

PLANNING PROPOSAL ADDENDUM
SUBMITTED TO NSW DEPARTMENT OF INFRASTRUCTURE AND PLANNING AND
THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL

126 Greville Street and part of 25 Millwood Avenue, Chatswood

Prepared on behalf of
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(V2)

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A	Updated Design Report which includes the amended concept for the site, by Bates Smart
B	Comparison of Planning Proposal Addendum and other concepts for the site
C	Survey plan by Denny Linker, Issue D, dated 30 November 2012 showing the boundary between Zone R3 and Zone E2
D	Halcrow Traffic Generation Review, dated 8 December 2011
E	Bushfire Advice from Australian Bushfire Protection Planners (ABPP), dated 13 November 2012

1.0 INTRODUCTION

In October 2012, the Minister for Planning and Infrastructure directed that the Sydney East Joint Regional Planning Panel (the **JRPP**) act as the relevant planning authority (**RPA**) for a planning proposal to rezone land at 126 Greville Street and 25 Millwood Avenue, Chatswood (the **site**) to permit medium density residential development.

The Minister's direction followed a review of the planning proposal by the Planning and Assessment Commission (**PAC**), as submitted to Willoughby Council and the Minister for Planning in July and December 2010 respectively (**Planning Proposal 2010**) (see PAC report dated 10 March 2011). The PAC report concluded that Planning Proposal 2010 had strategic merit and that a medium density residential zone would facilitate an appropriate development for the site. The PAC did not complete a detailed assessment of the density, heights, number of buildings or proposed layout. The PAC, however, suggested that the site could accommodate heights of four storeys along Greville Street and up to five storeys elsewhere with a floor space ratio (**FSR**) at the lower range of 0.5:1 to 0.6:1.

In response to the preliminary height and FSR recommendations of the PAC, and following consultation with residential market advisors, the applicant amended Planning Proposal 2010 and submitted a Planning Proposal Addendum to the JRPP.

On 4 December 2012, the JRPP resolved that the Planning Proposal should proceed to Gateway Determination subject a number of recommendations (including removal of 23 and part of 25 Millwood Avenue and an amended zoning boundary between proposed Zone R3 and Zone E2). On 15 February 2013, the Director General as delegate for the Minister for Planning and Infrastructure determined that the Planning Proposal should proceed subject to certain conditions (incorporating the recommendations of the JRPP).

In accordance with Section 55(2)(b) of the *Environmental Planning and Assessment Act, 1979* (**EPA Act**), this Planning Proposal Addendum provides an explanation of the provisions that should be included in the proposed instrument consistent with the recommendations of the JRPP and the conditions attached to the Gateway Determination. The Planning Proposal would accommodate the following concept:

- Up to 60 dwelling houses on lots with a minimum area of 220m² (previously 220 apartments accommodated in 14 residential flat buildings)
- Building heights of two to three storeys above a basement garage (previously four to six storeys)
- A FSR of 0.45:1 across the land in proposed Zone R3 (previously 0.8:1 across the land in proposed Zone R3)

The Planning Proposal Addendum, which should be read in conjunction with Planning Proposal 2010, is accompanied by the following information:

- Appendix A** Updated Design Report, by Bates Smart¹
- Appendix B** Table comparing the Planning Proposal Addendum with other concepts for the site
- Appendix C** Survey plan by Denny Linker, Issue D, dated 30 November 2012 showing the boundary between Zone R3 and Zone E2
- Appendix D** Halcrow Traffic Generation Review, dated 8 December 2011
- Appendix E** Bushfire Advice from ABPP, dated 13 November 2012

Table 1 – Comparison of Planning Proposal 2010 & Planning Proposal Addendum

	Planning Proposal 2010	Planning Proposal Addendum
Number of dwellings	220 apartments	Up to 60 dwellings
FSR		
– Zone R3	0.8:1	0.45:1
– Entire site	0.67:1	0.4:1
Height		
– Storeys	4 to 6 storeys	2 to 3 storeys above garage
– Metres	13.5m to 20m	Up to 12m (more generally 9.5m)
Lot size	Not stated	Minimum of 220m ²

¹ The Updated Design Report by Bates Smart (**Appendix A**) is inconsistent with this Planning Proposal Addendum in the following respects (and the Planning Proposal Addendum prevails as it is consistent with the recommendations of the JRPP and the Gateway Determination):

- The Updated Design Report addresses 23 and 25 Millwood Avenue, whereas the Planning Proposal Addendum relates to 126 Greville Street (Lot 1 DP 532353) and part of 25 Millwood Avenue (Lot 1 DP 408490) only.
- The boundary between land in proposed Zone R3 and Zone E2 in the Updated Design Report does not reflect the survey plan by Denny Linker, Issue D, dated 30 November 2012.

