

92-96 Victoria Avenue, Chatswood

Planning Proposal



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Attachment 8: Preliminary Site Investigation prepared by Greencap

Executive Summary

This Planning Proposal (the Proposal) has been prepared on behalf of Tai Family Holdings Pty Limited, the owners of the land known as 92-96 Victoria Avenue, Chatswood ('the site'). The site has a legal description of Lots 5, 6 and 7 in DP 809.

The lodgement of the Planning Proposal follows a pre lodgement meeting with the Council on 23 July 2020. Our summarised comments in response to the Council's notes of the 23 July meeting are included at Attachment 4.

The holding has an area of approximately 2,500m². The site has frontages to Victoria Avenue to the north and George Brain Lane to the south and west. The site is zoned R2 Low Density Residential under the Willoughby Local Environmental Plan (WLEP) 2012. The site adjoins land zoned R2 Low Density Residential and B2 Local Centre.

The site is currently occupied by three (3) detached dwelling houses, each being located on individual lots.

The Urban Design Report, prepared by Conybeare Morrison International Pty Ltd (CM*), has been undertaken to identify:

- The relationship of the site to adjoining R2 Low Density Residential and B2 Local Centre zones;
- The relationship of the site to proposed heights, floor space ratio (FSR), indicative built form and public domain outcomes recommended for North Willoughby Local Centre within the Local Centre strategy 2036 (Local Centres Strategy);
- Feasibility of the site to accommodate an appropriate transitional built form, incorporating multi dwelling housing, provision of open space, pedestrian, and vehicle access;
- Appropriate locations for vehicle ingress and egress;
- Manageable shadow impacts created by proposed built form, including solar access to proposed dwellings and surrounding residential dwellings; and
- Opportunities for widening of George Brain Lane at the rear (south) to align with the width to the east and public domain outcomes envisaged under the Local Centres Strategy.

The Urban Design Report has demonstrated the capacity of the site to accommodate 22 multi-dwellings (townhouses) built over a basement car park, realising a maximum building height of 10m (3 storeys) and a maximum FSR of 1:1.

This Proposal seeks to amend the WLEP 2012, in the following manner:

- Amendment of Schedule 1 Additional permitted uses to allow for multi dwelling housing on the site;
- Amend LEP Height of Buildings (HOB) Spatial Viewer Map to nominate the site as "Area 4" and allow for a maximum height of 10m on the site;
- Amend LEP Floor Space Ratio (FSR) Spatial Viewer Map to nominate the site as "Area 21" and allow for a maximum FSR of 1:1 on the site;
- Amend the LEP Lot Size (LSZ) Spatial Viewer Map to remove lot size controls from the subject site.
- Amend the LEP Special Provisions Area (SPA) Spatial Viewer Map to include the site in Area 9 (Clause 6.8 Affordable Housing) and Area 15 (Clause 6.10 Minimum Lot Sizes).

- Include an additional provision within Clause 4.3A to allow for a maximum height of 10m on the site, being Area 4, for the purpose of multi dwelling housing only; and
- Include an additional provision within Clause 4.4A to allow for a maximum FSR of 1:1 on the site, being Area 21, for the purpose of multi dwelling housing only, despite Clause 4.4.
- Amend Clause 6.10 Minimum lot sizes for certain residential accommodation that states, 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.

This Proposal provides an analysis of the physical and strategic planning constraints and the opportunities of the site, and considers the relevant environmental, social, and economic impacts of the Proposal and its strategic merit.

Support for this Proposal is based on the following merits:

- **Changes to maximum permissible building heights**

The amendment to maximum building heights seeks to realise the site as a transitional area, acknowledging proposed heights of 3-6 storeys realised for North Willoughby Local Centre to the west and 5 storeys to the north in the Local Centres Strategy and existing 1 and 2 storey residential development to the east and south.

It is anticipated that the Proposal, if supported by the Council, will also incorporate site specific DCP provisions that will provide for fine grain detail on the transition of height across the site (refer to Attachment 6). This will ensure the resultant height appropriately responds to proposed and existing heights of surrounding sites, as well as creating legibility in built form in terms of nominating height in storeys. For example, the building height is proposed to scale down from west to east, reflecting and reinforcing the approach taken by the Council in the Local Centres Strategy for North Willoughby. The development of these site-specific controls will be further investigated and determined in association with Council.

- **Infill urban development opportunity**

The development of the site represents an opportunity to provide additional housing opportunities, in a location that has excellent access to leisure, entertainment and commercial facilities, education and community facilities, public transport and other urban infrastructure within the vicinity of North Willoughby Local centre and Chatswood Centre beyond to the west.

- **Consistency with the adjoining development**

The realisation of multi dwelling housing across the site is consistent with the intention for land use and built form outcomes envisaged within Local Centres Strategy for North Willoughby Local Centre, seniors housing residential development to the east and existing low density residential form to the south.

Framed by George Brain Lane to the west and south, the site presents an appropriate location to introduce multi-dwelling form of housing, whilst providing for transition in height and density.

- **Consistency with the planning framework**

The Proposal is consistent with the strategic planning framework applying to the site, including the Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018), North District Plan (March 2018) and Local Strategic Planning Statement (LSPS).

- **Development opportunities**

The Proposal is supported by a detailed analysis of the opportunities and constraints of the site, as well as an assessment of potential impacts such as traffic.

The Proposal is consistent with the broad strategic planning goals for the North District Plan in that:

- The Proposal will provide for housing in proximity to a strategic centre, being consistent with the 30-minute city goal;
- The Proposal will increase housing supply and choice; and
- The Proposal will facilitate improved pedestrian infrastructure and walkability. This is realised along George Brain Lane, where opportunities are enhanced for connections to the adjacent North Willoughby Local Centre, as well as opportunities for the renewal and revitalisation from a service lane to an intimate street supporting new residential interfaces.

It is requested that arising from the consideration of this Planning Proposal, Willoughby Council resolve to support the changes to WLEP 2012 as detailed in this Planning Proposal and forward the Proposal to the Department of Planning Infrastructure and Environment (DPIE) for a Gateway Determination.

1.0 Introduction

1.1 Overview

This Proposal has been prepared for Tai Family Holdings Pty Limited, the owners of the site. The Proposal seeks an amendment to the controls applying to the site to facilitate the introduction of multi dwelling housing. The amendments sought relate to:

- Amend LEP Height of Buildings (HOB) Spatial Viewer Map to nominate the site as “Area 4” and allow for a maximum height of 10m on the site;
- Amend LEP Floor Space Ratio (FSR) Spatial Viewer Map to nominate the site as “Area 21” and allow for a maximum FSR of 1:1 on the site;
- Amend the LEP Lot Size (LSZ) Spatial Viewer Map to remove lot size controls from the subject site.
- Amend the LEP Special Provisions Area (SPA) Spatial Viewer Map to include the site in Area 9 (Clause 6.8 Affordable Housing) and Area 15 (Clause 6.10 Minimum Lot Sizes).
- Include an additional provision within Clause 4.3A to allow for a maximum height of 10m on the site, being Area 4, for the purpose of multi dwelling housing only; and
- Include an additional provision within Clause 4.4A to allow for a maximum FSR of 1:1 on the site, being Area 21, for the purpose of multi dwelling housing only, despite Clause 4.4.
- Amend Clause 6.10 Minimum lot sizes for certain residential accommodation that states, 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.

The Proposal applies to the land described as Lots 5, 6 and 7 in DP 809, shown at Figure 1 below.



Figure 1: Site context and location (Source: Metromap)

The holding has an area of approximately 2,500m². The site has frontages to Victoria Avenue and George Brain Lane.

The Proposal is supported by a detailed Urban Design Report and architectural mass modelling plans that show development configuration outcomes for the site, including shadow impact testing. The Proposal is also supported by a traffic and transport study and a tree assessment.

Support for the Proposal is based on the following circumstances:

- Expansion and upgrade of housing capacity on the site;
- Consistency with surrounding development;
- Urban design integration and renewal of the locality, including opportunities for public domain upgrades;
- Consistency with the strategic planning framework; and
- Consistency with Council's approach to providing increased residential densities within well serviced existing Centre locations.

The Proposal has been prepared in accordance with the Department of Planning, Industry and Environment's (DPI&E) *Planning Proposals - A Guide to Preparing Planning Proposals*, dated December 2018.

1.2 Scope and Format of the Planning Proposal

The Proposal details the merits of the proposed amendments to WLEP 2012 and has been structured in the following manner:

- Section 1.0 provides an introduction to the Proposal;
- Section 2.0 provides a description of the site, its context and existing development, including identification of the land to which the changes are proposed;
- Section 3.0 identifies the applicable statutory controls and policies and provides an evaluation of the Proposal against the relevant controls;
- Section 4.0 identifies the strategic planning context relative to the Proposal;
- Section 5.0 is the Proposal and is provided consistent with the matters to be considered in the DPI&E's *A Guide to Preparing Planning Proposals*; and
- Section 6.0 provides the conclusions and recommendations to proceed with the Proposal to Gateway Determination to amend WLEP 2012.

1.3 Supporting Plans and Documentation

This Proposal has been prepared with input from a number of technical and design documents which have been prepared to accompany the application. These documents are included as Attachments to this report and are identified in Table 1.

Document name	Prepared by
Urban Design Report (Attachment 1)	Conybeare Morrison International Pty Ltd (CM ⁺)
Traffic and Transport Study (Attachment 2)	SCT Consulting
Tree Assessment (Attachment 3)	Truth About Trees
Response to Pre-Lodgement Meeting (Attachment 4)	SJB Planning
Response to Council Request for Additional Information (Attachment 5)	SJB Planning
Proposed Site Specific DCP Provisions (Attachment 6)	SJB Planning and CM ⁺
SEPP 65 Design Response (Attachment 7)	CM ⁺
Preliminary Site Investigation (Attachment 8)	Greencap

Table 1: Plans and documents prepared to accompany this Planning Proposal

2.0 Site Description and Context

2.1 Overview

This section describes the location of the site, existing development on the land, the current planning framework and State Government and Willoughby City Council strategic plans applying to the location.

