

**15.10 PLANNING PROPOSAL - 92-96 VICTORIA AVENUE NORTH
WILLOUGHBY****MOTION**

That Council:

1. Forward the Planning Proposal to the Department of Planning, Industry and Environment seeking a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*, with the following amendments to *Willoughby Local Environmental Plan 2012*:
 - (a) Amend Clause 4.3A Exceptions to height of buildings to the following:
 - (9) The maximum height of building of multi dwelling housing at 92-96 Victoria Avenue North Willoughby identified as Area 4 on the height of building map is not to exceed 10 metres.
 - (b) Amend Clause 4.4A Exceptions to floor space ratio to the following:
 - (25) Despite Clause (1), the maximum floor space ratio of multi dwelling housing at 92-96 Victoria Avenue North Willoughby identified as Area 21 on the floor space ratio map is not to exceed 1:1.
 - (c) Amend Clause 6.10 Minimum lot sizes for certain residential accommodation to insert the following:
 - (6) Despite subclause (2), development consent may be granted to development for the purposes of multi dwelling housing on a lot in an area identified as "Area 15" on the Special Provisions Area Map if the lot size is at least 2,500 square metres.
 - (d) Amend LEP Height of Buildings (HOB) Map to nominate the site as "Area 4" and allow for a maximum height of building of 10 metres for multi dwelling housing on the site;
 - (e) Amend LEP Floor Space Ratio (FSR) Map to nominate the site as "Area 21" and allow for a maximum FSR of 1:1 for multi dwelling housing on the site;
 - (f) Amend the LEP Lot Size (LSZ) Map to remove lot size controls from the subject site.
 - (g) Amend the LEP Special Provisions Area (SPA) Map to include the site in Area 9 (Clause 6.8 Affordable Housing) and Area 15 (Clause 6.10 Minimum Lot Sizes).
 - (h) Amendment of Schedule 1 Additional permitted uses to allow for multi dwelling housing on the site:
 - (75) Use of certain land at 92-96 Victoria Avenue North Willoughby
 - (1) This clause applies to certain land at 92-96 Victoria Avenue North Willoughby, being Lots 5, 6 and 7 in DP 809.
 - (2) Development for the purposes of multi dwelling housing is permitted with development consent.

2. Subject to 1. above, Council endorse for public exhibition the Planning Proposal as outlined in 1.
3. Council endorse the draft site specific *Development Control Plan* provisions being placed on public exhibition with the draft Planning Proposal, subject to further amendments including consideration of advice provided by the Willoughby Local Planning Panel at its meeting of 8 February 2022.
4. Note that following public exhibition the Planning Proposal and site specific Development Control Plan will be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
 - (1) To proceed as recommended in this report.
 - (2) To proceed with amended controls in the Planning Proposal and Development Control Plan to that exhibited.
 - (3) To not proceed with the Planning Proposal and Development Control Plan.
5. Request that the Department of Planning and Environment nominate Council as the Planning Authority to finalise the Planning Proposal and that the Department of Planning and Environment delegate authority to the Council Planning Manager to process and finalise the Planning Proposal documentation for the purposes of Section 3.36 of the *Environmental Planning and Assessment Act, 1979*.
6. Delegate authority to the Chief Executive Officer to make any minor amendments to the Planning Proposal and Development Control Plan which does not alter the intent.

MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR MOURADIAN

CARRIED

Voting

For the Motion: Councillors Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Samuel, Wright, Xia and Zhu

Against: Nil

Absent: Councillors Taylor and Rozos

Note:

Councillors Taylor and Rozos declared an interest in this item.