



92-96 Victoria Avenue, Chatswood

Prepared by: SJB Planning
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SJB Reference: 8889

Item #	Council Comment	Comments
1.	Urban Design, Height and Built form massing	
	<i>Noting that this is a planning proposal, and building form, detail and urban design will not be considered in detail, consideration has been given to the building setting, scale, mass and proposed base articulation and configuration.</i>	<p>Noted.</p> <p>The proposed scheme has been amended subject to Council feedback. Refer to Revised Urban Design Report.</p>
	<i>It is noted that the site area is approximately 2,578m2. Built site coverage (1,121m2) is approximately 44% and recreational area (1,457m2) is approximately 56%. The proportion of built area site coverage is well in excess the controls outlined in D2.7.3 Controls in WDCP (ie 30% site coverage for 3 storey buildings and 28% for 4 storey buildings). The DCP states that "variation to the maximum site coverage requirements can be considered as long as the recreational open space and the natural landscape requirements, privacy, solar access and overshadowing considerations are complied with" (refer D.2.7.2 - Performance Criteria). Demonstration of compliance with these other aspects will therefore need to be provided with an amended proposal.</i>	<p>The proposed scheme achieves a site coverage of 45% (as amalgamated). As demonstrated within the revised Urban Design Report, the proposed site coverage is considered reasonable given the proposals ability to satisfy landscape and amenity outcomes across the site and adjoining properties.</p>
	<i>The existing zone is R2 Low Density Residential, with a current maximum height of building of 8.5 metres and maximum floor space ratio of 0.4:1. The proposal is for 22 mutli-dwelling housing (townhouses), including a mix of 3 and 4 storey townhouses, a total of 45 parking spaces located in a basement carpark and 143m2 of communal open space as well as private open space for each dwelling.</i>	<p>As detailed in the revised Urban Design Report, the amended scheme will continue to achieve 22 dwellings over a basement, however the maximum FSR has been reduced to 1:1 due to reduced building heights across the site.</p> <p>Communal open space is proposed to be retained at 143m2, with the scheme promoting private open space for each dwelling as a greater proportion of recreational area.</p>
	<i>The proposal seeks an FSR of 1.32:1 and building height of 12m across the site. The development proposed is for 3 storeys with a 4thstorey setback on the western section of the site transitioning down to 2 storeys with a 3rd storey setback on the eastern section of the site.</i>	<p>As detailed above and in the revised Urban Design Report, the amended proposal seeks a reduced FSR of 1:1 and reduced height of 10 metres across the site. The reduced heights result in a transition in height across the site from 3 storeys to 2 storeys.</p>
	<i>The development form contains 4 distinct building envelopes fronting Victoria Avenue and George Brain Lane, over a single basement carpark with a centrally located 'communal' open space. The building separation and articulated setback to Victoria Avenue assists in reducing the impact of the building on this elevation. The development site shares a common boundary with a multi-level 'seniors living' development.</i>	<p>The revised scheme continues in the form of 4 distinct building envelopes fronting Victoria Avenue and George Brain Lane, over a single basement carpark with a centrally located 'communal' open space.</p> <p>The articulated setback to Victoria Avenue is also retained.</p>
	<i>The proposal states the development varies from 3.5 storeys down to 2.5 storeys (however this appears to be incorrect as drawings show it as a 3 and 4 storey development). It is noted that a 3m-7.5m setback to Victoria Avenue is proposed, with a setback of 3m-4.7m proposed for the eastern boundary, a 4.5m setback to the southern boundary along George Brain. Lane and a setback 2m-4m from the western boundary along George Brain Lane.</i>	<p>As detailed above and in the revised Urban Design Report, heights across the site have been reduced resulting in a range of 3, 2.5 and 2 storey dwellings.</p> <p>The amended scheme now incorporates an increased setback of 6m along the eastern boundary to ensure protection of the mature Oak Tree (<i>Quercus robur</i>) at No. 88 Victoria Avenue and to provide greater opportunities for planting along this boundary.</p>