2.2 Site Context and Locality

The subject site is located in the suburb of Chatswood, located approximately 9km north of the Sydney CBD. The Chatswood CBD, a Strategic Centre identified in the North District Plan, is located approximately 1.5km to the west. Chatswood CBD incorporates Chatswood train station as well as metro station as part of the metro west line. The existing rail and metro line strengthen the Site's connectivity and accessibility to metropolitan Sydney. This will be further improved with the extension of the metro line from Chatswood to the Sydney CBD and south west.

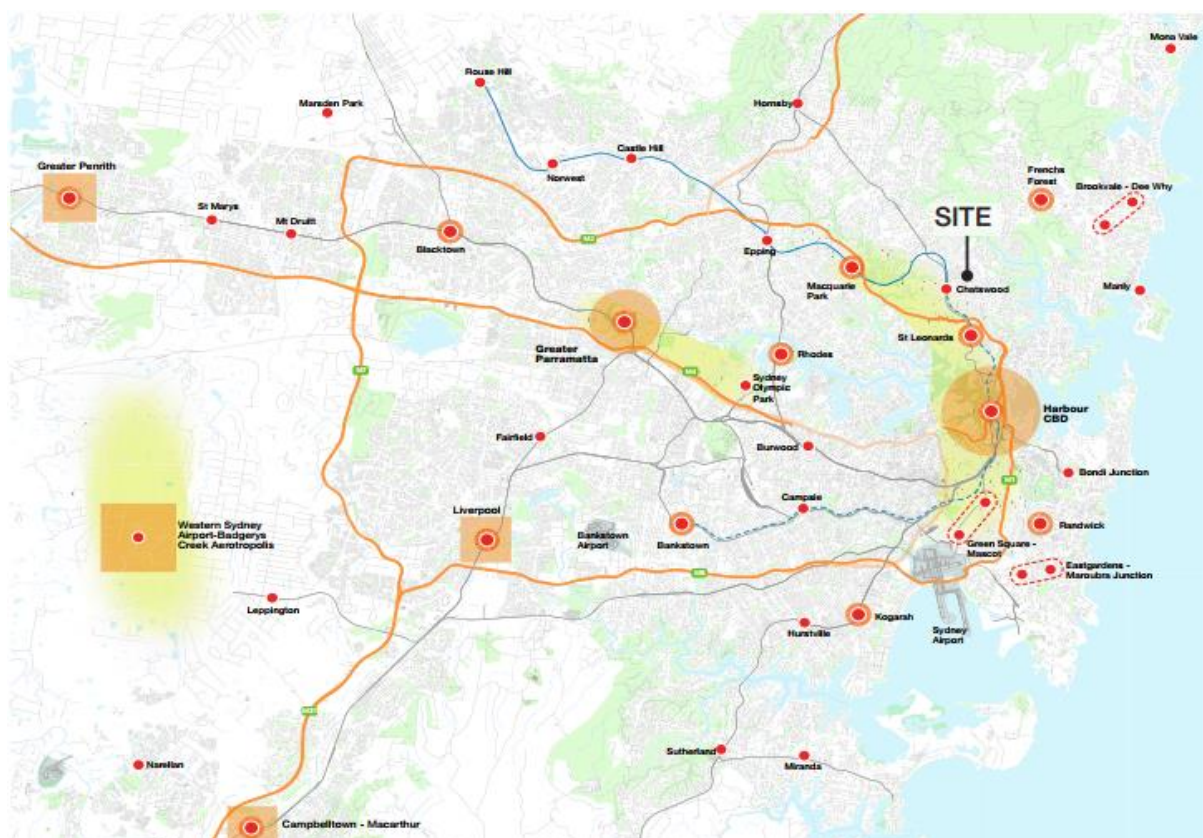


Figure 2: Strategic context diagram (Source: CM*)

The site is at the edge of the North Willoughby Local Centre. The site is within close proximity to East Chatswood Industrial Area located to the north east and High Street and Penshurst Street Local Centres to the South.



Figure 3: Site context (Source: CM*)

2.3 Site Description

The subject site is a rectangular shaped allotment, located at the corner of Victoria Avenue and George Brain Lane. The site legally is described as Lots 5, 6 and 7 in DP 809, and comprises a site area of approximately 2,500m².

The site is currently occupied by three (3) detached dwelling houses, each being located on individual lots.

The site has frontages to Victoria Avenue to the north and George Brain Lane to the south and west. The site is zoned R2 Low Density Residential. The site adjoins land zoned R2 Low Density Residential and B2 Local Centre.

2.4 Surrounding Land Uses and Built Form

Given the site's location adjacent to North Willoughby Local Centre and straddling the interface of commercial and residential zones, the site is generally surrounded by residential development, shops, restaurants, businesses, and community facilities within close proximity. The site is currently accessed via Victoria Avenue and George Brain Lane.

Land to the west is zoned B2 Local Centre and comprises mostly of commercial tenancies within two (2) storey buildings. Each lot is serviced from the rear with vehicle access to George Brain Lane (refer to Figure 4).

Land to the south and east is zoned R2 Low Density Residential and mostly comprises single detached dwelling houses of varying scales. All lots are serviced from the rear with vehicle access to George Brain Lane. Immediately adjoining the site to the east is a seniors housing complex two (2) storeys in scale with basement car parking accessed from the rear (refer to Figure 4).

To the north, the site is framed by both B2 Local Centre and R2 Low Density Residential zones. Accordingly uses vary as does the scale of development, including single detached dwellings, church, commercial and mixed-use development, including a five (5) storey mixed use building at the corner of Victoria Avenue and Penshurst Street, incorporating ground floor commercial and residential above (refer Figure 4).

The site is located within good proximity to key transport, education, business, and retail facilities. The site is serviced by a number of bus routes traveling along Victoria Avenue and Penshurst Street. These services provide access to surrounding local centres as well as Chatswood CBD, train, and metro stations (refer to Figure 5).



Figure 4: Surrounding Land Uses and Built Form (Source: CM*)



Figure 5: State-transit-north-shore-and-west-network-map extract (Source: Transport for NSW)

3.0 Statutory Framework

This section provides a summary of the existing local planning controls that are relevant to the site.

3.1 Willoughby Local Environmental Plan (WLEP) 2012

3.1.1 Zoning

The site is zoned R2 Low Density Residential under WLEP 2012 (refer to Figure 6).

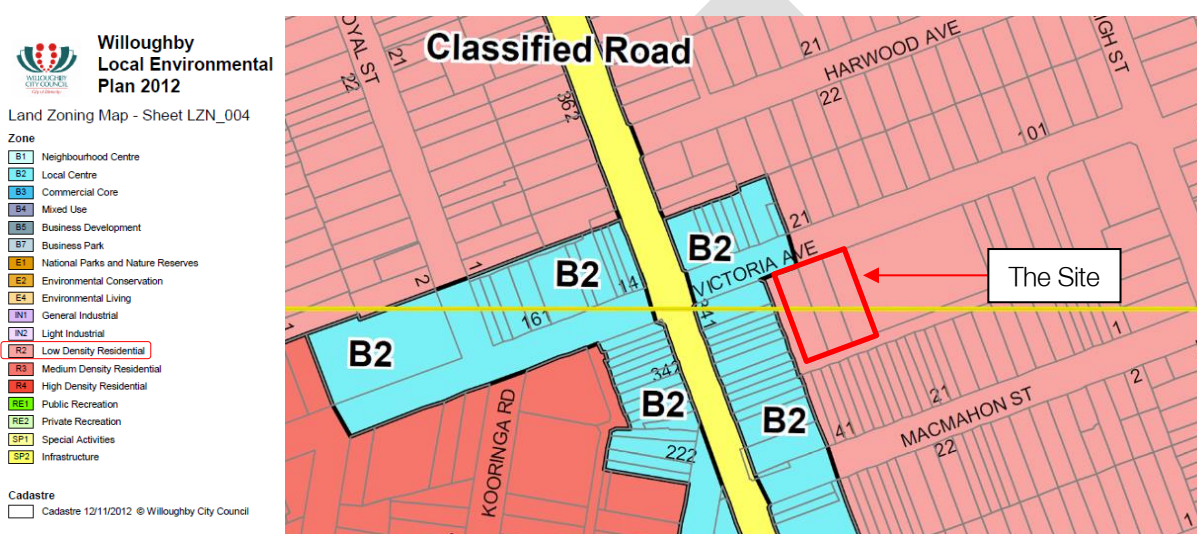


Figure 6: Extract from WLEP 2012 Land Zoning Map

The objectives of the R2 Low Density Residential zone are:

- To provide for the housing needs of the community within a low 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 retain and enhance residential amenity, including views, solar access, aural and visual privacy, and landscape quality.
- To retain the heritage values of particular localities and places.
- To encourage self-sufficiency with respect to energy and food supply.

The zone permits without consent, *Home occupations*.

The zone permits with consent: *Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; and Tank-based aquaculture.*

Multi dwelling housing is prohibited within the R2 Low Density Residential zone.

3.1.2 Height of Buildings (Clause 4.3)

The site is subject to a height of buildings development standard of 8.5m (refer to Figure 7 below).

As illustrated in Figure 7, the current height limits for neighbouring land range from 8.5m for residential zoned land located to the north, west and south of the Site, to 14m and 15.5m for land located to the north and west of the site within the North Willoughby Local Centre.



Figure 7: Extract from WLEP 2012 Height of Buildings Map

3.1.3 Floor Space Ratio (Clause 4.4)

The site is subject to a maximum FSR of 0.4:1 (refer to Figure 8 below).

