests that the TIA does not sufficiently address the existing congestion of Victoria Road and the impact on bus services. Council sees this as a significant failure given the strategic importance of the Victoria Road corridor for public transport. Council believes the proposal would have untenable impacts upon this road, trunk bus services and the local road network. Council concludes that additional density is inappropriate due to these impacts.

The Department's response to traffic issues is detailed Section 9 of this report.

Floor space/height and amenity concerns

Submissions note that the site is already afforded a significant FSR and height control, and the increase would impact on neighbouring buildings of 1-2 storey scale. The proposal is also seen to not allow for appropriate transition to the 5 storey height limit for properties along Victoria Road, including approved development.

The need to fully understand the solar access to surrounding properties prior to making the plan is also called for in submissions. A definitive maximum height is called for, as the allowance for additional height and density through design excellence is considered too subjective.

Council response

Council notes that given the height and density controls for the adjoining properties, the existing controls for the site are considered generous. Council considers that there is insufficient justification in the planning proposal to support an increase to height and density. This position is supported by an independent assessment of the planning proposal by Architectus prior to the Pre-gateway Review. A link to a lack of public benefit is also identified by Council, as an earlier offer for a VPA has since been withdrawn.

A development application was lodged for the site in 2013, which was ultimately withdrawn. Council suggests that a maximum height inhibited flexibility of design solutions for the development. While Council ascertains there is not sufficient justification provided by the proponent for additional height, it is suggested that it may be appropriate following further analysis.

Council resolved to not support any increase in density for the site, however an amended proposal with additional height would be supported. Council instead resolved to require the preparation of a site specific DCP which addresses height and building articulation, open space, floor space mix, heritage conservation, pedestrian accessibility and vehicular access. The LEP height is proposed to be set aside in favour of the height controls determined through the site specific DCP exercise.

The Department's response to amenity issues is detailed in Section 9 of this report.

Heritage

As noted above, a heritage listed cottage is located within the site. Heritage was a key issue for the public, however the opinions on how to best address the item were divided. A third of submissions support the relocation of the dwelling, but only if it remains within the immediate vicinity. Approximately 10% of submissions supported the relocation of the cottage within the Hunters Hill LGA.

Council's report highlights that 22.5% of responses seek to ensure that the item remain in-situ. Alternative options suggested by Council were seen to take up valuable open space. The use of the cottage in a future development was seen to offer domestic scale and history which is valuable in the centre.

As identified previously, the site is also adjacent to a heritage conservation area, to the north and west. Submissions question the ability for development at the scale sought to transition to the conservation area.

Council response

Council notes that the Statement of Heritage Impact, provided in support of the planning proposal application in 2015, highlights the historical and aesthetic significance of the cottage. The cottage was listed as a heritage item at the end of 2015, following the application for the planning proposal. Council reiterates the submission of the NSW Heritage Council suggesting that a Heritage Impact Study should support the proposal.

Council ties the significance of the cottage to development of Gladesville and therefore argues that the building should remain on site. Council contends that there has been no comprehensive exploration of conservation options and by increasing floor space many options would be then limited. Council suggests that consideration of the impacts from the proposal on the heritage significance cannot be evaluated given the absence of detailed analysis.

Council further recognises the compromised transition to the adjoining heritage conservation area that would be created by the increase height and density.

Department comment

During consideration of the proposal at the Pre-Gateway Review stage, the proponent and Council noted in principle support for relocation of the item. It was acknowledged that the existing location of the item creates difficulties in overall design and integration. As a condition of Gateway determination, the Department required that relocation of the cottage to a Council owned site be reference in the planning proposal.

The proponent suggests that heritage issues can be resolved at the development application stage. They further note that the given the development potential already afforded to the site, the conservation of the heritage item is already compromised. Relocation of the item is seen to extricate the significance of the item which is tied to its Gladesville location. It may be more appropriate to consider how the item can be including or interpreted through redevelopment, such as the reuse of pressed tin etc.

7. ADVICE FROM PUBLIC AUTHORITIES

Council was required to consult the following agencies in accordance with the Gateway determination:

- RMS;
- TfNSW;
- Office of Environment and Heritage (OEH);
- Sydney Water;

- Energy Australia;
- Ministry for Health;
- Department of Education; and
- City of Ryde Council.

