



<b>DATE OF MEETING</b>	18 May 2021
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Linda McClure
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None (must include reason for declaration and whether the member participated or not)

Public meeting held Public Teleconference on 18 May 2021, opened at 9.32 am and closed at 12:09pm

#### MATTER CONSIDERED

PP-2020-323 – Willoughby – 65 Albert Avenue Chatswood

The Planning Proposal seeks the following amendments to the Willoughby LEP 2012:

- increase the maximum FSR from 2.5:1 to 11.11:1;
- increase the maximum building height from 27m to RL 192.90;
- amend the Special Area Provisions Map to show 65 Albert Avenue as Area XX subject to additional site specific local provisions;
- amend Schedule 1 to include 'shop-top housing' as an additional permitted use;
- add a new provision within Clause 4.4A - Exceptions to FSR;
- ensure that any shop top housing development provides a minimum non-residential FSR of 7.68:1;
- ensure that no maximum FSR applies to any development seeking consent for 'commercial premises' or 'hotel or motel accommodation', consistent with the approach within the Chatswood CBD Strategy;
- provide a new provision within Clause 4.6 which provides that consent cannot be granted for development that contravenes the maximum residential FSR for the site for any development application for shop-top housing;
- provide new local provisions which relate to the area shown on the amended Special Provisions Area Map as follows:
  - provide a minimum of 4% of GFA as affordable housing in addition to the maximum residential FSR of 3.43:1;
  - include new design excellence objectives consistent with Council's intended wording;
  - include a new provision which ensures that development must not result in additional overshadowing of the playing surface of 'Chatswood Oval' between 11am and 2pm during mid-winter;
  - prohibit development for the purpose of serviced apartments.

#### PUBLIC SUBMISSIONS

The Panel heard comprehensive submissions on the matter from the following parties:

- Community member – Bowen Zhou, Alan Zammit, Shirley Hu on behalf of Yameng Chen, Kwok Chan, Lois Winifred Tham, Stephen Lowe, Marie Dayton, Kenneth Wee, Leo Barry, Claire Yu, Liji Lee, Samantha Lee, George Smith on behalf of Owners Corporation of SP54893, Lily Lee on behalf of seniors in Sebel building
- On behalf of the proponent – John Wynne, Eduard Litver, Jane Maze Riley, Jon Chomley, Philip Vivian
- On behalf of Willoughby City Council – Ian Arnott

The Panel considered the Department's Response to Submissions Report and then convened a public meeting. Following the community contributions during the public meeting, the Proposal was discussed

extensively with the Proponent and Council representatives and the Panel then adjourned to further consider the matter.

### OUTCOME OF THE MEETING



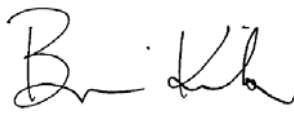

The Panel concurs with the Department's position that the proposal has demonstrated strategic and site-specific merit, particularly relating to the actions and objectives of the Greater Sydney Region Plan and the North District Plan.

Overall, the Panel concurs with the Department that the Proponent has satisfactorily addressed all key concerns raised in submissions including: Traffic and Pedestrian Safety; View Loss; Privacy and Building Separation; Property Devaluation; Overshadowing and Solar Access; Wind Impacts and Noise.

Consequently, the Panel resolved that the proposal should proceed to finalisation with the following qualifications:

- Split height controls must be accommodated within the final LEP;
- LEP Deferred Commencement should allow for Council and the Proponent to negotiate and execute a site-specific DCP and appropriate infrastructure contributions/public benefit.
- While acknowledging Local Government Elections will take place in the second half of this year and limit Council activities for two months, the Panel believes the Council and Proponent should meet as soon as possible to ensure the LEP and DCP are finalised by mid December 2021;
- Any agreed upon infrastructure contributions or public benefit offer should be exhibited with the DCP;
- Any future DA must apply the lower car-parking rate recommended by TfNSW, and this parking rate should be included in the site specific DCP;
- Any future DA must ensure the 70% Commercial component is delivered at the same time as or before the Residential component;
- The LEP must ensure the delivery of affordable housing within the maximum residential FSR component as required under Willoughby LEP 2012 Clause 6.8(7)(b); and
- Further wind impact mitigation measures must be investigated at the design excellence/DA stage to assess impacts upon the existing Sebel Apartments, particularly the south facing and corner apartments.

The Department to work with Council to ensure all provisions of the amending LEP are consistent with the style and format for clauses of WLEP2012 and the Council's Willoughby Comprehensive LEP Planning Proposal currently underway.

PANEL MEMBERS	
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 Brian Kirk	 Linda McClure