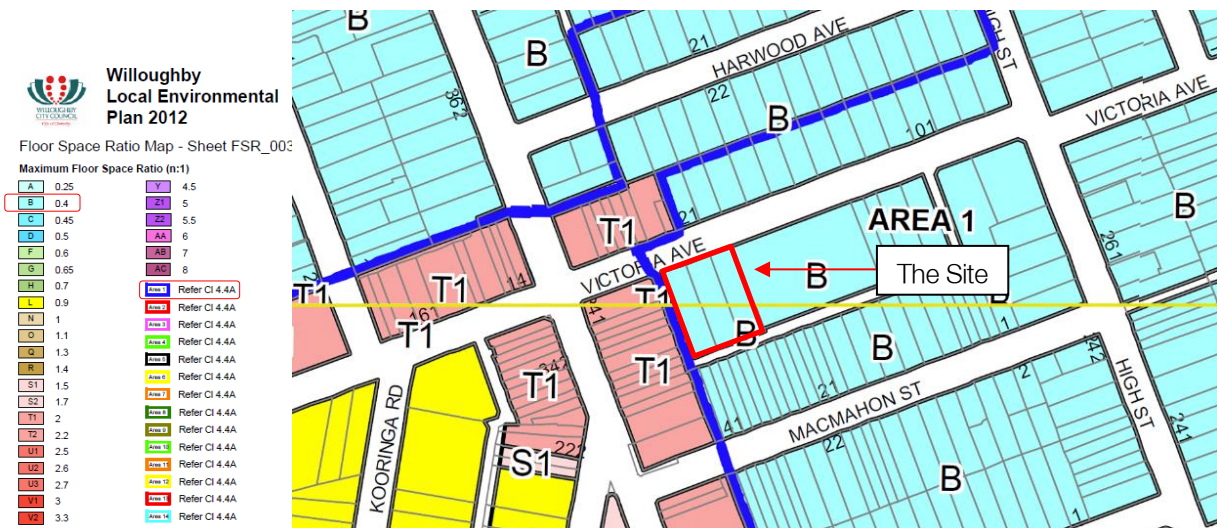


Figure 8: Extract from WLEP 2012 Floor Space Ratio Map

The site is identified as being located within Area 1 and is therefore subject to Clause 4.4A of WLEP 2012. Clause 4.4A provides for exceptions to FSR. In accordance with Clause 4.4A(1), the subject site establishes the following maximum FSR for the site. However due to the site area being over 800m², Clause 4.4A(1) provides no exception with the FSR remaining at 0.4:1.

Site area (square metres)	Floor space ratio (:1)
Under 200	0.65
200–300	0.55
301–400	0.50
401–500	0.47
501–600	0.45
601–700	0.43
701–800	0.41
Over 800	0.40

The land within the B2 Local Centre zone to the north and west has an FSR of 2:1.

3.1.4 Heritage Conservation (Clause 5.10)

The site does not contain any heritage listed items on Schedule 5 of the WLEP 2012, nor is it located within a Heritage Conservation Area (HCA) (refer to Figure 9).

It is considered none of the existing buildings or structures contain any historic and aesthetic value. The existing dwellings and structures do not meet the criterion for local heritage listing, and they do not form a part of any Heritage Conservation Area.

The closest local heritage items are located at 66 Victoria Avenue, Chatswood (Item No. I131), 247 High Street, Willoughby North (Item No. I204) and 315 Penshurst Street, Willoughby North (Item No. I223), being two (2) houses nominated (including original interiors) and Hotel Willoughby (including original interiors) respectively. Also located to the north of the site is Harwood Street local Heritage Conservation Area (Item No. C5) (refer to Figure 9).

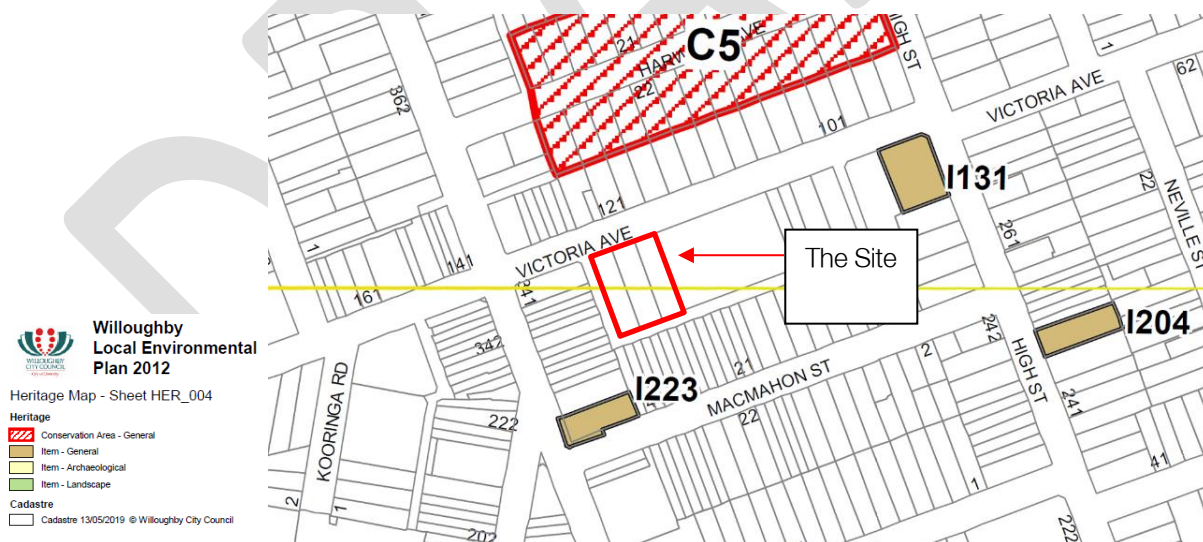


Figure 9: Extract from WLEP 2012 Heritage Map

3.1.5 Acid Sulphate Soils (Clause 6.1)

The site is identified as containing Class 5 Acid Sulphate Soils. Given the distance between the site and other Class of Acid Sulphate Soils, in addition to the unlikelihood of lowering the water table in this location, the identification of Class 5 Acid Sulphate Soils is unlikely to impact future development of the site.

3.2 Willoughby Development Control Plan (WDCP) 2006

Development on the site will be subject to the provisions of WDCP 2006. The WCP provides detailed guidelines and environmental standards for new development within the Willoughby LGA. It aims to promote high quality, sustainable development, which is consistent with Council's vision for Willoughby and responds appropriately to the natural and built environment.

The WDCP 2006 provides a layered approach, with multiple parts being applicable to any future DA across the site. Accordingly, Part C - General Development Guidelines, and Part D2 - Specific Controls for Residential Development will need to be considered with the progress and development of any future development application (DA) for multi dwelling housing across the site.

Other important elements of the DCP that relate specifically to the site include those which stipulate specific widening requirements for George Brain Lane. These are detailed in Part C, Section C.4 Transport Requirements for Development.

Where WDCP 2006 requires for 92-96 Victoria Avenue, the widening of George Brain lane by 2m from the north side of the southern leg, to be considered in conjunction with any development application for the siting of any works within proximity of the laneway/roads.

Should the Proposal be supported by Council, it is anticipated that the site specific DCP provisions prepared in support of the Proposal (refer to Attachment 6) will be included as an amendment to Part I, as described on page 6.

The preparation of complementary amendments to WDCP 2006 have been prepared for Council's consideration, taking guidance from the Urban Design Report prepared by CM⁺ and feedback from Council, as well as research of appropriate precedent applications and best practice outcomes for medium density housing controls.

4.0 Strategic Planning Context

4.1 Greater Sydney Region Plan – A Metropolis of The Cities (March 2018)

The *Greater Sydney Region Plan – A Metropolis of Three Cities*, identifies Chatswood as a Strategic Centre. The site is located within the Eastern Harbour City and on the periphery of the Eastern Economic Corridor, which spans from Sydney Airport and Port Botany, through to Sydney CBD, St Leonards and Chatswood up to Macquarie Park (refer to Figure 10).

Sydney Metro is partly completed providing access from Chatswood through to Rouse Hill via a fast and efficient train service. The service already provides important connections to Macquarie Park and Macquarie University, and when completed, will provide access through to Sydney CBD and Bankstown beyond.

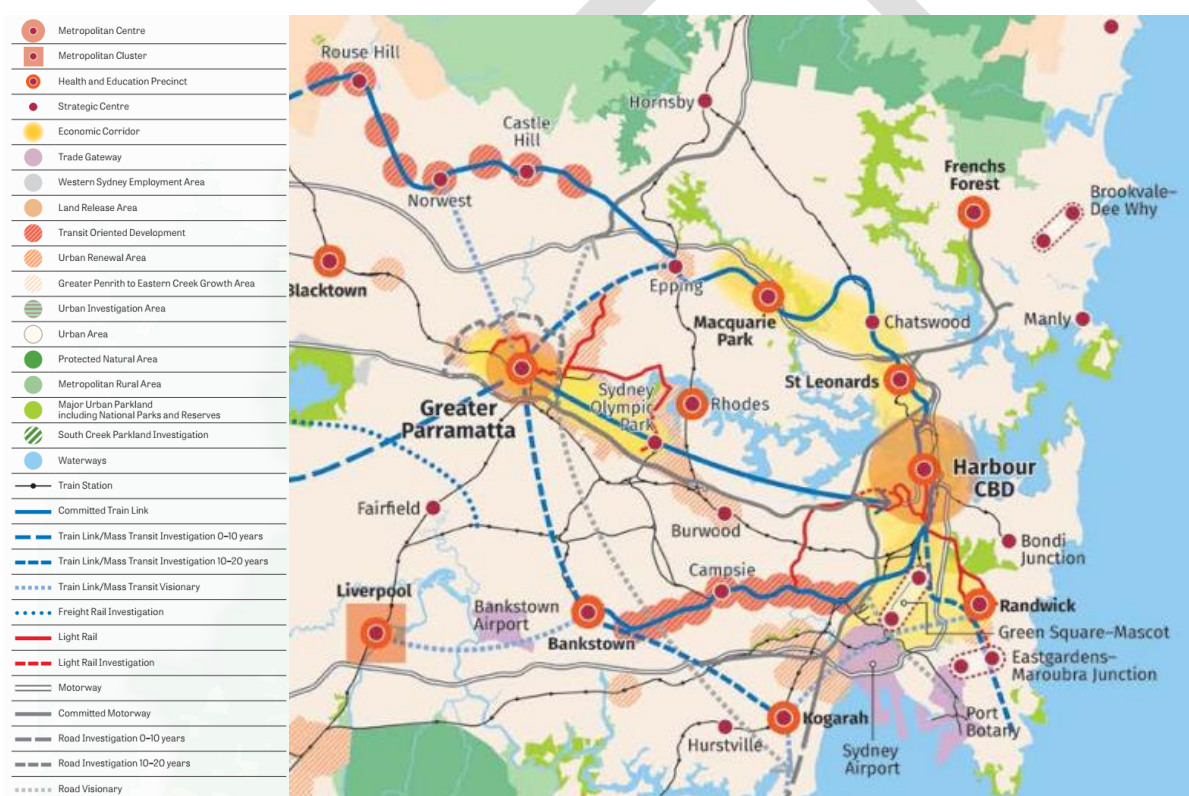


Figure 10: Greater Sydney Regional Plan - extract

Given the strategic location of the site, future development should seek to accommodate opportunities for additional housing supply to realise alignment with the strategic direction of the Plan for this locality and to best utilise transport infrastructure. The Proposal is able to demonstrate such alignment with the broad directions of the Greater Sydney Region Plan through:

- The provision of additional residential floor space within proximity to Chatswood CBD, confirming its position as an identified Strategic Centre and increasing the percentage of dwellings located within 30 minutes by public transport of a strategic centre.
- Assisting in achieving its target of an additional 92,000 new dwellings by 2036, in an area well connected to employment and transport.