Council has consulted these authorities and the NSW Heritage Council.

Responses were received from RMS, TfNSW, OEH, NSW Heritage Council, Sydney Water and Department of Education.

Transport for NSW and RMS

Submissions were received from both TfNSW and RMS, who raised shared issues relating to traffic and transport (**Attachments F, G and H**). The submissions note that a number of matters are required to be addressed prior to the making of the amendment to the LEP.

The submissions focus on three key issues:

- adequacy of the traffic impact assessment supporting the proposal;
- adequacy and feasibility of the mitigation measures proposed; and
- the impact of the proposed scheme on the function of Victoria Road, including bus movement.

Adequacy of traffic assessment

Both submissions from TfNSW and RMS recommend amending the traffic report to adopt traffic generation rates reflective of the site's public transport accessibility, noting that the rates used are relevant to a site with access to rail services.

The report's high car parking provision and lack of active transport consideration is also noted in both submissions. It is suggested that the proposal's traffic assessment should be amended to consider a worst case scenario, which would include a higher assumption of commercial/retail use. The Department has previously written to Council supporting the commercial GFA used in the report, noting this would be further refined at the development application (DA) stage.

Detailed comments are provided by RMS on the inadequacy of the information provided, noting a number of issues including incorrect cycle times, modelling of a single hour in each peak rather than the recommended two hour period, and not being in accordance with RMS Traffic Modelling Guidelines.

Mitigation measures

The TIA provides mitigation measures designed to lessen the impact on the local road network. These measures include the closure of Cowell Street at Flagstaff Street, a shared zone provided through the existing right of way, increase to the length of the right turn bay on Victoria Road at Cowell Street, increase signal cycle time at Victoria Road and Pittwater Road, and closure of Flagstaff Street to all but resident and services vehicles.

While these works have been proposed, there has been no commitment to funding or securing the improvements. TfNSW and RMS both note concerns with the feasibility of mitigation measures. The TIA suggests the measures be considered at the DA stage. RMS seeks that any measures should be funded at the planning proposal stage. The submission also notes the RMS is unlikely to support changes to signalling arrangements that are identified by the TIA.

RMS suggests that concept plans of the improvements should be provided with legally binding agreements in place to acquire any land required. Proposed regional transport and

road upgrades supporting the proposal are also identified as needing to include a funding mechanism.

Victoria Road

RMS states that traffic generated by future development would result in a deterioration of Victoria Road's operation at a number of nearby intersections. Traffic queueing at the Victoria Road and Cowell Street intersection is projected to block a lane of Victoria Road in both the morning and afternoon peak periods.

TfNSW highlight that the traffic demand generated by the proposal would likely impact the operation of Victoria Road, which is a key transit corridor. Due to the importance of Victoria Road as a bus corridor, analysis was requested to identify any impact on bus operation and nominate any mitigation measures.

Additional joint submission

Following Council's unfavourable consideration of the proposal, the proponent was invited by the Department to respond to the submissions of RMS and TfNSW. An Addendum to the TIA and SIDRA modelling files was provided by the proponent and submitted to TfNSW and RMS for consideration.

TfNSW and RMS responded through a joint submission. The submission states that feasibility of the mitigation measures proposed by the proponent have not been demonstrated. The submission notes that land acquisition, beyond the subject site, would be required for road widening and may impact on heritage items in the area.

Difficulties in movement of commercial and heavy vehicles following mitigation measures is also noted. It is suggested that the improvements identified are unlikely to be feasible and therefore the proposed uplift will impact on the operation of Victoria Road, including bus services.

RMS noted that there are outstanding issues with the modelling submitted that would prevent informed consideration of the traffic impacts and mitigation measures.

The Department's response is detailed in Section 9 of this report.

NSW Heritage Council

A submission from NSW Heritage Council raised issues in relation to the heritage listed cottage at 10 Cowell Street. The submission notes that a Heritage Impact Statement should be included with the proposal assessing the impact on the heritage item and the adjoining heritage conservation areas.

The submission suggests that the heritage impact statement should consider the relationship of the cottage's significance to its location. The submission also highlights that alternative options should be considered to prevent the relocation of the heritage item, and instead incorporate the cottage into a design for the site.

