



PLANNING AND INFRASTRUCTURE
Planning Unit

11 February 2021

Adrian Checchin
Development Director
Mirvac
Level 28
200 George St
SYDNEY NSW 2000
By e-mail

Dear Mr Checchin

RE: Planning Proposal 2016/7/A
45 Victor Street, and 410-416 Victoria Avenue, Chatswood

Planning Proposal 2016/7 was submitted to Council on 22 December 2016. It contained a Floor Space Ratio of 22.4:1, with a residential component of 17.4:1. Council indicated that this Planning Proposal was not consistent with the *Chatswood CBD Planning and Urban Design Strategy 2036* (the CBD Strategy) and that a report was being prepared to a Council Meeting in June 2017 to not support further progress. At Mirvac's request, the matter was not reported to Council while options were explored to address the concerns of Council, in particular the provision of an entirely commercial proposal as the site is within the B3 Commercial Core.

Planning Proposal 2016/7/A was submitted on 25 September 2020, containing a Floor Space Ratio of 20:1, with a residential component of 12:1.

Council provided a preliminary assessment to you on 28 October 2020 where it was indicated that the amended Planning Proposal was also not considered to be consistent with the *Chatswood CBD Planning and Urban Design Strategy 2036* (the CBD Strategy). A number of issues were identified, and as a result, it was concluded that this amended Planning Proposal was unlikely to be supported. This letter and Attachment 1 is attached.

You have provided a submission dated 23 December 2020 in response to the Council preliminary assessment, but no changes are proposed to the significant issues raised, being the quantum of residential land use proposed on the site in the B3 Commercial Core, the height proposed and the approach to design excellence.

Other issues remain regarding inconsistency with the CBD Strategy, involving the approach to setbacks and street frontage heights, built form and public realm. These are not discussed here due to the fundamental issues already identified.

It is appreciated that a term of the DPIE endorsement of the Chatswood CBD Strategy of 9 August 2019 referred to the possibility of mixed use being permitted within appropriate parts of the CBD core but only where there was significant and assured job growth. The current proposal, although providing some job growth has this as the minor part of the proposal with

Willoughby City Council

the major component comprising residential floorspace and therefore not in line with the vision for Chatswood CBD.

As previously stated to you, the Planning Proposal is not supported in its current form as:

- The proposed residential component is not consistent with the existing B3 Commercial Core zoning under *Willoughby Local Environmental Plan 2012* (WLEP 2012) or the envisioned future B3 Commercial Core zoning under the *Chatswood CBD Planning and Urban Design Strategy 2036* (the CBD Strategy).
- The proposed height of RL 262 metres is above the specified maximum of 7 metres on the Victoria Avenue frontage and RL 246.8 metres under the CBD Strategy, which is only to be considered if the other aspects of the CBD Strategy, in particular land use, are satisfactorily addressed.
- In the same way, the proposed floor space ratio of no maximum under the CBD Strategy is only to be considered if the other aspects of the CBD Strategy are satisfactorily addressed.

The arguments you have put forward in your 23 December 2020 submission have been carefully considered through internal discussion and we remain of the view that the Planning Proposal is unable to be supported in its current form.

An amended Planning Proposal, consistent with the CBD Strategy, continues to be welcomed on such a key site within the Chatswood CBD B3 Commercial Core zone.

You are again invited to review your Planning Proposal and respond to this letter which restates the significant issues with this Planning Proposal. In addition, please review Council's 28 October 2020 Letter and Attachment 1. Council continues to seek redevelopment under the CBD Strategy that delivers the stated and expected vision for the Chatswood CBD. Council Officers look forward to working with you to facilitate the progress of this amended Planning Proposal to the point it may be supported for a Gateway Determination.

We sincerely hope you will respond positively to the advice in this letter and provide a proposal that will deliver on the Council's vision for Chatswood CBD.

It is requested that you advise Council of your intentions by the 5 March 2021 as there is a responsibility on Council to determine Planning Proposals in a timely manner and at this stage it is our intention to report the matter to the April meeting of Council.

Should you have any questions regarding the contents of this letter, please contact Craig O'Brien on (02) 9777 7647.

Yours sincerely,



Ian Arnott
PLANNING MANAGER