	<i>In low density residential areas, dwellings should be consistent with the setback of adjoining development. Where no consistent setback/building line exists, a minimum 7 metre front/street boundary setback is to apply (refer WDCP D.1.7.3 - Controls).</i>	<p>The proposed articulated setback arrangement to Victoria Avenue is to provide an effective transition between the nil setback proposed in the adjoining town centre and the low-density residential area to the east.</p>
	<i>From the foregoing it is considered that the bulk and scale of the current proposal is excessive and requires modification in order to be supported. It is noted that reports have been submitted including an Urban Design Report, Traffic and Transport Study and Tree Assessment. The Urban Design report should be revised to ensure the proposed development fits appropriately in its context, in particular in relation to the height and existing FSR of the adjoining seniors' development.</i>	<p>As detailed above and in the revised Urban Design Report, the amended proposal seeks a reduced maximum FSR of 1:1 and building height of 10 metres, which will be articulated at 3, 2.5 and 2 storey dwellings across the site. This amended proposal is considered to present a more appropriate bulk and scale with regard to the town centre to the west and adjoining seniors' development to the east.</p>



	<i>The proposal needs to better demonstrate consistency with the neighbourhood character, taking into consideration the close proximity to adjoining low density residential areas and the North Willoughby local centre. Consistency with the Willoughby DCP needs to be shown.</i>	As detailed above, revised heights and FSR, along with an increased setback along the eastern boundary, provide a more appropriate bulk and scale having regard to the site in its context.
	<i>In addition, consistency with SEPP 65 and the Apartment Design Guide (ADG) need to be presented as the development is for multi dwelling housing with three or more storeys. This includes assessing the impact of the proposed development on neighbours which has not been adequately addressed in relation to the ADG.</i>	The proposed scheme has been designed with regard to SEPP 65 and the Apartment Design Guide (ADG). Further consideration of SEPP 65 and the requirements of the ADG will be undertaken as part of a detailed development application.
	<i>Information regarding compliance with SEPP 65 and the ADG should be provided, including matters such as overshadowing and access to sunlight for the proposed development as well as assessing the impact on neighbouring properties.</i>	A SEPP 65 Design response has been prepared by CM ⁺ in support of the proposal.
	<i>You will be aware that a Design Excellence process will be required to be applied to the scheme prior to lodgement of any DA and this may offer the opportunity for improved articulation of the building form to be considered.</i>	Noted. Design excellence provisions have been included as part of the site specific DCP controls for Council's consideration.
	<i>A 'pedestrian through site link' is identified, however it is unclear if this is an offer of a publicly accessible through site link. This should be clearly stated.</i>	No pedestrian through site link is provided. A centrally located communal open space is provided through the middle of the site providing private for residents through the site and to dwellings.
	<i>In relation to private open space, it is noted that this is located on the podium level, however careful design will be required for the incorporation of reasonable scale vegetation (refer additional comments on landscaping in next section below). The associated imagery does not effectively or accurately communicate the podium level communal open space and should be revised as part of a package of overall revisions.</i>	The proposed scheme will incorporate a number of opportunities planting and vegetation in areas of deep soil, private open space and communal open space. Final arrangement of communal open space across the site will be the subject of a detailed development application.