As noted above, the site is already afforded such development potential that the conservation of the cottage is compromised. While relocation of the item has been explored by Council, no solution has been found. Council is currently preparing a master plan for the Gladesville town centre and it is recommended that reconsideration of the issue should be included in this work.

8. POST-EXHIBITION CHANGES

As noted previously, Council resolved not to support the exhibited proposal and instead resolved to support an amended planning proposal which would include:

- no change to mapped height or FSR;
- a local clause to require the preparation of a site-specific DCP which would determine the maximum bonus height and minimum commercial floor area;
- an amendment to the design excellence clause to not provide bonus height or floor space;
- the requirement for a percentage of commercial floor area shall be deleted, and that requirement shall be a consideration for the site-specific DCP; and
- an amendment to the Open Space clause regarding size, configuration and location.

These amendments have not previously been considered by the Department.

The proposed changes are not considered appropriate to be made at this time. The amendment demonstrates that Council has not yet conceptualised a vision for the Gladesville town centre and would introduce LEP controls that are reliant on DCP provisions. This approach is not appropriate and provisions relating to the key development standards for the property should be within the LEP.

Council has not prepared an amended planning proposal and has submitted the proposal for finalisation, with a recommendation that it not proceed.

On 21 May 2020, Council wrote to the Department confirming its resolution of 10 September 2018 to not support the exhibited planning proposal and advised that Council's preference is to consider the site as part of its overall work in the master planning of the Gladesville commercial centre (**Attachment I**).

Council has commenced work on the master planning of the Gladesville town centre and would like the opportunity to consider the Gladesville Shopping Village site as part of this work through a Council led planning proposal given the importance of the site.

9. ASSESSMENT

It is recommended that the draft LEP not be made as:

- traffic and transport impacts have not been resolved to the satisfaction of TfNSW and RMS;
- increased density will impact the function of Victoria Road, including bus services;
- the proposal has not adequately justified the need for increased development potential; and
- the intended outcome of the proposal is not sufficiently resolved.

State, regional and district plans

Hunters Hill is within the North District and therefore the North District Plan is relevant to the consideration of this proposal. At the time of the planning proposal's preparation, the North District Plan was in draft form. Assessment of the proposal against the relevant planning priorities in the North District Plan is provided below.

Planning priority N1 - Planning for a city supported by infrastructure.

As noted previously, the planning proposal will likely cause impact to the function of Victoria Road, including to bus services. Victoria Road is an important transport corridor with buses

providing the only form of public transport in the local area. TfNSW and RMS have also noted concerns with the impacts of the planning proposal.

It is considered that the planning proposal is not consistent with this priority as it does not provide sufficient infrastructure to support future residents and will impact on infrastructure to the detriment of the existing community.

Planning priority N5 Providing housing supply, choice and affordability with access to jobs, services and public transport

The planning proposal is consistent with this priority as it would provide for additional housing within the LGA. As housing stock within Hunters Hill is primarily low and medium density dwellings, the provision of apartments would allow greater diversity in the range of dwellings in the LGA.

The district plan sets a target of 150 dwellings within the LGA to 2021. Council is forecast to meet this target within the next five years from the existing pipeline. The development potential sought through the proposal is not required to meet the 5 year target. Council will develop its 6-10 year target through its future housing strategy.

It is noted that public transport services relied upon to service this site would be impacted by development.

Planning Priority N6 Creating and renewing great places and local centres, and respecting the District's heritage

The site has exceptional opportunity to deliver a great place which would become the heart of Gladesville. It is considered that the planning proposal does not present a vision for how to deliver on this opportunity.

The district plan includes principles for local centres including the need to provide, increase or improve local infrastructure and open space. It is considered that the planning proposal does not meet this principle. A further principle seeks to provide public realm and open space focus for centres. While this may be achievable on site, a concept for delivery has not been articulated through the planning proposal. The justification for increased density to deliver on these principles has not been demonstrated.

The planning proposal suggests that these principles are met through the provision of a transit-oriented development with an open space focus which protects retail floor space and provides additional dwellings. It is arguable that a development at the existing controls may equally deliver this outcome.