- Facilitating development of a site which is accessible by public transport.
- Improving the fine grain fabric of the suburb by increasing density and diversity of residential development, permeability, and walkability in and within a 10-minute walk of North Willoughby centre.
- Improvement in pedestrian accessibility and amenity of George Brain Lane, as well as providing varied street frontages by utilising multiple streets for access and dwelling interfaces.
- Providing opportunities for fine grain urban form, diversity in residential land use mix with high amenity outcomes within both public and private domain.
- Providing residents' access to jobs and services.
- Accelerating housing supply, choice and affordability and building great places to live.
- Protecting the natural environment by focusing new housing and increased densities on existing residential zoned land within close proximity to existing centres.

4.2 North District Plan (March 2018)

The *North District Plan* (March 2018) sets out aspirations and strategic planning context for Greater Sydney's North District, which includes the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, Ryde and Willoughby (refer to Figure 11).

The North District Plan sets a target of 31,000 – 33,000 jobs by 2036 for the Chatswood Strategic Centre, an increase of 8,300 jobs upon the 2016 estimate of 24,700 jobs.

A five (5) year housing target is provided for each local government area in the North District Plan. Willoughby LGA is set a target for 2016 – 2021 estimate of 1,250 additional dwellings.

The District Plans however encourage Councils to focus on the longer-term target, as well as the five (5) year housing target as the Greater Sydney Commission (GSC) seeks to ensure that opportunities for increased dwelling capacity leverages off current and future infrastructure commitments. A target of 92,000 additional dwellings for the North District has been set as a minimum target by 2036. This equates to an average annual supply of 4,600 new dwellings per year to be delivered across the District by 2036.

The Proposal is consistent with the broad directions of the North District Plan through:

- Providing opportunities for new housing to meet the demand of different housing types, tenure, price points, preferred locations and design;
- Providing opportunities for new housing that is well coordinated with local infrastructure to create liveable, walkable neighbourhoods with direct and safe pedestrian connections to shops, services and public transport;
- Providing opportunities for medium density townhouse style homes that can provide increased housing options within the Willoughby Local Government Area (LGA);
- Providing an appropriate response that facilitates a transitional area between the urban renewal precinct of North Willoughby Local Centre and adjacent R2 Low Density Residential zoned land;
- Creating opportunities for public domain upgrades and improved residential interface within George Brain Lane to assist in the provision of pedestrian links and accessibility between residential land and North Willoughby Local Centre, as well as complementing the vibrancy of Victoria Avenue to help promote healthy lifestyle areas with good proximity to public transport and commercial and retail centres; and
- Assisting Council in achieving its target of an additional 1,250 new dwellings by 2021, in an area well connected to employment and transport, with a form of medium density residential development that will enhance the character of the Chatswood area and wider LGA.



Figure 11: North District Plan - extract

4.3 Willoughby Local Strategic Planning Statement (March 2020)

The *Willoughby Local Strategic Planning Statement* (LSPS) is one of Council's key strategic land use planning documents that will facilitate and manage growth and development within the LGA to 2036. It sets out a 20-year vision with priorities and actions for land use planning to ensure Willoughby is a diverse City, with diversity in its landscapes, people and businesses. Specifically, we note the LSPS establishes the following guiding principles in its vision for housing and liveability in 2036.

Housing

- Diversity of housing that caters to a range of residents;
- A range of compact housing types located around local centres which provide good access to amenities, services and shops; and
- Retaining the distinctive character of Willoughby's suburbs between local centres.

Liveability

- Local centres that are vibrant and lively and provide for people's everyday needs;
- The distinctive character of local centres is preserved and enhanced; and
- All residents can access Chatswood CBD, local centres, parks, schools and community facilities within 20 minutes by public transport or high quality walking and cycling paths.

These visions are supported and guided by directions, priorities and actions. Ten directions from the Greater Sydney Region Plan and the North District Plan provide the framework for the priorities and actions listed in the LSPS. These have been collated into a Structure Map which is shown at Figure 12. The LSPS establishes priorities and actions under the following directions:

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- Priority 1: Increasing housing diversity to cater to families, the ageing population, diverse household types and key workers
- Priority 3: Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features
- Priority 5: Respecting and enhancing heritage and local suburban character
- Priority 6: Planning for local centres which are vibrant places to meet the everyday needs of the population
- Priority 15: Improving the efficiency of Willoughby's built environment
- Priority 17: Augmenting local infrastructure and using existing infrastructure more intensively and efficiently to accommodate planned growth



The Proposal is consistent with the broad directions and priorities of the LSPS through:

- Increasing the diversity of housing in the LGA, ensuring that new housing stock is able to meet the changing needs of the resident community;
- Providing more housing diversity to accommodate changing lifestyles of the Willoughby resident community;
- Protecting the existing character of Willoughby suburbs by ensuring appropriate transition in built form between North Willoughby Local Centre and adding low density residential neighbourhoods;
- Strengthening the role and function of North Willoughby Local Centre;
- Aligning opportunities for urban infill and increased densities to locations of infrastructure and services;
- Improved pedestrian facilities along George Brain Lane and connectivity to North Willoughby Local Centre, including proposed pedestrian link between Penshurst Street and George Brain Lane;
- Concentrating housing development near local centres and planned walking and pedestrian routes having regard to required widening of George Brain Lane and future planned pedestrian arcades for North Willoughby Local Centre;
- Protection of local heritage items and heritage conservation areas;
- Promoting fine-grain streetscape outcomes and housing that is well connected to Chatswood CBD by public transport;
- Providing opportunities for improved public domain along George Brain Lane and urban design outcomes by providing a more appropriate transition in built form between the B2 Local Centre and R2 Low Density Residential zones;
- Opportunities to reduce parking outcomes to encourage public transport use and residential developments with access to car sharing schemes;
- A focus for future housing development and dwelling densities in places where infrastructure is available; and
- The provision of infrastructure improvements to George Brain Lane.

4.4 Willoughby Housing Strategy to 2036 (May 2020)

The Willoughby Housing Strategy (Housing Strategy) sets directions for accommodating future housing to 2036. In doing so, the draft Strategy guides the direction on quantity, location, and type of future residential development within Willoughby LGA.

The Housing Strategy estimates that 6,000 – 6,700 dwellings will be required to meet population growth to 2036 which can be accommodated within three (3) focus areas. These are detailed in the Housing Strategy as:

- **Focus area 1** to be on existing medium and high density zones, (R3 and R4) that have not as yet been developed to the full potential of the zone.
- **Focus area 2** to be on the proposed B4 Mixed Use zone which surround the B3 Commercial Core of the Central Business District as identified in *The Chatswood CBD Planning and Urban Design Strategy to 2036*.
- **Focus area 3** in the local centres identified in *Local Centres Strategy* as per the zoning changes proposed for:
 - Artarmon
 - Castlecrag
 - North Willoughby
 - High Street

- Naremburn
- Northbridge
- Penshurst Street
- Willoughby South

The Housing Strategy notes that the focus of growth in the above areas will protect the low density zones in order to ensure an ongoing mix of housing, with the resulting mix providing housing choice and focusing densities within and around existing centres.

The Proposal does focus the intensification of housing in a location that responds appropriately to the following principles:

- Near local centres, schools, open space and community facilities;
- Free from the natural hazards of bushfire and flooding;
- Within walking distance of high-quality and frequent public transport;
- Outside of heritage areas / Environmental Living (E4) areas and areas with a uniform and highly valued suburban character; and
- Highly walkable, with high amenity walking and cycling routes nearby.

The Proposal is therefore able to promote an outcome for increased residential density and diversity by ensuring these key criteria are met. In doing so, it is able to achieve Council's intention for the promotion and alignment of sustainable transport, increase liveability and promotion community health and wellbeing with outcomes for housing.

4.5 Willoughby Local Centres Strategy (June 2020)

The *Willoughby Local Centres Strategy 2036* (the Centres Strategy) was adopted by Council in June 2020. The Centres Strategy aims to promote a network of existing centres throughout the Council area. Informed and directed by a number of strategic documents, including *Greater Sydney Region Plan*, *the North District Plan* and *Willoughby Community Strategic Plan*, the Strategy provides a framework for future planning controls and public domain improvements for eight (8) local centres.

The Strategy aligns with the *Willoughby Housing Strategy* by providing direction for population growth and dwelling densities, specifically, its identification of eight (8) local centres. This includes built form and urban design outcomes for North Willoughby Local Centre (refer to Figures 13 and 14).

The Strategy sets the following vision for North Willoughby Local Centre:

North Willoughby village is a thriving, pleasant, accessible place. It has a leafy streetscape and attractive communal open spaces. It remains a distinct local centre separate from the Chatswood CBD, with a lower scale of development compared to the major commercial and shopping buildings of the CBD.

The Proposal enhances the urban design and public domain response for the North Willoughby Local Centre by providing an appropriate outcome for the intensification of land in a location adjacent to the local centre and benefited by the location of George Brain Lane.

In doing so, the Proposal is able to demonstrate outcomes for increased housing in a medium density form that is effective in providing transition of built form between proposed heights of between three (3) and four (4) storeys within the Local Centre and (2) storeys within adjacent low density residential land.

Furthermore, the Proposal provides opportunities for revitalisation of George Brain Lane with the provision of improved pedestrian access to align with proposed connections to and within the Local Centre, noting proposed pedestrian through site link between Penshurst Street and George Brain Lane.

The proposal will also provide opportunities for finer grain, ‘intimate’ urban outcomes with new dwelling relationships to George Brain Lane, including dwelling frontages.