2.	Landscape and Vegetation management	
	<i>A tree assessment report was submitted with the application. The report noted 13 trees on site as being non-exempt species. A number of these are mature Camphor laurel (Cinnamomum camphora) located along the George Brain Lane boundary. The trees are only in fair condition.</i>	The proposal relies on the removal of all trees and vegetation across the site. The tree assessment report makes the following reference with regard to the mature Camphor laurel (Cinnamomum camphora) located on the site. “One tree (Tree 12) is in poor health and may require removal in the short-term. Three of the trees (4, 5 & 6) are located hard against the property boundary with George Brain Lane and their location will make them unsuitable for long-term retention.” Their removal and replacement with more appropriate species as part of a future development across the site is considered warranted,
	<i>It is evident from the indicative design layout from the site at all trees on site would be required to be removed. Of note, WDDCP Cl C1 Vegetation management requires trees approved for removal to be replanted at a rate of 3:1. Therefore 39 trees (height >4m) would be required to be re-planted on site.</i>	The replacement planting of 39 trees (height >4m) is considered unfeasible for the site having regard to the site area, as well as future opportunities for its redevelopment, including the proposed scheme. The site will accommodate areas of deep soil in compliance with the ADG. This includes areas within the front side and rear setbacks. Opportunities for maximising planting within these areas will be utilised for trees. Furthermore, opportunities for tree planting will occur within the centrally located communal open space.
	<i>It is also noted that a mature Oak Tree (Quercus robur) is located on the adjoining property at No. 88 Victoria Avenue, adjacent to the boundary. Protection of this tree and requirement for deep soil areas and replacement planting may affect the projected development yield on the site to address landscape requirements of the planning controls.</i>	Controls have been included in the draft site specific DCP that seek to protect the mature Oak Tree (Quercus robur) located on the adjoining property at No. 88 Victoria Avenue.
	<i>The concept design indicates access to basement parking from the rear of George Brain Lane, which is supported from a landscape perspective as impacts on existing street trees on Victoria Avenue are reduced due to less excavation works at the front of the properties. However, it is noted that the new basement for the carpark excavation could adversely impact on the proposed areas of deep soil planning and new vegetation plantings.</i>	The amended scheme demonstrates compliance with the deep soil requirements of the ADG, however additional opportunities for deep soil are created across the site within front, rear and side setbacks.
	<i>Front setbacks requirements mirroring R2 Low Density Residential zone setbacks should be included to promote the retention of the mature street trees and to provide for meaningful landscape planting in the front setback. Council will require that existing street trees along Victoria Avenue forward of the development are retained.</i>	Controls have been included in the draft site specific DCP that seek to protect existing street trees along Victoria Avenue. An articulated front setback along Victoria Avenue will ensure buildings are setback a minimum 7.5m on that part of the site that mirrors low density residential zone setbacks to the east.



3.	Transport and Traffic Impact Assessment	
	<i>It is noted that a total of 45 car parking spaces are proposed of which 5 would be visitor spaces. The proponent should be aware that Council is in the process of reviewing its parking rates in a review of the WDCP. While reductions would primarily be in relation to the Chatswood and St Leonards CBDs, given the location of this site close to two identified Major Public Transport Corridors (MPTCs) i.e. Victoria Ave (west of Penshurst St) and Penshurst St (south of Victoria Ave), a lower number of parking spaces is also considered appropriate.</i>	<p>Noted.</p> <p>Parking rates will be determined, with Council, as part of any future DA for the site.</p>