The site includes an existing item of heritage significance. The conservation of this item through relocation is not secured, as required by the Gateway determination. The District Plan speaks to celebrating the District's heritage and nominates innovative interpretation as a method to connect and provide public access to heritage. While the planning proposal does not propose to remove the item from the heritage schedule, how to conserve or interpret the item remain unresolved.

Planning Priority N12 Delivering integrated land use and transport planning and a 30-minute city

The plan requires that housing supply be coordinated to optimise existing infrastructure and maximise investment in new infrastructure. Future Transport 2056 identifies Victoria Road public transport improvements in the 10-year strategy of committed initiatives. Transport improvements are also highlighted as an initiative to be considered over the next 20 years in the North District Plan. However, to date, there are no further details on what those improvements may entail or where there will be located. Due to the lack of detail surrounding these improvements, they do not provide adequate justification to support the proposal proceeding.

Planning Priority N20 Delivering high quality open space

The planning proposal seeks to ensure the delivery of a new park for the town centre. This speaks to a vision already articulated in the Gladesville DCP and moves to require open space provision through the LEP controls. The planning proposal highlights that additional height and density will incentivise the provision of this open space.

Hunters Hill Council Local Strategic Planning Statement

Council adopted its Local Strategic Planning Statement (LSPS) at its meeting on 27 April 2020, following the Greater Sydney Commission's letter of support dated 24 March 2020.

The LSPS is Council's 20 year vision for land use and provides a plan to manage land use growth and change in the Hunters Hill LGA until 2040.

Council's LSPS identifies the Gladesville Town Centre as one of two primary locations that offer the most potential for growing a local business and employment base. The vision for the Gladesville town centre as stated in the LSPS is:

Gladesville Town Centre will be a renewed and revitalised, mixed-use urban centre. It will be the primary centre and commercial hub for the wider area, providing a full range of retail services and entertainment to the community.

The Town Centre will offer a modern, convenient environment that respects the past and where people will love to be. It will have high quality mid-rise apartment living, meeting a range of housing needs. It will be a desirable and sustainable place to live.

The focal point of the Centre will be a renewed Gladesville Shopping Centre and public spaces between Massey Street and Cowell Street. The redevelopment of the shopping centre with increased commercial space and residential apartments in well-designed buildings will be the catalyst for renewal, place-making and urban design outcomes throughout the broader Gladesville centre.

Council has commenced work with GMU planning consultants to master plan the Gladesville town centre. As advised by Council, GMU have completed Stages 1, 2 and 3 encompassing -

- Stage 1: area from Cowell Street to Massey Street
- Stage 2: Junction Street to Cowell Street
- Stage 3: Massey Street to Pittwater Road

Stage 4 of the master planning work covers the Gladesville Shopping Village site.

Traffic

As highlighted in 7. Advice from Public Authorities, both RMS and TfNSW have established issues with the planning proposal's potential impact on traffic and public transport operations. While mitigation measures have been nominated by the proponent, these have not been agreed, are unlikely to be feasible and have no delivery mechanism. This is a fundamental shortcoming of the planning proposal and an amendment cannot be supported.

Built form impacts

To address issues raised by Council regarding the proposed built form over the site, the Department sought additional clarification and justification for the proposed amendments as part of its work to assess the proposal for finalisation. The proponent submitted additional information including a photomontage and site layout of the scheme supporting the proposal (**Figures 2 and 3**). This proposal is for a podium level that would be elevated well above Flagstaff Street, meeting the street level at the top most part of the street level with Cowell

Street. The podium level is similar to the previous DA scheme for the site (as seen in **Figure 4**).



Figure 2: Photomontage of scheme to support the proposal supplied by Don Fox Planning on behalf of the proponent