Figure 13: Building Use and GFA targets with site shown outlined in red



Figure 14: Indicative Master Plan with site shown outlined in red

5.0 The Planning Proposal

An amendment to Willoughby LEP 2012 is sought to facilitate multi-dwelling housing, new maximum building heights and FSR across the site. A favourable outcome of the Proposal would result in the permissibility of multi-dwelling housing, as well as new permissible building heights to a maximum of 10m, and FSR of 1:1 across the site.

The Proposal presents a mechanism for facilitating redevelopment of the site in accordance with the broader strategic goals and directions set for Willoughby City at a metropolitan, regional and local scale.

5.1 Overview

This section addresses the Department of Planning, Industry and Environment's (DPIE) publication *Planning Proposals – A Guide to Preparing Planning Proposals* (December 2018). This section provides:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
- Mapping;
- Community consultation; and
- Project timeline.

5.2 Objectives and Intended Outcomes

The objective of the Proposal is to facilitate the redevelopment of the site for the purpose of multi dwelling housing to provide transition in built form from North Willoughby Local Centre to the surrounding low density residential landscape. The Proposal seeks to facilitate the delivery of multi dwelling housing, providing a diversity of housing form in the locality that will contribute to the growing demand for housing in the Willoughby LGA, within close proximity to employment, services and public transport.

The Proposal responds to the site opportunities in terms of access and infrastructure, including presence of George Brain Lane, and also responds to Council's future intention for North Willoughby Local Centre. In doing so, the Proposal provides opportunities for both urban design and public domain outcomes that will enhance the transition in scale and density between the B2 Local Centre adjoining to the north and west, and R2 Low Density Residential to the south and east. Furthermore, the Proposal gives consideration to recent significant investments made by the NSW Government in the Sydney Metro project and to meet the objective to deliver more housing within 30 minutes of employment.

5.2.1 Objectives

The Proposal will amend Willoughby Local Environmental Plan 2012 (Willoughby LEP 2012) so that an alternative set of planning controls will apply to the site (92-96 Victoria Avenue, Chatswood), which will:

- Enable the orderly and feasible redevelopment of the site (92-96 Victoria Avenue) for 'multi dwelling residential' development;
- Ensure that new development responds positively to adjacent land uses;
- Facilitate the redevelopment of the site with an outcome that achieves a greater diversity of housing options in close proximity to public transport, services and facilities;

- Demonstrate consistency with State Government policy to encourage growth within walking distance of centres and public transport;
- Demonstrate consistency with minimum housing targets set by the State Government;
- Provide for greater housing diversity and choice across the LGA, by providing housing types that are an alternative to the traditional freestanding houses and apartments;
- Provide for a high-quality residential development that is both responsive to the site's location adjacent a local centre and respectful of the low density character of the surrounding area;
- Provide opportunities for a housing typology that requires less land area and is more sustainable for a wider range of population demographics;
- Provide opportunities for improved housing affordability by providing dwellings on smaller lots whilst still ensuring the delivery of amenities associated with single dwellings, including ground level private open space;
- Provide for an appropriate built form in a transitional location;
- Provide opportunities for public domain upgrades to George Brain Lane, facilitating improved pedestrian access and connectivity to the adjoining North Willoughby Local Centre; and
- Provide opportunities for new residential interfaces with Victoria Avenue and George Brain Lane to create a fine grain urban outcome.

Overall, it is considered that the Proposal will have significant benefits for the community and is in the public interest.

5.2.2 *Intended Outcomes*

The Proposal will enable the development of a multi dwelling residential development incorporating a range of high-quality terrace style houses that will:

- Ensure appropriate height transition across the site;
- Create greater legibility of built form across the site;
- Create greater diversity in housing;
- Provide opportunities to introduce public domain upgrades to George Brain Lane;
- Respond appropriately to its context in terms of density and scale;
- Minimise external impacts such as overshadowing to nearby development and the public domain; and
- Ensure a high level of amenity for future occupants and nearby residential buildings.

The urban design principles and design rationale informing the Proposal have been developed by architecture firm CM⁺, which broadly model built form outcomes sought through the Proposal changes in a model form similar to the modelling contained in the Council's North Willoughby Local Centre. The modelling outlines the general intention for the site, with regards to building siting, massing and height. The complete set of drawings and analysis are contained in the Urban Design Report at Attachment 1. The key numerical aspects of the Proposal are summarised in Table 2 with the modelling illustrated in Figures 15-17.

Element	Indicative Development Concept Scheme
FSR	1:1
Maximum height of Buildings	10m (3 storey equivalent)
GFA	2,556m ² (site area approx. 2,491m ²)
Dwellings	22
Car Parking	39

Element	Indicative Development Concept Scheme
Recreational Area	1,369m ² (55%)
Communal Open Space	143m ²
Site Coverage	1,121m ² (45%)

Table 2: Key numerical aspects of the Planning Proposal



Figure 15: Concept Design (Source: CM*)



Figure 16: Concept Design (Source: CM*)



Figure 17: Proposed Concept (Source: CM*)

5.3 Explanations of Provisions

5.3.1 Willoughby Local Environmental Plan 2012

The purpose of the Proposal is to facilitate the redevelopment of the site for multi dwelling housing that is of a scale that provides an appropriate transition in density and scale between future built form of North Willoughby Local Centre and the surrounding low density residential neighbourhood, including the adjoining seniors housing development to the east.

Specifically, the Proposal seeks to amend the following provisions of WLEP 2012:

- Amendment of Schedule 1 Additional permitted uses to allow for multi dwelling housing on the site;
- Amend LEP Height of Buildings (HOB) Spatial Viewer Map to nominate the site as “Area 4” and allow for a maximum height of 10m on the site;
- Amend LEP Floor Space Ratio (FSR) Spatial Viewer Map to nominate the site as “Area 21” and allow for a maximum FSR of 1:1 on the site;
- Amend the LEP Lot Size (LSZ) Spatial Viewer Map to remove lot size controls from the subject site.
- Amend the LEP Special Provisions Area (SPA) Spatial Viewer Map to include the site in Area 9 (Clause 6.8 Affordable Housing) and Area 15 (Clause 6.10 Minimum Lot Sizes).
- Include an additional provision within Clause 4.3A to allow for a maximum height of 10m on the site, being Area 4, for the purpose of multi dwelling housing only; and
- Include an additional provision within Clause 4.4A to allow for a maximum FSR of 1:1 on the site, being Area 21, for the purpose of multi dwelling housing only, despite Clause 4.4.
- Amend Clause 6.10 Minimum lot sizes for certain residential accommodation that states, 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.

5.3.2 Willoughby Development Control Plan 2006

Site specific DCP provisions have been prepared (refer to Attachment 6) in accordance with the built form modelling undertaken by CM+ in the Urban Design Report provided at Attachment 1. Subject to endorsement by Council, the site-specific provisions will result in an amendment to Part I of WDCP 2006.

The provisions will complement the proposed amendments to WLEP 2012 and will be publicly exhibited with the Proposal.

5.4 Justification

This section addresses the need for the local environmental plan amendment, identifies the background studies undertaken, why the Proposal is the best approach, and what the community benefits will be.

5.4.1 Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Proposal is not the direct result of a specific strategic study or report prepared by Council. The Proposal is a result of number of detailed studies undertaken on behalf of the landowner in response to the overall character of the locality endorsed within the Local Centres Strategy.

The proposed planning controls have been informed by an Urban Design Report prepared by CM+ Architects (Attachment 1) and a range of specialist technical reports that address key issues such as traffic and transport impacts and tree removal. These studies are provided as attachments to this Proposal and appear as the following:

- Attachment 1: Urban Design Report prepared by CM+ Architects
- Attachment 2: Traffic and Transport Study prepared by SCT Consulting
- Attachment 3: Tree Assessment prepared by Truth About Trees

The studies provide a sound basis upon which to progress the Planning Proposal.

Although not directly a result of the strategy for North Willoughby Local Centre, the Proposal seeks to create a medium density residential development that appropriately responds to the desired future character of North Willoughby and provides a transition to the existing low density residential development to the east and south.

Urban Design

CM+ Architects have been engaged by the proponent to evaluate the opportunities of the site. The scope was to review of the development potential of the site having regard to site opportunities and constraints and develop a concept multi dwelling residential development that would augment existing planning controls to deliver an appropriate density and built form on the site.

In doing so, CM+ have distributed floor space across the site by increasing heights in certain locations to correspond with a built form outcome that would both appropriately transition with surrounding built form and reflect Council's intention of protecting its low density residential neighbourhoods.

Building Height

The height control in WLEP 2012 currently allows building heights of 8.5m across the site. The urban design analysis carefully distributes height across the site. A range of up to a maximum of 10m across the site will allow for a sensitive distribution of density and scale. This will allow for an appropriate transition in built form

between the proposed heights of the North Willoughby Local Centre and surrounding low density residential area.

As illustrated in the Urban Design Report prepared by CM+ at Attachment 1, the height of buildings will transition across the site to provide a suitable relationship to proposed heights of North Willoughby Local Centre to the north and west to the surrounding residential development to the east and south.

Accordingly, the Proposal will be consistent with the objectives of the maximum building height standard under Clause 4.3 in that:

- The height and scale will minimise the impacts of future development on nearby properties in terms of loss of privacy, loss of views, overshadowing and visual intrusion;
- Future development will provide a high quality multi dwelling townhouse form that complements the existing Victoria Avenue streetscape, as well as providing opportunities for the upgrade and revitalisation of George Brain Lane, particularly where it will share an interface with new development undertaken as part of the North Willoughby Local Centre;
- The height and scale responds appropriately to the desired future character of the locality and appropriately responds to the site's ability to provide transition between the proposed heights of the local centre and adjoining low density residential neighbourhood; and
- Provides a transition in building scale from higher intensity mixed use development within North Willoughby Local Centre to surrounding residential areas.

Floor Space Ratio (FSR)

The proposed FSR has been determined through detailed modelling of potential multi dwelling development envelopes, ensuring appropriate amenity considerations for the development and surrounding properties, including:

- Solar access;
- Overshadowing;
- Streetscape and visual impacts;
- Building separation;
- Communal open space; and
- Opportunities for private open space.

