

19th March, 2021

The Secretary
Department of Planning, Industry and Environment,
Locked Bag 5022,
Parramatta NSW 2124



Dear Sir/Madam,

Planning Proposal 2020/4 - 282-284 Victoria Avenue Chatswood

We refer to the above application and to Council's correspondence of the 22nd February 2021 where the Council confirms that it would:

Not forward the Planning Proposal to the Department of Planning, Industry and Environment seeking a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979, as the Planning Proposal:

- a) *Is a departure from the current planning controls on the site which prohibit residential land use apart from limited shop top housing with development consent if the ground level and first level of the development are used for the purpose of retail premises or business premises.*
- b) *Is inconsistent with the Council endorsed Chatswood CBD Planning and Urban Design Strategy 2036 which identifies this site as B3 Commercial Core and prohibits residential land use.*
- c) *Is inconsistent with the strategic objectives of the Greater Sydney Region Plan and the North District Plan which encourages protection of the Chatswood CBD commercial core for employment purposes.*
- d) *Is inconsistent with the Council endorsed Chatswood CBD Planning and Urban Design Strategy 2036 which identifies this site as having a maximum height of 7m on the Victoria Avenue frontage, for a minimum setback of 6m, with a possible maximum height of 90m.*

In this regard, the applicant seeks a pre-Gateway review. Enclosed with this correspondence is the required application form, cheque for application fee and documentation from Council and as submitted to Council.

Furthermore, we attach a brief summary of the strategic merit and site-specific merit assessment for the consideration of the Planning Panel.

If we can be of any further assistance, please feel free to contact me on telephone number 0417253416.

Yours sincerely

Haskew de Chalain

A handwritten signature in blue ink, appearing to read 'Gilbert Blandin de Chalain'.

Gilbert Blandin de Chalain MPIA

Partner

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Strategic Merit Assessment Criteria

a) Does the proposal have strategic merit? Will it:

- give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or
- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.

Comment:

The subject land is situated within walking distance of Chatswood Railway Station, Bus Interchange and future Metro Station, adjacent to significant areas of employment land. The Sydney CBD is easily accessible by rail, bus and future metro services. It is argued that increased population in this locality can be easily accommodated and would be consistent with State Government policy as a location appropriate for growth.

This Planning Proposal indicates a mix of land uses that does not displace employment generation. Rather, this plan increases employment opportunity while also providing for additional housing.

Chatswood is a strategic centre that has the potential to be transformed by significant investment in Metro Rail adding to excellent accessibility from rail and bus services. It is argued that this proposal will leverage off this significant investment and contribute to the urban renewal of Chatswood. Furthermore, this proposal will provide jobs within close proximity to housing and social infrastructure such as schools, community facilities, open space and public spaces, supporting the notion of a 30 minute city.

As the Government has predicted in numerous strategies, the significant investment in transport infrastructure should act as a catalyst for new development giving the community the potential for shorter commutes to major job centres.

The scale of investment in the metro rail, along with the existing rail and bus services means that Chatswood could be transformed, provided there is support at the local level with an appropriate amendment to the local environmental plan to enable a viable redevelopment projects to be devised.

Relevant plans to this proposal are identified below with a brief comment relating to consistency with the relevant plan.

Greater Sydney Region Plan

The plan says that:

The Eastern Harbour City has significant rail projects underway to increase its global competitiveness, boost business-to-business connections and attract skilled workers with faster commuting times. The Sydney Metro Northwest links Rouse Hill to Chatswood, Sydney Metro City & Southwest connects Chatswood to Sydenham-Bankstown

Furthermore, Chatswood is defined as being within the Eastern Economic Corridor and a strategic centre. Strategic centres are said to enable access to a wide range of goods, services and jobs. Strategic centres are expected to accommodate high levels of private sector investment, enabling them to grow and evolve.

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It is argued that this proposal will support the provision of commercial development, supported by viable residential development in the form of shop top housing within a locality that is a defined strategic centre that is the beneficiary of significant Government investment, that is accessible to transport, jobs, housing and social infrastructure.