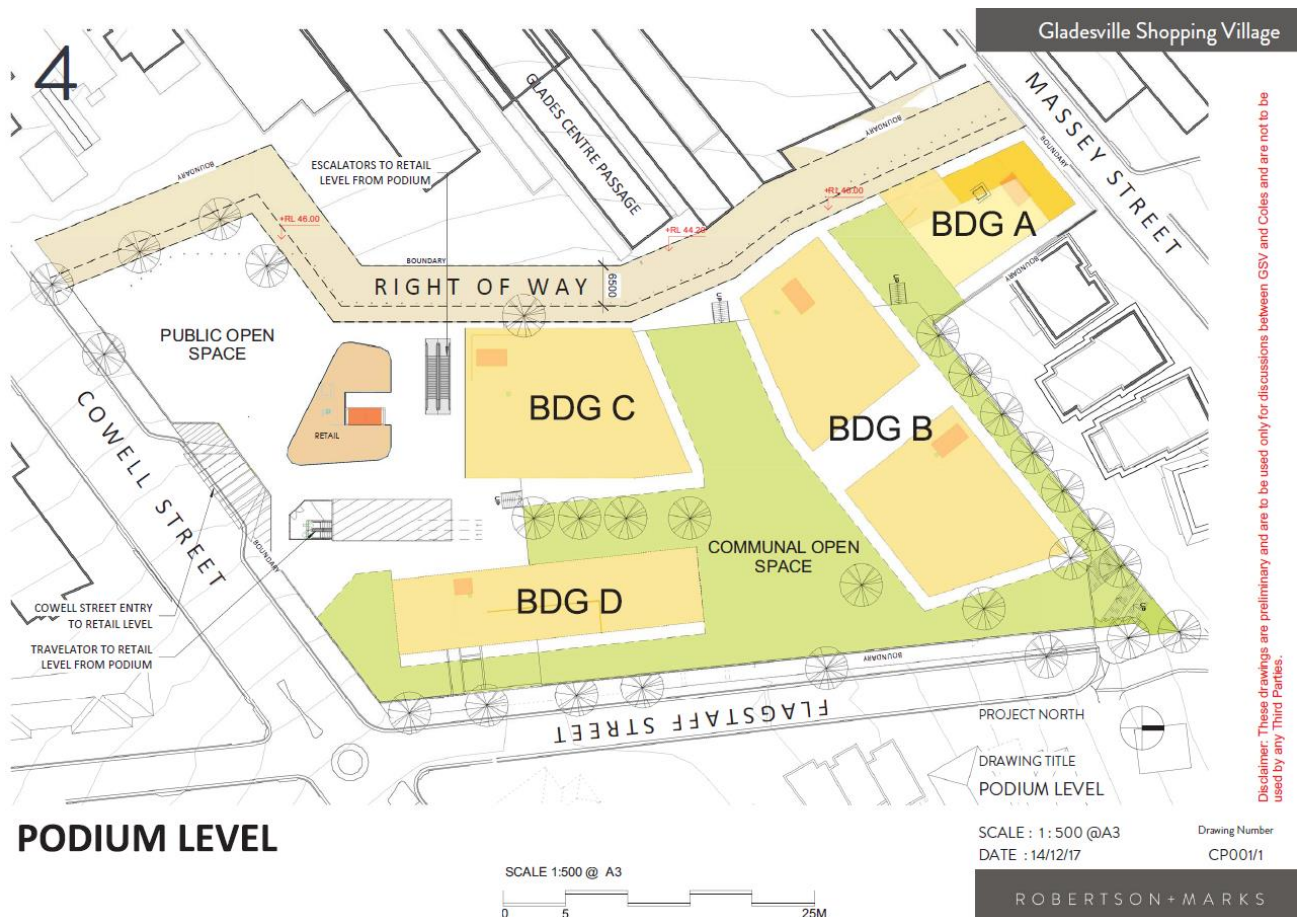


Figure 3: Proposed site layout in support of the proposal (Robertson + Marks)



Figure 4: Previous withdrawn 2013 development application (Source: Hunters Hill Council)

These additional drawings were also supported by a site specific draft DCP to support the site's development (**Attachment E**). The proposed DCP did not specify sufficient detail that reflected the layout or podium built form shown in the concept drawings (**Figures 2 and 3**), rather only included the specified podium levels and setbacks above the podium, and required consideration of broad objectives.

No shadow diagrams were provided by the proponent to address what impact the proposed increase scale and bulk the proposal would have over and above that which can be achieved under the current controls. Instead the proposal sought to implement performance based controls under the proposed site specific DCP.

Further the maximum height for the site was proposed to be determined through solar access performance measures for nominated sites, as part of the design excellence considerations. The extent of these impacts was not tested or determined through the planning proposal process. Neither Council nor the proponent has provided studies to test the likely height, with the proponent seeking to resolve the height at DA stage through merit assessment.