The Proposal is able to demonstrate compliance with the objectives of the FSR standard under clause 4.4 in that:

- The large amalgamated site with three (3) street frontages in this location is well serviced by transport, employment opportunities, local services and amenities and has the environmental capacity to sustain the proposed scale and density of the development;
- Dependence on private vehicle use and associated traffic generation will be minimised due to the accessible location;
- The height and scale responds appropriately to the desired future character of the locality and appropriately responds to the site's ability to provide transition between the proposed heights of the local centre and adjoining low density residential neighbourhood; and
- Provides a transition in building scale from higher intensity mixed use development within North Willoughby Local Centre to surrounding residential areas.

Concept Envelopes

In order to demonstrate that the proposed amended planning controls can deliver a feasible multi dwelling residential development on the site, CM+ have developed a concept scheme. The concept scheme demonstrates the appropriateness of proposed heights across the site and rationalisation of proposed building envelopes in terms of the spatial distribution.

The concept scheme includes 22 dwellings split amongst four (4) rows of terrace buildings, constructed over basement car parking. Two (2) of the rows will have a frontage to Victoria Avenue, one (1) will create a new residential interface with frontage to George Brain Lane, while the fourth will align with the eastern side boundary.

The proposed heights and distribution of floor space have been distributed so as to ensure maximum heights are located adjacent proposed three (3) and four (4) storeys of North Willoughby Local Centre, while reduced heights are proposed along the interface with surrounding residential development to the south and east. An illustrative 3D model of this scheme as shown looking northeast across the site is shown in Figure 18.



Figure 18: 3D model of scheme viewed looking northeast (Source: CM+)

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The aim of the Proposal is to:

- Facilitate future multi dwelling housing development that can provide an appropriate transition in built form from North Willoughby Local centre to the surrounding low-density residential character; and
- Facilitate multi dwelling housing that will contribute to the growing demand for housing and housing diversity across the Willoughby LGA within close proximity to employment, services and public transport.

The Proposal is the most effective way of achieving the objectives and intended outcomes, allowing orderly and economic development of the land, allowing the community and surrounding landowners an opportunity to comment on changes to the controls and outcomes envisioned for the site and providing certainty for all affected stakeholders.

The Proposal process would deliver revised planning controls for the site while also responding (and being consistent with) the broader strategic objectives of the Greater Sydney Regional Plan and the North District Plan priorities.

In order to achieve the aims of the Planning Proposal, amendments to the land use permissibility and built form controls are needed. Alternative mechanisms to deliver the objectives and intended outcomes of the Proposal have been explored however, these have been dismissed given:

- Compliance with the current zone would not allow for multi dwelling housing given its prohibition in the R2 Low Density Residential zone;
- Development under the current suite of planning controls would result in low scale development that does not capitalise on the large consolidated site in proximity to North Willoughby Local Centre and three (3) street frontages including George Brain Lane;
- Development under the current suite of planning controls would result in a missed opportunity to increase the density and number of dwellings across the site, as well as opportunities to provide a more appropriate transition in built form between North Willoughby Local Centre and surrounding low density residential development;
- Development seeking significant variations of the existing height and FSR standards by use of clause 4.6 of WLEP 2012 are unlikely to be justified. Such an approach will set an undesirable precedent that will undermine the WLEP 2012 height and FSR standards;
- While rezoning of the site to R3 Medium Density Residential and corresponding height and FSR standards would result in the permissibility of multi dwelling housing that is generally consistent with surrounding densities and land uses, such an approach may not best reflect the site's unique circumstances and context in terms of its interface with George Brain Lane, North Willoughby Local Centre, as well as the surrounding R2 Low Density Residential zone; and
- A do-nothing approach would not result in the highest and best use of development of the site.

5.4.2 Section B – Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional strategy, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan

The Greater Sydney Region Plan was released on 18 March 2018 and seeks to manage growth and change and guide infrastructure delivery across the region. It sets a strategy for Greater Sydney that district plans implement at a local level. The plan was developed with the Metropolitan Transport Plan, Future Transport 2056 and the State Infrastructure Strategy. These plans identify state infrastructure to support broad-scale land-use planning.

The Proposal is consistent with the objectives and actions of the plan, including Objective 10: Greater housing supply, Objective 11: Housing is more diverse and affordable, Objective 12: Great places that bring people together and Objective 14: A Metropolis of Three Cities - integrated land use and transport creates walkable and 30-minute cities.

To achieve these goals, the Plan sets out directions and actions as well as priorities for each subregion. The relevant directions with respect to this Proposal are outlined below in Table 3, with which the Proposal is considered to be consistent.

Direction	Response
Part 3 – Infrastructure and collaboration	
Objective 4 – Infrastructure use is optimized	The Proposal maximises the function of existing infrastructure assets by reducing the demand for new infrastructure and transport modes through locating medium density residential development within an existing urban location.
Part 4 – Liveability Housing the city	
Objective 6 – Services and infrastructure meets communities changing needs	The Proposal will provide opportunities to improve public domain linkages between the existing services and facilities, as well as transport infrastructure.
Objective 7- Communities are healthy, resilient and socially connected	<p>The Proposal will provide opportunities for the creation of a dedicated pedestrian paths along George Brain Lane, providing greater accessibility to the site and to North Willoughby Local Centre.</p> <p>New connections will provide a walkable place at a human scale with active street life prioritising opportunities for people to walk, cycle and use public transport.</p>
Objective 10 - Greater Housing Supply	The Proposal will provide more housing supply, in proximity to the existing centre to create more walkable neighbourhoods.
Objective 11- Housing is Diverse and Affordable	<p>The Proposal will provide a supply of housing in a location well supported by existing services and amenity with an emphasis on public transport access.</p> <p>The Proposal includes opportunities for diversity and choice in housing sizes and price points of universal design and adaptability to cater for changing demographics of the LGA population and their needs within proximity to a local centre.</p> <p>The proposal will provide increased opportunities for housing affordability by providing high amenity dwellings on smaller lots in a strategic location.</p>
A city of great places	
Objective 12- Great places that bring people together	<p>The Proposal uses a place-based design approach that is led by both use of the public domain, as well as private and communal open spaces as a central guiding principle.</p> <p>The utilisation of Victoria Avenue and George Brain Lane as a place for people and movement are balanced, providing fine grain urban form, a diverse land use, opportunities for high amenity and walkability within a 10-minute walk of the existing centre and also accessible to Chatswood Centre.</p>

Direction	Response
	The Proposal seeks to recognise the character of a place and its people consistent with Strategy 12.1.
Part 5 – Productivity A well connected city	
Objective 14- Integrated land use and transport creates walkable and 30- minute cities	<p>The site is adjacent to North Willoughby Local Centre as well as nearby schools, parks and community facilities.</p> <p>The site is within proximity to local bus services along Penshurst Street, providing connections to other bus services around the LGA as well as train and metro services at Chatswood CBD.</p> <p>The Proposal will serve to attract housing around the existing North Willoughby Local Centre to create a walkable, cycle-friendly neighbourhood. The proposal serves to improve connections between public transport modes to enable people to reach more destinations by transferring between walking, cycling and bus and rail services.</p> <p>The Proposal serves to enhance walkability in and around the local centre with direct, safe and accessible routes to local destinations and is located adjacent the local centre. The proposal will facilitate improvements to the street environment, particularly George Brain Lane, to encourage walking and cycling achieved through place-based planning.</p>
Part 6 – Sustainability A city in its landscape	
Objective 30 Urban tree canopy cover is increased.	<p>Whilst acknowledging the required removal of existing trees, in the long term, the proposal will deliver an improvement in the quality of native urban tree canopy.</p> <p>Where the domestic garden character of the subject site currently provides low levels of native landscaping and tree planting, the proposal will provide opportunities to improve the native landscape character with species more appropriate to the sites location.</p>
Objective 32 The Green Grid links paths, open spaces, bushland, and walking and cycling paths.	The Proposal will utilise existing pedestrian links along Victoria Avenue, facilitating access to North Willoughby Local Centre and Chatswood CBD beyond.

Table 3: Consideration of Greater Sydney Regional Plan – A Metropolis of Three Cities

North District Plan

The North District Plan supports the implementation of the Greater Sydney Region Plan at a district level. The district plan contains planning priorities and actions to guide the growth of the North District while improving its social, economic and environmental assets.

The Proposal is consistent with the District Plan in its ability to demonstrate consistencies with a number of its planning priorities. These are outlined below in Table 4.

Direction	Response
Part 2 – Infrastructure and Collaboration	
Planning Priority N1 Planning for a city supported by infrastructure	<p>The Proposal seeks to align opportunities for new dwelling densities and dwelling diversity with infrastructure by identifying place-based opportunities that consider the location and capacities of existing infrastructure.</p> <p>This assists the Proposal in creating opportunities for connection to local services, aligning land uses, and maximising the use of existing infrastructure assets.</p> <p>The Proposal seeks to provide opportunities for linkages that will influence the behaviour of residents with the creation of attracting public domain environments for walking and cycling, to reduce the demand for new infrastructure consistent with this priority.</p>
Objective 4 – Infrastructure use is optimized	<p>The Proposal makes use of the existing infrastructure by increasing densities in an urban location where existing infrastructure can be optimised.</p>
Part 3 – Liveability	
Planning Priority N3 Providing services and social infrastructure to meet people's changing needs	<p>The Proposal will improve public domain linkages between the site, existing services and facilities, as well as transport infrastructure with opportunities for new pedestrian footpaths and residential interface to George Brain Lane that will link to proposed pedestrian links and outcomes proposed for North Willoughby Local Centre.</p>
Planning Priority N4 Fostering healthy, creative, culturally rich and socially connected communities	<p>The Proposal will create opportunities for the upgrade of George Brain Lane, including new dwelling interfaces and pedestrian connections, providing a walkable place at a human scale with active street life.</p> <p>Prioritising opportunities for people to walk, cycle and use public transport is consistent with this priority.</p>
Planning Priority N5 Providing housing supply, choice, affordability, with access to jobs, services and public transport	<p>The Proposal will provide opportunities for increased housing capacity and diversity in a</p>

