

## Rezoning review details

Planning proposal number	PP-2021-3315
Date Council has received the Planning proposal	4/05/21
Date Council has accepted the Planning proposal	4/05/21
Reason for request	Council has notified that it does not support the Planning proposal
Date Council has not supported the Planning proposal	4/05/21
Reason provided by Council for not supporting the Planning proposal	<ul style="list-style-type: none"> <li>* Departure from current WLEP 2012 planning controls</li> <li>* Inconsistent with Council endorsed Chatswood CBD Planning and Urban Design Strategy 2036 which identifies this site as B3 Commercial Core and prohibits residential land use.</li> <li>* Inconsistent with strategic objectives of the Greater Sydney Region Plan and North District Plan which encourages the protection of the Chatswood CBD commercial core for employment purposes</li> <li>* Other issues height, design excellence, setbacks and street wall heights</li> </ul>
Description	Mixed-use proposal seeking amendments to the Willoughby LEP including maximum height, floor space ratio and the extension of shop top housing as an additional permitted use across the remainder of the amalgamated site, as envisaged by the DPIE-endorsed Chatswood CBD Planning and Urban Design Strategy 2036.
Which of the following uses does the planning proposal propose?	Residential Commercial

## Proposals for residential uses

Does the planning proposal propose to make accommodation permissible? (as per the Standard Instrument definition)	Yes
Will the planning proposal result in the loss of industrial land?	No
Will the planning proposal result in the loss of commercial land?	No
Will the planning proposal result in the loss of retail floor space?	No
Approximate number of new residential lots proposed	
Approximate number of new dwellings proposed	310
Approximate number of dwellings to be removed	0

## Proposals for industrial uses

Approximately how many square meters of commercial floor space are proposed?	18,376
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## Proposals for commercial uses

Does the planning proposal propose to make additional commercial development permissible?	Yes
Approximately how many square meters of commercial floor space are proposed?	18,376
Approximately how many commercial or retail jobs are proposed	1,550

## Proposals for other uses

Provide a description of the uses proposed	
Does this planning proposal include a rezoning of land?	No

### Rezoning Detail (if Applicable)

Current Zone(s)	Proposed new zone(s)
Zone B3 Commercial Core	

### Applicant details

Title	Mr
First given name	Charles
Other given name/s	
Family name	Maxwell
Contact number	0423538831
Email	charles.maxwell@mirvac.com
Address	Level 28, 200 George Street, Sydney NSW 2000
Is the applicant a company?	Yes
Name	MIRVAC PROJECTS PTY LTD
ABN	72001069245
ACN	001069245
Trading Name	MIRVAC PROJECTS

### Subject Land

What land does the planning proposal apply to?	Individual properties (five or less lots) within the LGA
Which LGA does the proposal relate to?	WILLOUGHBY

### Type of Planning Proposal

What controls does the planning proposal relate to ?	The planning proposal relates to a combination of map based and word based planning provisions
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### Select the site of the development

Site address #	1																				
Street address	45 VICTOR STREET CHATSWOOD 2067																				
Local government area	WILLOUGHBY																				
Lot / Section Number / Plan	1 / - / DP569727																				
Primary address?	Yes																				
Planning controls affecting property	<table> <tr> <td>Land Application LEP</td><td>Willoughby Local Environmental Plan 2012</td></tr> <tr> <td>Land Zoning</td><td>B3: Commercial Core</td></tr> <tr> <td>Height of Building</td><td>12 m</td></tr> <tr> <td>Floor Space Ratio (n:1)</td><td>2.5:1</td></tr> <tr> <td>Minimum Lot Size</td><td>2500 m<sup>2</sup></td></tr> <tr> <td>Heritage</td><td>NA</td></tr> <tr> <td>Land Reservation Acquisition</td><td>NA</td></tr> <tr> <td>Foreshore Building Line</td><td>NA</td></tr> <tr> <td>Acid Sulfate Soils</td><td>Class 5</td></tr> <tr> <td>Active Street Frontages</td><td>Active Street Frontages</td></tr> </table>	Land Application LEP	Willoughby Local Environmental Plan 2012	Land Zoning	B3: Commercial Core	Height of Building	12 m	Floor Space Ratio (n:1)	2.5:1	Minimum Lot Size	2500 m <sup>2</sup>	Heritage	NA	Land Reservation Acquisition	NA	Foreshore Building Line	NA	Acid Sulfate Soils	Class 5	Active Street Frontages	Active Street Frontages
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Acid Sulfate Soils	Class 5																				
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	No items
Site address #	2
Street address	410 VICTORIA AVENUE CHATSWOOD 2067
Local government area	WILLOUGHBY
Lot / Section Number / Plan	B / - / DP406105 A / - / DP406105
Primary address?	No
Planning controls affecting property	<div> <div>Land Application LEP</div> <div>Willoughby Local Environmental Plan 2012</div> </div> <div> <div>Land Zoning</div> <div>B3: Commercial Core</div> </div> <div> <div>Height of Building</div> <div>14 m</div> </div> <div> <div>Floor Space Ratio (n:1)</div> <div>2.5:1</div> </div> <div> <div>Minimum Lot Size</div> <div>2500 m<sup>2</sup></div> </div> <div> <div>Heritage</div> <div>NA</div> </div> <div> <div>Land Reservation Acquisition</div> <div>NA</div> </div> <div> <div>Foreshore Building Line</div> <div>NA</div> </div> <div> <div>Acid Sulfate Soils</div> <div>Class 5</div> </div> <div> <div>Active Street Frontages</div> <div>Active Street Frontages</div> </div> <div> <div>Local Provisions</div> <div>Refer CI 4.1B and Schedule 1</div> </div>
Site address #	3
Street address	416 VICTORIA AVENUE CHATSWOOD 2067
Local government area	WILLOUGHBY
Lot / Section Number / Plan	4 / - / DP82303
Primary address?	No
Planning controls affecting property	<div> <div>Land Application LEP</div> <div>Willoughby Local Environmental Plan 2012</div> </div> <div> <div>Land Zoning</div> <div>B3: Commercial Core</div> </div> <div> <div>Height of Building</div> <div>14 m</div> </div> <div> <div>Floor Space Ratio (n:1)</div> <div>2.5:1</div> </div> <div> <div>Minimum Lot Size</div> <div>2500 m<sup>2</sup></div> </div> <div> <div>Heritage</div> <div>NA</div> </div> <div> <div>Land Reservation Acquisition</div> <div>NA</div> </div> <div> <div>Foreshore Building Line</div> <div>NA</div> </div> <div> <div>Acid Sulfate Soils</div> <div>Class 5</div> </div> <div> <div>Active Street Frontages</div> <div>Active Street Frontages</div> </div> <div> <div>Local Provisions</div> <div>Refer CI 4.1B and Schedule 1</div> </div>