The subject site will benefit from major infrastructure investment including Metro Rail, is accessible by existing rail, is within 30 minutes to housing and services, is within walking distance of centres, schools and health facilities.

North District Plan

The North District Plan says that:

....the North District forms a large part of the Eastern Harbour City,and includes the District's strategic centres of Macquarie Park, Chatswood and St Leonards which are part of the State's greatest economic asset – the Eastern Economic Corridor.

Road and rail investments such as the Sydney Metro Northwest, Sydney Metro City & Southwest and Western Harbour Tunnel and Beaches Link will provide faster access to the Harbour CBD to bolster business and jobs growth.

The Plan says that the Chatswood strategic centre comprises a mix of uses including retail, office, residential as well as community and health. The centre has a highly successful retail focus. Maintaining and growing a high quality commercial core will facilitate the continued growth of the centre as a major employment hub.

This proposal, with the inclusion of significant commercial and retail floor space will support the growth and success of Chatswood.

Action 42 - Strengthen Chatswood is relevant to this proposal. That is, this proposal would:

- Protect and the commercial centre with the introduction of a mixed use zone that only permits shop top housing and then the provision of significant commercial floor space;
- Place significant job opportunities within easy walking distance to future metro rail; and,
- Facilitate the provision of premium office and retail offerings mixed with residential land use as shop top housing.

Chatswood CBD - Planning and Urban Design Strategy 2036

The purpose of the Strategy is to “establish a strong framework to guide future private and public development as the CBD grows over the next 20 years. It aims to provide capacity for future growth, achieve exceptional design and a distinctive, resilient and vibrant CBD. The Strategy will inform changes to Willoughby LEP and DCP”.

This application, as submitted to Council, includes at appendix 1 an assessment of the proposal's consistency with Key Elements of the Chatswood CBD Planning and Urban Design Strategy. This assessment suggests that the proposal is consistent with and/or able to comply with key elements of the Strategy except for land use. That is, the strategy does not support residential land uses within the B3 Commercial Core zone. In this regard we argue that the subject site is at the edge of the commercial core and that residential land use as proposed is in the form of shop top housing, ensuring that employment generating land uses are not displaced.

Furthermore, it is argued that the mixed use area be expanded to include the subject site and that justification for this request arises from correspondence from the NSW Department of Planning, Industry and Environment dated 9th August, 2019. This correspondence is a response to Council regarding a request for endorsement of the Chatswood CBD Planning and Urban Design Strategy. This correspondence says:

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I advise that the strategy has been reviewed and endorsement has been approved by the Department but only where it relates to the CBD core area subject to the following conditions:

....That mixed used development can be permitted within appropriate parts of the remaining CBD Core area (i.e. east of the North Shore rail line), but only where this results in demonstratable, significant and assured job growth, thereby aligning with the key objective of the District Plan to support job growth....

b) Does the proposal have site-specific merit, having regard to the following?

- the natural environment (including known significant environmental values, resources or hazards) and
- the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and
- the services and infrastructure that are or will be available to meet the demands arising from the
- proposal and any proposed financial arrangements for infrastructure provision.

The subject site is well located and accessible. Being located at the eastern edge of the Chatswood central business district occupying a gateway position and defining the entrance to Chatswood. Victoria Avenue forms a central spine to the retail centre through to the Chatswood rail and bus interchange.