Direction	Response
	transitional location, close to employment lands, facilities, services and public transport.
Planning Priority N6 Creating and renewing great places and local centres, and respecting the District's heritage	<p>The Proposal will provide additional and diverse housing supply in proximity to the existing North Willoughby Local Centre to create a more walkable neighbourhood.</p> <p>The Proposal will ensure the site is able to provide improved outcomes in pedestrian accessibility and connectivity, overall improving the amenity of the both the site and the public domain.</p> <p>The Proposal will create opportunities for medium density residential development serviced by adequate infrastructure, consistent with this priority.</p> <p>The proposal will provide opportunities resulting in a fine grain urban form to compliment the adjacent town centre and laneway interface. As a result, the proposal provides opportunities for the redevelopment of the site at a human scale with a dwelling density that both supports and is supported by social infrastructure and local services.</p>

Part 4 – Productivity

A well-connected city

Planning Priority N12 Delivering integrated land use and transport planning and a 30-minute city	<p>The Proposal is within close vicinity to bus services along Penshurst Street and relatively close to train and metro stations at Chatswood CBD.</p> <p>The Proposal will contribute to pleasant and safe environments for walking and cycling where people can choose to live and invest.</p> <p>Direct, safe, and accessible routes to local destinations and services are provided within a 10-minute walk of centres.</p> <p>The Proposal will allow for a future redevelopment of the site by providing a range of housing supply and affordability with access to public transport consistent with this priority.</p>
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Part 5 – Sustainability

A city in its landscape

Planning Priority N19 Increasing urban tree canopy cover and delivering Green Grid connections.	<p>The existing site and its current single dwelling use have resulted in a high proportion of domestic gardens with correspondingly low levels of native tree canopy cover. This is evident by the analysis of existing trees provided in the Tree Assessment at Attachment 3.</p>
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Direction	Response
	<p>While the proposed site does not adjoin a Green Grid Priority corridor, District Project or other opportunity site as identified in Figure 21 of the District Plan, the proposal will provide opportunities both across the site, and at the interface with adjacent road reserves, for the planting of more appropriate species that are responsive to the site's urban location and its proximity adjacent to the North Willoughby Town Centre.</p> <p>Potential greening of the site may be formed by a mix of native and exotic, deciduous or evergreen trees, which are appropriate for the sites urban location, and will provide shade in summer while allowing sunlight into homes and onto roofs for solar power, particularly in winter.</p> <p>Proposed deep soil areas adjacent existing road reserves provide opportunities to plant alternative species, other than large canopy trees, that are again more appropriate to the site's urban location, including groundcovers and hedges. These alternative plantings can help improve the air quality as well as pedestrian and residential environments.</p> <p>The retention and embellishment of planting along Victoria Avenue will assists in optimising and protecting existing green assets that are essential in ensuring the on-going health and sustainability of the LGA and the wider North District.</p> <p>Whilst acknowledging the required removal of existing non-native trees, the Proposal will provide an opportunity to contribute additional open space, tree canopy and green connections to the community, consistent with this priority.</p> <p>This will ensure increased opportunities for more appropriate planting of native tree cover endemic to the region, and suitable to the site's location along George Brain Lane, and adjacent to North Willoughby Local Centre.</p>
<p>Planning Priority N20 Delivering high quality open space.</p>	<p>The Proposal improves open space areas that establish physical links that support social networks and create a sense of community by delivering connected walking and cycling routes that support the character of a place and its people consistent with this priority.</p>

Table 4: Consideration of North District Plan

Q3(a). Does the proposal have strategic merit? Will it:

- give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or

The Proposal does have strategic merit. As detailed in Tables 3 and 4, the Proposal is consistent with the objectives and actions contained within the Greater Sydney Region Plan and the North District Plan.

Specifically, the Proposal is consistent with the North District Plan which has outlined the need for more housing in places that people want to live, which will allow people to remain in their communities through different stages of their life.

Given the location of the proposal adjacent North Willoughby Local Centre, public transport, community services and facilities, residents have the opportunity to stay in their local area without the need to move closer to services.

- give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or

The proposal is consistent with the Willoughby Local Strategic Planning Statement (LSPS) as it seeks to locate additional residential development in the form of medium density housing close to an existing centre with good access to public transport and services.

The proposal is consistent with those key directions and council priorities outlined under the theme 'A Liveable City' in that it will increase the diversity of housing across the LGA, whilst creating opportunities for affordable, family friendly medium density dwellings for new families moving into the area.

Furthermore, the proposal will provide opportunities to enhance walking and cycling connections from the site to and within the surrounding public domain and local centre. In doing so, the proposal will provide an appropriate urban design response that will provide opportunities for improved public domain along George Brain Lane and the site's relationship to the adjacent North Willoughby Local Centre, noting the proposed pedestrian through site link between Penshurst Street and George Brain Lane. This will reinforce and facilitate the viability and vibrancy of the centre, including its fine grain streetscape and local character.

The proposal is consistent the theme 'A Productive City' in that it will increase the percentage of dwellings located within the eastern public transport routes close to frequent public transport.

- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.

The Proposal responds to Council's proposal for adjoining high-density mixed-use developments within the North Willoughby Local Centre as part of the Local Centres Strategy and the edge effects it creates.

Q3(b) Does the proposal have site-specific merit, having regard to the following?

- the natural environment (including known significant environmental values, resources or hazards);

The proposal does have site-specific merit. The large amalgamated site does not contain any known environmental values or hazardous constraints given its location within existing urban land, existing land uses as well as built form. The proposal will not adversely impact any natural environment including critical habitat, threatened species populations, ecological communities, or their habitats.

Further consideration of landscaping opportunities on the site will occur in the preparation of site specific DCP controls.

- **the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and**

The proposal is consistent with the expected change in character of the immediate area, driven by the future redevelopment of North Willoughby Local Centre which would see development immediately adjacent to the west at a scale of 3-6 storeys and an FSR up to 2.8:1.

The proposal will allow for the transition of height from North Willoughby Local Centre north and west of the site towards the east. This will ensure low density residential areas to the east and south are protected. It will also provide an appropriate scale of built form having regard to the seniors housing development immediately adjacent the site to the east.

The Proposal has considered the potential impacts on the built environment and adjoining properties in its Urban Design Report. The design approach for the site has been prepared to inform future site-specific controls within a DCP, and any subsequent future Development Application. The design framework established for the site will reduce potential adverse impacts on adjoining properties while providing additional housing opportunities in the area.

- **the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.**

There are existing services to the site for the Planning Proposal, which will be augmented by the applicant, where required, at DA stage. It is not anticipated that the density increases will create substantial additional demand for infrastructure.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Community Strategic Plan – Our Future Willoughby 2028

The Community Strategic Plan was adopted by Council in 2018. The Plan establishes a vision and coordinated direction for the LGA that addresses a range of planning, community and environmental issues to guide short, medium and long-term strategic planning policies for job and dwelling creation to 2028. Council's vision for Willoughby as outlined in the Plan is as follows:

Willoughby is a City of Diversity, diverse landscapes, people and businesses

The Proposal is consistent with Council's vision in that it promotes a cohesive and inclusive community by locating additional residential development close to an existing centre, with good access to public transport and services.

In doing so the Proposal will ensure access to adequate infrastructure and services, whilst providing opportunities for housing diversity that incorporates universally accessible measures in its design. The Proposal promotes opportunities for future residents to access to public transport and the integration between transport modes. It provides the opportunity for a pedestrian and cyclist focus within the local centre and supports the North Willoughby Local Centre by increasing densities and housing diversity in proximity to the centre and within the wider LGA.

Local Strategic Planning Statement (LSPS) (March 2020)

Council has adopted the Willoughby Local Strategic Planning Statement (LSPS) to set a 20-year vision for the LGA by establishing a number of priorities and actions for land-use planning. The LSPS reflects the vision and strategies of Our Future Willoughby 2028 and actions in Council's strategic, delivery and operational plans. The LSPS will guide the content and direction of Council's land use planning strategic and instruments, including Local Environmental Plan and Development Control Plan.

The Proposal supports the relevant priorities and actions of the Willoughby LSPS, particularly the priorities of 'Housing the city', 'A city for people', 'A city of great place', 'A well-connected city' and 'A city in its landscape'. These are outlined in Table 5.

Willoughby Local Strategic Planning Statement	Proposal
6.1 Housing the city	
Priority 1: Increasing housing diversity to cater to families, the ageing population, diverse households, and key workers	<ul style="list-style-type: none">• The Proposal will provide for a greater diversity of housing within the LGA to accommodate lifestyle changes as well as changing demographics and demand for housing amongst Willoughby's population.• The Proposal will provide moderately increased density within walking distance to high-quality and frequent public transport.• The Proposal will not diminish the character of the area, including heritage conservation areas and items, and is free from the natural hazards.• The Proposal will promote a cohesive and inclusive community by locating housing close to existing facilities.
6.2 A city for people	
Priority 3: Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features	<ul style="list-style-type: none">• The Proposal will provide the opportunity for a pedestrian and cyclist focus and supports the adjacent local centre by increasing densities within its proximity, as well as on the River to Harbour east-west green link, designated along Victoria Avenue.
6.3 A city of great places	
Priority 5: Respecting and enhancing heritage and local suburban character	<ul style="list-style-type: none">• The Proposal will ensure most areas of the LGA remain unchanged by locating medium density housing in an area located close to the local centre with proximity to shops, services and public transport.• The Proposal will respond to Council's vision for North Willoughby Local Centre, ensuring the moderately increased density of the site will provide attractive housing for families, whilst protecting the local character and heritage assets of the LGA.

Willoughby Local Strategic Planning Statement

Proposal

Priority 6: Planning for local centres which are vibrant places that meet the everyday needs of the population

- The Proposal will support Council's proposal for North Willoughby Local Centre by providing medium density residential development at its edge that facilitates an appropriate transition to surrounding low density residential development to its east and south.
- The Proposal will provide opportunities for fine grain streetscape along Victoria Avenue and George Brain Lane, connecting with the adjacent centre and providing opportunities for improved public domain outcomes at the edge of the centre.

6.4 A well connected city

Priority 8: Connecting Willoughby's network of centres with each other and with Greater Sydney by mass transport

- The Proposal will provide increased residential opportunities in a location that is well serviced with walking and cycling infrastructure, as well as access to public transport.
- The Proposal will provide opportunities to improve pedestrian and cycle connectivity and as well as public transport usage to local centres as well as Chatswood CBD, reducing the reliance on private motor vehicles.