2.0 PLANNING PROPOSAL ADDENDUM

2.1 The site

The Addendum Planning Proposal relates to 126 Greville Street (Lot 1 DP 532353) and part 25 Millwood Avenue (Lot 1 DP 408490).

2.2 Overview and explanation of provisions

In response to the preliminary height and FSR recommendations of the PAC, and following consultation with local residential market advisors, the applicant wishes to amend planning proposal to facilitate up to 60 dwelling houses instead of the 220 apartments shown in Planning Proposal 2010. The Planning Proposal Addendum is described in detail in the Design Report by Bates Smart. The Design Report includes a residential concept that would comply with the proposed provisions (**Appendix A**) and accommodating 50 attached and detached dwellings on the site.

The table at **Appendix B** compares the Planning Proposal Addendum with the existing development on the site and previous proposals put forward by the applicant (including Planning Proposal 2010), Willoughby Council planners, the community and the PAC recommendation. It shows that the Planning Proposal Addendum provides for a modest number of dwellings, FSR, height and traffic movements. An extract from this comparison showing Planning Proposal 2010 and the Planning Proposal Addendum is set out at **Table 1**. An explanation of the provisions that should be included in the proposed instrument to accommodate the Planning Proposal Addendum follows:

- | | |
|-------------------------------|--|
| – Zoning | <p>Zone R3 - Medium Density (30,805m² being part of 126 Greville Street and part of 25 Millwood Avenue)</p> <p>Zone E2 – Environmental Conservation (3,995m² being the remainder of 126 Greville Street)</p> <p>The Zone R3 and Zone E2 boundary is to be in accordance with the survey plan by Denny Linker, at Appendix C</p> |
| – Lot size standard | 220m ² |
| – FSR standard | 0.45:1 on land in Zone R3 (this is a FSR over all land in Zone R3 and must not be calculated on a per lot basis) |
| – Height standard | 12 metres |
| – Special provisions area map | Total number of dwellings capped at 60 |

- Schedule 1 listing Retain existing schedule 1 listing in *Willoughby Local Environmental Plan 2012 (WLEP 2012)* (Schedule 1, 21. Use of certain land at 126 Greville Street), make reference to and “part of 25 Millwood Avenue, Chatswood” and insert *dwelling houses* as an additional permitted use

2.3 Zoning

Residential zone

As with Planning Proposal 2010, the Planning Proposal Addendum includes most of the site in Zone R3 – Medium Density Residential (30,805m²). This is consistent with other small lot housing developments in Willoughby, most relevantly the Willoughby Market Gardens site, Mowbray Place Willoughby.

The relevant provisions in WLEP 2012 for Zone R3 follow:

Zone R3 Medium Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To accommodate development that is compatible with the scale and character of the surrounding residential development.*
- *To allow for increased residential density in accessible locations, while minimising the potential for adverse impacts of such increased density on the efficiency and safety of the road network.*
- *To encourage innovative design in providing a comfortable and sustainable living environment that also has regard to solar access, privacy, noise, views, vehicular access, parking and landscaping.*

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Child care centres; Community facilities; Group homes; Home businesses; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Seniors housing

4 Prohibited

Any development not specified in item 2 or 3

To accommodate the small lot housing concept shown in the Design Report by Bates Smart, the Planning Proposal Addendum also proposes that *dwelling houses* be included in the site's Schedule 1 listing in WLEP 2012. This will ensure that future dwellings on the site can be subdivided in to separate allotments of land.

Environmental zone

The Planning Proposal Addendum suggests Zone E2 – Environmental Conservation for the remaining 3,995m² of the site (being land in the north-western corner of 126 Greville Street). As noted above, the Zone R3 and Zone E2 boundary is to be in accordance with the survey plan by Denny Linker, at **Appendix C**.

2.4 Draft Development Control Plan

Willoughby Council planners and the applicant have jointly prepared a site specific Draft Development Control Plan for the site which will be jointly exhibited with the Planning Proposal.