	<p><i>While one basement parking area is proposed and any reduction in car parking spaces would probably have a negligible effect on overall construction costs, Council's suggestion would be to reconfigure this area to provide larger storage areas (i.e. cages) for resident storage. More disabled/accessible spaces are also strongly suggested given these types of smaller, lower maintenance dwellings would likely be attractive to seniors and disabled/wheelchair-bound residents. These details can be confirmed with any future DA. Additional matters to note include the following:</i></p> <ul style="list-style-type: none"><i>• Motorcycle parking: Parking for motorcycles is proposed to be addressed as part of any future DA. Approximately two space would be required under Council's DCP rates.</i><i>• Bicycle parking and end-of-trip facilities: Indicative calculations for bicycle parking based on Council's DCP are given on page 16 of the traffic report. These are considered very minimal requirements and the proponent should be aware that Council is in the process of revising (i.e. increasing) these requirements. The potential for a bicycle parking space within a secured storage cage is recommended for every dwelling in this basement area.</i><i>• Access/ loading arrangements: Not applicable for residential development however a dedicated space (e.g. for small delivery and moving trucks) in the basement may be considered appropriate if the number of regular car parking spaces are reduced. This however would also have ramifications for access points/aisle widths etc. This can be confirmed at DA stage.</i><i>• Other: As noted in the concept plans and traffic report, Council's DCP includes a section relating to laneway widening, one of which is George Brain Lane. Plans with any future DA should have regard for these as per the requirements in this part of the DCP.</i>	<p>Noted.</p> <p>The final configuration of the basement will be dependent on compliance with Council's car parking rates, SEPP65 and the ADG, as well as waste management, access and servicing, as well as storage requirements.</p>
	<i>Electric vehicle (EV) spaces and charging points should be given proper consideration and shown on revised plans as part of any future DA to future-proof the development. The proponent can be made aware that the draft revised traffic and parking chapter of WDCP will include controls relating to this matter with exact requirements yet to be finalised.</i>	<p>Consideration for EV spaces and charging points has been included in site specific DCP controls for the site.</p>
	<i>It is also noted that a separate cycleway is proposed on Victoria Avenue between Havilah and High Streets potentially impacting this site. Further information on this is available in the Willoughby Bike Plan 2017 which is available on Council's website.</i>	<p>Noted.</p>
	<i>A through site pedestrian link from Penshurst Street to George Brain Lane is shown in the Local Centres Strategy 2036. The width of George Brain Lane could also be a potential issue for any future redevelopment proposal. George Brain Lane is subject to a WDCP requirement of 1.2m dedication from the west side of the west leg and 2m dedication from the north side of the southern leg (the latter dedication may be a requirement of this proposal at DA stage). The proponent will be invited to enter into a Voluntary Planning Agreement (VPA) with Council which may relate to capital works contributions to the upgrade of George Brain Lane.</i>	<p>A Voluntary Planning Agreement (VPA) has been prepared in support of the proposal. Dedications to George Brain Lane in accordance with Council's DCP are proposed.</p>
	<p><i>In relation to vehicular access, please note the following is required to be incorporated into a revised concept plan and future DAs:</i></p> <ul style="list-style-type: none"><i>• Splay corners are required to be dedicated as public road at all road/lane intersections.</i><i>• Provision shall be made within the site for service vehicles, removalist trucks etc in accordance with the WDCP.</i><i>• All vehicles shall be able to enter and leave the site in a forward direction.</i><i>• Vehicular access driveways and crossings shall be designed for simultaneous 2 way movements. All access driveway, circulation areas and car parking shall comply with AS 2890.1, 2890.2 and 2890.6. The grade of the access driveway shall be a maximum of 5% for the first 6 metres within the property and comply with AS 2890.</i>	<p>Noted.</p> <p>Consideration has been given to vehicular access requirements as part of draft site specific DCP controls. Further details and resolution of access requirements will be determined as part of any future DA for the site.</p>



	<ul style="list-style-type: none">Fence / building splays in accordance with the requirements in AS 2890.1 are required on both sides of vehicular access driveways.	