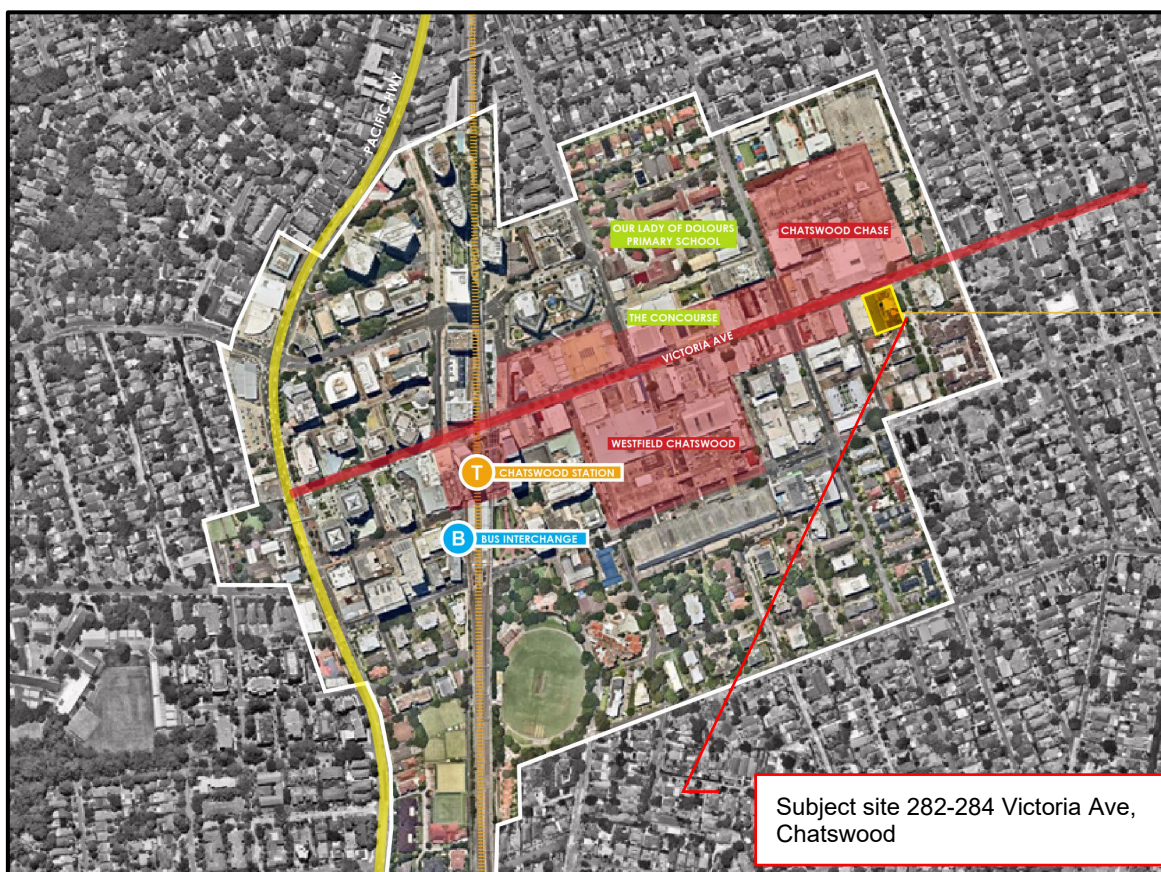


Figure 1: Site location

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The subject site is particularly attractive in terms of access, size and location for modern mixed use development and with amendment of the land use zone and development standards within the WLEP 2012, a broader range of contemporary employment generating land uses may be encouraged and with the inclusion of more residential land uses, a healthy mix of employment and residential opportunities are likely. A mix of employment and residential uses within the same precinct brings with it a variety of environmental, transport and economic advantages encouraged by state level planning.

The subject land is situated within walking distance of Chatswood Railway Station, Bus Interchange and future Metro Station, adjacent to significant areas of employment land. The Sydney CBD is easily accessible by rail, bus and future metro services. The key site opportunities are considered to be:

Transport and access

- The site is in close proximity (walking distance) to Railway, bus interchange and future Metro Station.

Proximity to Centres and services

- The site is in the Chatswood Commercial core providing any easy commute to Sydney CBD and other major centres.
- The site is in easy access to professional, educational shopping and entertainment services.

Ability to provide new local services and connections

- This proposal offers the opportunity for street level activation.
- Mixed use development as proposed will make efficient use of existing services and infrastructure investment to the locality.
- Mixed use development as proposed will provide a mix of housing contributing to housing targets consistent with State Government policies towards locating housing close to jobs and services.
- This proposal will also provide an opportunity to accommodate commercial premises to support jobs growth and cater for the future residents in the locality.

Site area

- The site has several street frontages providing alternative vehicular and pedestrian access points to the site.
- Site has a total site area of 2127sqm.

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