Table 2 – Comparison of development scenarios

	Number of dwellings	FSR	Height
Existing use	-	Across the site - 0.41:1	3 to 4 storeys
Rezoning Application 2006	250 apartments	Across the site - 0.75:1	4 to 6 storeys
Rezoning Application 2007	230 apartments	Across the site - 0.7:1	4 to 6 storeys
Willoughby Council Officer's Report (14 July 2008)	180 apartments	Zone R3 - 0.7:1 Across the site – 0.57:1	2 to 4 storeys
Planning Proposal 2010	220 apartments	Zone R3 - 0.8:1 Across the site – 0.67:1	4 to 5 storeys 13.5m to 20m
PAC report	Not stated	0.5:1 to 0.6:1 (lower range)	4 to 5 storeys
WLEP 2012	45 dwellings (28,925m ² /650m ²)	Zone E4 - 0.4:1	8.5m
Resident feedback	120 apartments (conversion) or 50 residential lots		
Planning Proposal Addendum	Up to 60 dwellings	Zone R3 - 0.45:1 Across the site – 0.4:1	2 to 3 storeys 12 metres

Table 3 – Comparison of traffic generation

	Weekday AM peak period	Weekday PM peak period	Weekend peak period
Existing use of the site (270 employees)	101 vph	84 vph	-
Existing use (full operation)	170 vph	140 vph	-
Planning Proposal 2010 (220 dwellings)	86 vph	86 vph	79 vph
Planning Proposal Addendum (up to 60 dwellings)	51 vph	51 vph	51 vph (approx)

2.5 Development standards

The Planning Proposal Addendum would facilitate up to 60 dwellings and a local provision is proposed to enforce this as a dwelling cap for the site. A local provision of this kind would be consistent with that applying to the Willoughby Market Gardens Site, where clause 6.14(4) of WLEP 2012 states a dwelling cap of 80. It is also noted that Willoughby Council has adopted a cap of 50 dwellings for 126 Greville Street under the Willoughby Development Control Plan.

The Design Report by Bates Smart includes a residential concept that provides for 50 dwellings on the site. The final number of dwellings and site layout would be resolved at the development application (**DA**) stage.

Table 2 compares the number of dwellings, FSR and height of the Planning Proposal Addendum with the existing use on the site, various earlier proposals by the applicant, a residential concept supported by Willoughby Council Officers in 2008, WLEP 2012, resident feedback and the PAC report. The comparison demonstrates that the Planning Proposal Addendum contains a significant reduction in dwellings, FSR and height when compared with the applicant's earlier proposals and the Willoughby Council Officer's report of 2008. It also shows that the total number of dwellings in the Planning Proposal Addendum is comparable with the theoretically density achievable under WLEP 2012 (which shows a minimum lot size of 650m² for the site) and the informal feedback of residents.

2.6 Traffic

Halcrow has prepared several Transport Reports for the site including those at Appendix I of Planning Proposal 2010. Each Halcrow report concludes that Planning Proposal 2010 (proposing 220 apartments) would maintain or reduce traffic generated by the site and on-street parking demand.

Halcrow prepared a further traffic generation review for a medium density scheme containing 80 dwellings (comprising 36 houses and 44 apartments) (see Halcrow letter dated 8 December 2011, **Appendix C**). Halcrow concluded that the 80 dwelling scheme would generate 48 vehicle trips per hour in the weekday peaks and 47 vehicle trips per hour during the weekend peak (or around 28-34% of the traffic generated by a full occupation of the existing building on the site).

For dwelling houses, Halcrow relied on the low density dwelling traffic generation rate of 0.85 vehicle trips per hour per dwelling (as suggested by the then RTA). Applying this low density traffic generation rate to the Planning Proposal Addendum (up to 60 dwellings), up to 51 vehicle trips per hour would be generated during the weekday AM/PM peaks (or around 30-36% of the traffic generated by a full occupation of the existing building on the site).

Relying upon Halcrow's findings, **Table 3** compares the traffic generation of the existing acoustic laboratory use (partial and full occupation), Planning Proposal 2010 (220 dwellings) and the Planning Proposal Addendum (up to 60 dwellings).

2.7 Bushfire

ABPP has consulted the NSW Rural Fire Service and notes that the Service advised that (see ABPP letter dated 13 November 2012, **Appendix D**):

...given the NSW Rural Fire Service had issued a Bushfire Safety Authority for the previous planning proposal any proposed amendment should acknowledge the bushfire protection measures required under the Bushfire Safety Authority.

ABPP has confirmed the following in relation to the Addendum Planning Proposal:

- The buildings are located beyond the approved Asset Protection Zone setback to the vegetation on the land to the west, to the vegetation to the north and within the rehabilitated riparian corridor within the site
- The internal road layout and fire trail complies with the approved fire operational access provisions.

3.0 CONCLUSION

The Planning Proposal Addendum amends Planning Proposal 2010 which was submitted to Willoughby Council and the Minister for Planning in July and December 2010 (respectively).

The Planning Proposal Addendum sets out provisions that would facilitate an appropriate medium density development on the site.

Compared with the existing use, Planning Proposal 2010 and other design concepts/recommendations for the site; the Planning Proposal Addendum provides a very modest dwelling density, FSR and height.