



PLANNING AND INFRASTRUCTURE
Planning Unit

15 September 2025

Director Housing Delivery
Housing Supply and Infrastructure
Department of Planning, Housing and Infrastructure
Locked Bag 5022,
Parramatta NSW 2124
Att: Brendon Roberts

Dear Brendon,

Re: State Significant Development Application Number SSD-63324208
Novus - Build to Rent: 410-416 Victoria Avenue, Chatswood
Response to Submissions

I am writing to you regarding the State Significant Development Application Number SSD-63324208 at 410-416 Victoria Avenue, Chatswood, and in response to the proponent's Response to Submissions.

Council officers lodged a submission in response to the Environmental Impact Statement (EIS) on 2 June 2025. Following a review of the proponent's Response to Submissions (RtS), Council maintains its concerns raised in its original submission. In addition to those previously identified issues, further matters have emerged that require clarification or detailed consideration as outlined below.

Please note, given the limited time afforded to Council to review the revised materials and RtS Council's comments to do not represent a fulsome appraisal of the RtS and where changes are not discussed, this should not be inferred to be support or acceptance that these changes are considered to address the issues Council raised in its previous submission. Should the Department of Planning Housing and Infrastructure (DPHI) wish to receive more detailed feedback, Council would welcome the opportunity to undertake a more detailed review and/or to meet with DPHI to discuss the changes in more detail.

It is noted and appreciated that DPHI requested the proponent "*[d]emonstrate continued engagement to develop a concept of the physical form of the public domain...*" While a meeting was held between Council and the proponent on 16 July 2025, given the remaining issues relating to the concept, Council does not consider this sufficiently addressed.

1. Objections raised in previous submission

Council retains its objections to the proposal as specified in its submission provided for the Environmental Impact Statement in relation to the following:

- Site location considerations
- Overdevelopment of the site
- Minimum lot size

- Tower setbacks
- Height
- Floor space ratio
- Vehicle access and appropriate loading/unloading arrangements
- Design excellence process
- Inadequate provision of non-residential floor space
- Landscaping and greening of the site
- Affordable housing
- Infrastructure provision
- Public art
- Building sustainability
- Waste disposal

The RtS indicates the Construction Pedestrian Traffic Management Plan and Access Impact Assess will be further developed post-consent. In the absence of information demonstrating how this is to be achieved, should a consent be issued, it is critical that the conditions specify that the continued use of Victor Street and the continued operation of Chatswood Mall Markets be provided in the consent. Continued emergency access provision should also be specified in any conditions of consent.

Council acknowledges the proposed relocation of access to the site and agrees that this reduces the impact to Post Office Lane, however it remains insufficiently resolved with respect to its impact on Victor Street. It is also unclear how moving the substation to the ground floor results in “*improved activation at ground floor*”. In the limited time afforded, it is not possible to confirm or verify the purported benefits of the relocation.

Council retains concerns regarding the public domain plans and does not consider the updated Landscape Plan to remonstrate sufficient regard for the function of the surrounding public domain, particularly the pedestrian/vehicular conflicts that need to be managed at the termination point of vehicular access on Victor Street. Little regard appears to have been made to how vehicles entering and exiting the site will interact with pedestrians, and critically, vehicles seeking to turn around to exit Victor Street.

Given the extensive construction time in this central location of the Chatswood CBD, Council requests hoardings should include provision for artwork and significant wayfinding signage to assist in minimising impacts on surrounding sites and uses during construction.

Council retains its concerns regarding the bulk, scale, view impacts, and resultant form from the development at the proposed height and with the proposed setbacks, particularly the zero setback to the west. While it is appreciated that full compliance with the controls will not be possible, particularly given the inability to consolidate the site with neighbouring sites to achieve the minimum lot sizes on which those controls are based, there has been insufficient regard to the impact of the resultant form within the future context.

2. Required public domain works

The increase in density and activity proposed, combined with the traffic flow and servicing arrangements arising from the proposed vehicular access and egress to the site will require substantial public domain upgrades to accommodate the proposed uplift at this site. Section 7.11 Contributions cannot be relied upon to deliver these works as they are required to be in place for the safe operation of the development at its occupation.

The Landscape Plans (Appendix H of RtS) indicate public domain works within Victor Street, including a raised threshold shared zone that extends over the intersection of Victor

Street and Post Office Lane. A raised threshold at this location is not supported. A public domain works design is required to ensure vehicles, including waste and delivery vehicles are able to safely access the site, noting the current configuration of Victor Street and Post Office Lane require upgrades to accommodate the proposal and avoid dangerous conflicts between vehicles, cyclists and pedestrians.

Given the ongoing deficiencies in the concept plans it is not considered appropriate to condition an approval to provide public domain plans generally consistent with the concept plans provided to date. Council's strong preference is that further revision be required before any consent is issued and that when consent is issued, that the conditions include a requirement for Council to approve the final public domain design.

Recommendation

To ensure the access and egress arrangements proposed by the development can be safely accommodated the following conditions are proposed:

Prior to Construction Certificate: Public Domain Works

Construction Plans for Public Domain Upgrades are to be approved by Council prior to the issue of a Construction Certificate.

Prior to Occupation Certificate

Public Domain Upgrades to Victor Street, Post Office Lane are to be constructed to Council's satisfaction prior to the issue of an Occupation Certificate.

3. Further engineering comments

Stormwater management

Council's comment in reference to stormwater management have been not acknowledged. The proposed OSD is not located below ground but suspended at Level 2 slab level due to shallow depth at existing stormwater infrastructure. Louvre details are to be provided at the detailed design stage to ensure adequate opening and preventing vermin entry. Council remains concerned about visibility of potential blockages, as the overflow path is required to be visible at ground level to indicate immediate identification and rectification. In this case, overflow is above ground and occurs at the gutter.

Vehicle Access and Parking

Vehicle access has been relocated to Victor Street therefore eliminating previous conflict issues with pedestrian access on Post Office Lane.

The development proposes to engage a private waste contractor, with waste collection occurring from holding area. The waste vehicle is intended to exit via a turntable in a forward direction. However, it has not been demonstrated how this will function in the instance of mechanical failure, nor whether a three point turn is feasible. Council has concerns no clearances have been provided and the close proximity to the accessible parking spaces the turntable is.

Should you have any question in regards this letter and the attached, please contact Christopher Nguyen – Strategic Planner on (02) 9777 7646.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dyalan Govender', with a stylized, cursive script.

Dyalan Govender
Acting Head of Planning