

DATE OF DECISION	22 September 2021
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Ken McBryde and Gail Giles-Gidney
APOLOGIES	Julie Savet Ward and Kara Krason
DECLARATIONS OF INTEREST	James Harrison and Philippa Hayes participated in council meeting on 1 February 2021

REZONING REVIEW

Request for a rezoning review – RR-2021-81 - 282-284 Victoria Avenue, Chatswood (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☐ The Council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The Council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
- ☒ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit


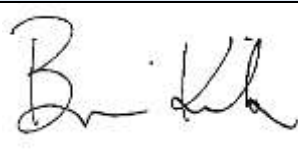

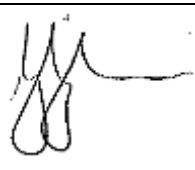
The decision was unanimous.

REASONS FOR THE DECISION

The Panel reviewed the documentation and heard from the Applicant and Council but concluded the planning proposal lacked strategic merit.

The planning proposal did not demonstrate how the expectations of the North District Strategic Plan would be satisfied. In particular, the proposal did not provide sufficient evidence that the proposed mix of residential and non-residential land uses would result in significant demonstrable and assured employment prospects and jobs growth.

The Panel further noted the proposal lacked rigour in addressing the inherent planning challenges, was inconsistent with the Council's Chatswood CBD Planning and Urban Design Strategy and did not adequately address the potential site isolation of the land at 298 Victoria Street. The Panel did not comment on the design particulars of the Applicant's development concept because any planning proposal that would be supported on this site would result in a very different development concept.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Brian Kirk
 Ken McBryde	 Gail Giles-Gidney

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	Request for a rezoning review – RR-2021-81 - 282-284 Victoria Avenue, Chatswood
2	LEP TO BE AMENDED	Willoughby Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The rezoning review request seeks to amend the Willoughby LEP 2012 to rezone the site from B3 Commercial Core to B4 Mixed Use, increase the maximum height of buildings from 14m to 90m and increase the maximum FSR from 2.5:1 to 6:1 including a 3:1 commercial FSR.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning, Industry and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<p>Site inspection has been curtailed due to COVID-19. Panel members to undertake site inspection individually.</p> <ul style="list-style-type: none"> Briefing with Department of Planning, Industry and Environment (DPIE): 22 September 2021 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Brian Kirk, Ken McBryde and Gail Giles-Gidney DPIE staff in attendance: Christina Brooks, Charlene Nelson and Brendan Metcalfe Briefing with Council: 22 September 2021 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Brian Kirk, Ken McBryde and Gail Giles-Gidney DPIE staff in attendance: Christina Brooks, Charlene Nelson and Brendan Metcalfe Council representatives in attendance: Norma Shankie-Williams and Ian Arnott Briefing with Proponent: 22 September 2021 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Brian Kirk, Ken McBryde and Gail Giles-Gidney DPIE staff in attendance: Christina Brooks, Charlene Nelson and Brendan Metcalfe Proponent representatives in attendance: Mr Tony Leung – CEO, APlus Design Group Papers were circulated electronically on 13 September 2021.

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