4.	Management of Stormwater	
	<i>By way of early advice on this proposal, stormwater drainage management plans, incorporating water quality systems and on-site detention systems complying with part C.5 of the Willoughby DCP including Technical Standards No. 1 shall be submitted with any future Development Application (DA) for the site. Detailed stormwater management plans prepared by a qualified and experienced civil engineer, shall be submitted with the DA for assessment.</i>	<p>Noted.</p> <p>Appropriate stormwater drainage management plans and engineering details will be provided as part of any future DA for the site.</p>
	<i>Onsite stormwater detention tank (OSD) systems shall be located in a common area. Access to OSD tanks shall be designed to enable ready access for inspections and maintenance and comply with confined spaces regulations.</i>	<p>Any future residential development on the site will need to demonstrate compliance with <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>. Any requirements for OSD systems will detailed in any future DA for the site.</p>
	<i>The OSD outlet shall be connected to the stormwater drainage system in Victoria Avenue, which is under the control of Council. The outlet and base of the OSD shall be above the 1% AEP flood level at the point of connection to Council's system. The stormwater management plans need to be submitted to Council with the DA and shall also comply with their requirements. Construction of kerb and gutter and road pavement in George Brain Lane to the new alignment will be required.</i>	<p>Again, detailed designs for any future OSD system will be considered as part of any future DA for the site.</p> <p>Furthermore, appropriate stormwater management and relevant engineering plans/specifications will be submitted to Council as part of any future DA for the site. This will also include construction details of kerb and gutter and road pavement in George Brain Lane to the new alignment as required under the DCP.</p>
5.	Relationship to the Willoughby Local Centres Strategy 2036	
	<i>The Willoughby Local Centres Strategy 2036 was adopted by Council in June 2020. It is noted that the site adjoins the North Willoughby Local Centre. (The reference in the Draft Local Centres Strategy to "East Chatswood" was changed following public consultation). While acknowledging the proximity of the site to the local centre, the scale and height needs to be revised in relation to comments made above.</i>	<p>As detailed above, proposed heights across the site have been revised resulting in a reduced bulk and scale with a transition in height ranging from 3 to 2 storeys.</p>
	<i>By way of comment, the proposed FSR on adjoining B2 Local Centre zone site with LEP changes proposed to increase from 2:1 to 2.8:1 and increase height to 20m but only on the front half of sites for 335-341 Penshurst Street North Willoughby. The rear half of sites adjoining this site and other B2 Local Centre zone land to west is proposed to remain at a 14m height limit and with a FSR of 2:1. It is noted that the urban design analysis for this planning proposal appears to show 3-4 storeys on B2 zone land to east which is consistent with the Local Centres Strategy.</i>	<p>Noted.</p>
6.	Draft Development Control Plan (DCP)	
	<i>It is proposed that a draft DCP will apply to the site. It is requested that a draft DCP to accompany the planning proposal be prepared to address the various parameters of the proposed development of the site, including but not limited to building height and building envelopes, site orientation, building setbacks, mid-winter solar access to the site including to adjoining properties, design and location of public open space, stormwater management, access and parking and landscaping and preservation of trees.</i>	<p>Draft site-specific controls have been prepared to support the planning proposal.</p>
	<i>A plan should be included that identifies all trees to be retained and areas of new plantings. Please refer to other site specific DCPs in the Willoughby DCP (Part I) for other examples in order to modify the current draft DCP.</i>	<p>Taking direction from the Tree Assessment provided in support of the Planning Proposal, the draft site specific DCP includes a Significant Tree Diagram and Tree Inventory.</p>
7.	Design excellence	
	<p>It is proposed that the Planning Proposal shall include the Willoughby LEP 2012 Design Excellence Clause, with implementation undertaken in accordance with the Willoughby City Council Design Excellence Policy (Guidelines). This means that at the development application stage, as the proposal is less than 35m in height, the design will be subject to review by a Design Excellence Review Panel, that is consistent with Willoughby Guidelines for Design Excellence Review and Competitions,</p>	<p>Noted.</p> <p>Appropriate controls have been included in the draft site specific DCP for Council's consideration.</p>
	<p>The proposed Design Excellence Clause is available in the current Willoughby LEP (refer Clause 6.23 at the following link):</p> <p>Willoughby Local Environmental Plan 2012 - NSW Legislation</p>	<p>Noted.</p>
8.	Voluntary Planning Agreement	
	<i>The proponent is invited to enter into a Voluntary Planning Agreement (VPA) with Council. There are some items that may be considered in relation to a future possible VPA, including:</i>	<p>A Voluntary Planning Agreement (VPA) has been prepared in support of the proposal.</p>



- public domain improvements in the North Willoughby local centre, streetscape improvements, including rear access to the site and upgrade to George Brain Lane,
- public end of trip facility
- public art contribution

It is suggested that a letter of offer be provided to Council, to be considered separately but in parallel with the draft Planning Proposal and DCP.