## Planning Proposal - subject provisions

Which planning provisions does the planning proposal seek to amend? (select all that apply)	Maximum height of building Floor space ratio Local provision Additional permitted uses
Please provide details of what other controls will be amended by the planning proposal	
Please provide a brief description of the effect of the planning proposal	Mixed-use Planning Proposal to increase the maximum permissible height on the site to RL262 (excluding architectural roof feature), increase the maximum FSR to 20:1 with a minimum non-residential FSR of 8:1, and allow shop top housing as an additional permissible use across the entirety of the site, in accordance with the DPIE-endorsed Chatswood CBD Planning and Urban Design Strategy 2036.

## Pre-lodgement meeting

Has a pre-lodgement meeting been held to discuss the planning proposal with the council staff?	Yes
Meeting Date	30/09/2020
Planning Officer	Norma Shankie-Williams

## Voluntary Planning Agreement

Is the planning proposal application accompanied by a voluntary planning agreement (VPA)?	Yes
Description of the VPA	Offer to provide 4% affordable housing contribution
Status	Proposed
State/Local	Local
Description of the VPA	Offer to provide for upgrade and embellishment of the existing Post Office Lane
Status	Proposed
State/Local	Local
Description of the VPA	Offer to implement a minimum non-residential FSR control of 8:1 over the site
Status	Proposed
State/Local	Local

## Pecuniary interest

Is the applicant or owner an employee or councillor of the council assessing the application?	No
Does the applicant or owner have a relationship with any staff or council or of the Councillor assessing the application?	No

## Political Donations

Are you aware of any person who has financial interest in the application who has made a political donation or gift in the last two years?	No
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## Payer details

First name	Charles
Other given name/s	
Family name	Maxwell
Contact number	0423538831
Email	charles.maxwell@mirvac.com
Billing address	Level 28, 200 George Street, Sydney NSW 2000

## Application documents

The following documents support the application

Document type	Document file name
Rezoning Request document	Council Meeting 12 April 2021 - 45 Victor St and 410-416 Victori Letter to WCC - 8 April 2021 Email to Council Dated 12 April 2021 Letter to proponent dated 16 April 2021 Letter to WCC 16 April 2021 Appendix E - Council Letter dated 11 Feb 2021 Appendix D - Response to Council and Final Planning Proposal #3 Appendix C - Council Letter dated 28 Oct 2020 Appendix B - Revised Planning Proposal #2 Sep 2020 Appendix A - Original Planning Proposal #1 Dec 2016 210303_Rezoning Review Request Report 210303_Rezoning Review Cover Letter 210303_Rezoning Review Application Form

## Declarations

I declare that all the information and documentation provided is, to the best of my knowledge, true and correct.	Yes
I understand that the original application and accompanying information, as well as the decision to review the determination will be provided to the appropriate consent authority and relevant agency(ies) for the purposes of the rezoning review determination.	Yes
I understand that if incomplete, the consent authority may request more information, which will result in delays to the rezoning review determination.	Yes
The Planning Proposal authority may use the information and materials provided for notification, advertising purposes, and may be made available to the public for inspection. Information related to the application may also become available via NSW Planning Portal.	Yes
I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Government Information (Public Access) 2009 (NSW) (GIPA Act) under which it may be required to release information which you provide to it.	Yes
I agree to the appropriately delegated assessment officers attending the site for the purpose of inspection.	Yes
I have read and agree to the collection and use of my personal information as outlined in the	Yes

## Completeness check Details

What was the outcome of the pre-lodgement review?	lodged
PlanningProposalNumber	PP 2016/7/A
Enter the date the application was lodged into the Council system	4/05/21