Additionally, no views or visual impact assessment was provided as part of the proposal to demonstrate what visual impacts the proposal would have, particularly given the additional scale of the development over and above nearby development and would result in the tallest built form development in the vicinity of the site.

Therefore, there was no key evidence provided of what impact the proposal would have on the site or its surrounds.

Given the varied built form context for this site, transition in height and built form to buildings of lower densities and scale has been a key consideration. The planning proposal has not demonstrated that the proposed controls could allow for acceptable transition to existing two storey townhouses adjoining the site to the north, lower density residential to the east and apartments to the south. The reliance on broad controls in the DCP does not provide further assurance of how the site would be suitably developed.

It is acknowledged that the existing controls for the site may result in a built form that is squat and dense, providing difficulties in internal building separation and design flexibility. This is demonstrated through a 2013 development application (**Figure 4**), which was

subsequently withdrawn. While the concept highlights the potential mismatch in the existing height and density, it also confirms the need for careful consideration for the controls applying to a constrained site that adjoins residential lower density development while functioning as a key site that supports the town centre of Gladesville.

Changes to planning controls across the site would assist in allowing for greater design flexibility in the distribution of density. This could result in taller slender buildings, rather than the squat dense form shown above. However, in allowing increased height with additional floor space density, the resulting built form is expected to result in and be expressed through overshadowing and a dominant built form, as opposed to the internalisation of amenity impacts as seen above (**Figure 4**).

The design excellence provisions proposed through the proposal seek to provide a framework for merit assessment of amenity issues at the development application stage. These provisions should not be a replacement for good strategic planning and analysis of the potential impacts at the planning proposal stage. The proposed approach relegates the resolution of amenity issues to the design stage without demonstrating they can feasibly be resolved.

As noted by submissions, Gladesville has seen an increase in recent development, primarily focused on Victoria Road. This has resulted in pressure on the amenity of the area more broadly through view loss, increased noise and a decreased in perceived village character. Submissions have called for a holistic review of the centre to understand the cumulative impact of development.

Council is currently exhibiting its Local Strategic Planning Statement (on exhibition until 25 October) and is working towards a masterplan for the Gladesville centre. These exercises provide an opportunity to set a clear vision for Gladesville and a resolved scheme for the shopping village site. A clear vision will allow for revitalisation of the centre and will resolve issues of access, heritage and built form.

While Council has demonstrated a willingness to support increased height for the site, this has not been sufficiently investigated to resolve the outstanding issues. For these reasons, the proposal is not recommended to be support.

Justification

The planning proposal states that there is a need to revitalise the existing centre and suggests that the controls sought will allow redevelopment to be feasible. The site's characteristics present a number of constraints to development that will need to be resolved prior to redevelopment including access, transition, integration with adjoining sites and traffic. While feasibility of development is a consideration, it does not set aside other site and strategic considerations.

An offer to enter into a voluntary planning agreement was originally submitted with the planning proposal, however this was withdrawn following Gateway determination. No further negotiations were carried out between the proponent and the Council to arrive at suitable public benefits nor to formalise the traffic mitigation measures.

The delivery of an area of open space is the remaining public benefit of the proposal. The planning proposal also identifies an opportunity to provide improved permeability, although this is also considered to be a benefit to the land owner. It is considered that both of benefits would be equally provided under the existing controls upon redevelopment.

The proponent states that outstanding issues can be resolved at the development application stage, however it is considered that the intended outcome is not sufficiently resolved.

The Department acknowledges that the centre is in need of redevelopment to revitalise the centre and address existing access issues. This is not seen as sufficient justification for increasing the development potential beyond the existing capacity. The Department notes that Council is currently carrying out a master planning exercise for this site. It may be appropriate for the proponent and Council to collaborate on a shared vision to deliver revitalisation of the centre.

10. RECOMMENDATION

It is recommended that the Minister's delegate as the local plan-making authority determine to not make the draft LEP as:

- traffic and transport impacts have not been resolved to the satisfaction of TfNSW and RMS;
- increased density will impact the function of Victoria Road, including bus services;
- the proposal has not adequately justified the need for increased development potential as it has not demonstrated its impacts to the site and its surrounds;
- the intended outcome of the proposal is not sufficiently resolved; and
- the conditions of Gateway have not been resolved.



30 June 2020

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