6.6 A City in its landscape

Priority 14: Increasing Willoughby's tree canopy cover

- The Proposal will allow for improved landscaped outcomes across the site with the removal of non-native invasive species, and replacement with more appropriate native species that will contribute to Willoughby's tree canopy.
- The Proposal will provide an opportunity to provide planting more appropriate with the location of the site adjacent to a local centre, and proposal for medium-density residential development.
- The Proposal will provide opportunities to provide planting that more appropriately responds to the fine grain urban design outcome envisaged for the site and the interface with Victoria Avenue and George Brain Lane.

6.7 An efficient city

Priority 15: Improving the efficiency of Willoughby's built environment

- The Proposal will promote activity and public transport use and the integration between

Willoughby Local Strategic Planning Statement	Proposal
	transport modes, reducing reliance on private motor vehicles.
	<ul style="list-style-type: none"> The Proposal will provide opportunities for future development to implement and achieve energy and water efficiencies for new buildings, as well as waste minimisation and re-use.

6.9 A city supported by infrastructure

Priority 17: Augmenting local infrastructure and using existing infrastructure more intensively and efficiently to accommodate planned growth	<ul style="list-style-type: none"> The Proposal will promote the effective use of existing utility services by moderately increasing residential densities in an existing urban location.
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Table 5: Consistency with Willoughby Local Strategic Planning Statement (LSPS)

Q.5. Is the planning proposal consistent with applicable state environmental planning policies?

An assessment of the Proposal against applicable State Environmental Planning Policies (SEPPs) is set out in Table 6. The consideration of these SEPPs has identified that the Planning Proposal does not conflict with any of these policies:

SEPP Title	Consistency	Comment
SEPP (Resilience and Hazards) 2021	Yes	<p>The Resilience and Hazards SEPP provides a statutory framework for further investigations and suitable remediation through the rezoning and development application process.</p> <p>Chapter 4 of the SEPP relates to the remediation of land and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:</p> <ul style="list-style-type: none"> by specifying when consent is required, and when it is not required, for a remediation work, and by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and by requiring that a remediation work meet certain standards and notification requirements. <p>A Preliminary Site Investigation (PSI) has been undertaken by Greencap and is provided in support of the Proposal (refer to Attachment 8). The PSI concludes that site presents a low risk to human health and the environment in its current form, as well as making a number of recommendations for actioning at DA stage. It also identifies potential offsite</p>

SEPP Title	Consistency	Comment
		contamination sources including the BP petrol station located south-west of the site (93.7 m) and historical dry-cleaning activity in 2005 and 2010 west of the site (49.5m). Both sites are noted as moderate risk to human health and the environment, which will also require further targeted groundwater assessment prior to the completion of the planning proposal.
SEPP (Transport and Infrastructure) 2021	Yes	The Transport and Infrastructure SEPP aims to facilitate the efficient delivery of Infrastructure across the State. The Proposal will not contradict or hinder the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The BASIX SEPP will require all future residential development facilitated by this proposal to achieve mandated levels of energy and water efficiency. The Proposal will not contradict or hinder the application of the SEPP.
SEPP (Housing) 2021	Yes	The Proposal will not contradict or hinder the application of the SEPP. Future development can provide an appropriate mix and number of dwellings which could contribute to affordable housing in the locality.
SEPP (Biodiversity and Conservation) 2021	Yes	The Proposal does not contradict or hinder the application of this SEPP.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (2002)	Yes	The Proposal does not contradict or hinder the application of this SEPP. While future development of the site for multi dwelling housing will not require compliance with SEPP 65 and associated Apartment Design Guide (ADG), a number of controls within the ADG have been used to establish benchmarks for design compliance. These are to be applied as site specific DCP controls of which compliance is readily achievable. A SEPP 65 Design Response is provided to demonstrate the proposal's compliance.

Table 6: Consistency of the Planning Proposal with applicable SEPPs

Q.6 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?

The Proposal would be consistent with all relevant Directions as detailed below:

S9.1 Direction Title	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	N/A	
1.2 Development of Aboriginal Land Council land	N/A	
1.3 Approval and Referral Requirements	Yes	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. This is an administrative requirement for Council.
1.4 Site Specific Provisions	Yes	The Proposal involves an amendment to WLEP 2012, to amend Schedule 1 to allow for multi dwelling housing with corresponding amendments to allow for an uplift in permissible building heights and floor space ratio. Accordingly, the Proposal has been prepared in accordance with the provisions of the standard Instrument and in a manner consistent with the LEP.
Focus area 1: Planning Systems – Place Based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	
1.10 Implementation of Western Sydney Aerotropolis Interim Land Use and	N/A	

S9.1 Direction Title	Consistency	Comment
Infrastructure Implementation Plan		
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	
1.14 Implementation of Greater Macarthur 2040	N/A	
1.15 Implementation of the Pymont Peninsula Place Strategy	N/A	
1.16 North West Rail Link Corridor Strategy	N/A	
1.17 Implementation of the Bays West Place Strategy	N/A	
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	
3.2 Heritage Conservation	Yes	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The site is not located in a heritage conservation area, contains no heritage items and is not in close proximity to a local heritage item.</p> <p>The Proposal is generally consistent with this direction.</p>
3.3 Sydney Drinking Water Catchments	N/A	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	
3.5 Recreation Vehicle Areas	N/A	
Focus area 4: Resilience and Hazards		
4.1 Flooding	Yes	<p>The objectives of this direction is to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard</p>

S9.1 Direction Title	Consistency	Comment
		<p>and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>The site is not flood prone. Nevertheless, relevant flood planning controls and mitigations contained in the LEP and DCP will be considered as part of a future development application.</p>
4.2 Coastal Management	N/A	
4.3 Planning for Bushfire Protection	N/A	
4.4 Remediation of Contaminated Land	Yes	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>To address matters relating to potential contamination on site, a Preliminary Site Investigation (PSI) has been undertaken by Greencap (refer to Attachment 8). The PSI concludes that site presents a potential risk to human health and the environment in its current form due to two nearby contamination sources. Both sites are noted as moderate risk to human health and the environment, which will also require further targeted groundwater assessment prior to the completion of the planning proposal.</p>
4.5 Acid Sulfate Soils	Yes	<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>The site is identified as Class 5 Acid Sulphate Soils risk. Given the history and location of the site in an urban area, the risks associated within acid sulphate soils are considered minor.</p> <p>A future DA will be subject to the provisions of Clause 6.1 of the LEP 2012. Accordingly, detail of mitigation measures for the management of acid sulphate soils can be provided as part of this future development application for the redevelopment of the site.</p> <p>The Proposal does therefore not contradict, or hinder application of the acid sulfate soils provisions in LEP 2012.</p>
4.6 Mine Subsidence and Unstable Land	N/A	
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p>

S9.1 Direction Title	Consistency	Comment
		<p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p> <p>The Proposal is consistent with the objectives of Direction 5.1 due to the site's close proximity to public transport. The site's accessibility to a variety of public transport options satisfies the objectives of the direction as it reduces the dependence on cars.</p> <p>The site exhibits good access to public transport with proximity to bus routes along Penshurst Street and Victoria Avenue providing excellent links to key centres and destinations within the lower north shore and metropolitan Sydney. This includes Chatswood, which is highly serviced by frequent rail, metro and bus public transport infrastructure.</p> <p>Increased population in the locality will stimulate use of the public transport services.</p> <p>The quantum of car parking associated with the potential increase in floor space, and associated traffic generation, has been assessed to be acceptable within the road network.</p>
5.2 Reserving Land for Public Purposes	Yes	<p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>The Proposal does not seek to amend existing requirements for land to be dedicated to Council and incorporated into George Brain Lane.</p>
5.3 Development Near Regulated Airports and Defence Airfields	N/A	
5.4 Shooting Ranges	N/A	
Focus area 6: Housing		
6.1 Residential Zones	Yes	<p>The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure</p>

S9.1 Direction Title	Consistency	Comment
		<p>that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands.</p> <p>The Proposal will increase the range of housing choices within the Willoughby LGA and provide ample opportunity for good quality urban design.</p> <p>The site is located adjacent to established residential areas and local services such as shops, community facilities and public transport.</p> <p>The Proposal also utilises existing infrastructure by moderately increasing density on the site.</p>
6.2 Caravan Parks and Manufactured Home Estates	N/A	
Focus area 7: Industry and Employment		
7.1 Business and Industrial Zones	N/A	
7.2 Reduction in non-hosted short term rental accommodation period	N/A	
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	
Focus area 9: Primary Production		
9.1 Rural Zones	N/A	
9.2 Rural Lands	N/A	
9.3 Oyster Aquaculture	N/A	
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	

Table 7: Consistency of the Planning Proposal with s9.1 Ministerial Directions

5.4.3 Section C – Environmental, Social and Economic Impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There is no known critical habitat, threatened species, populations or ecological communities or their habitats located on the subject site. The subject site currently has mostly domestic gardens resulting from its low-density residential uses located on the site.

As such the proposal will not impact on any critical habitats or threatened species as a result of the overall proposed works for the site. The site is located within an established urban area with a history of residential land uses.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Scale and Density of Concept Design

The Proposal will create the permissibility for multi dwelling housing on the site as well as the increase in permissible building heights and FSR. The following Urban Design principles have informed the proposed planning controls and concept scheme:

- The maximum building height is proposed at the north-west corner of the site, extending south along the western boundary at the interface of George Brain Lane. This will provide transition in height and to act as a buffer to the proposed heights and massing of North Willoughby Local Centre;
- A lower height along the eastern boundary of the site will provide for a consistent form to the adjoining seniors housing development to the east;
- The development will be split into four (4) groups of dwellings. Two (2) groups will front Victoria Avenue to reflect the existing subdivision pattern along this street. A third group will provide frontage to George Brain Lane along the western boundary, whilst a fourth group will run parallel to the eastern boundary. The grouping of dwellings will reflect a townhouse design;
- A central point of access to a basement car park along George Brain Lane will facilitate vehicle ingress and egress from the site preserving the existing frontage of Victoria Avenue;
- A central basement will allow for deep soil planting opportunities along the perimeter of the site to act as a buffer between the site, adjoining development to the east and North Willoughby Local Centre to the west. Planting within these areas will also allow for street planting along George Brain Lane and Victoria Avenue as well as screening between adjoining lots;
- The placement of the built form will ensure solar impacts on the public domain and adjoining lots are minimised whilst ensuring solar access opportunities are maximised for individual dwellings;
- The design and orientation of dwellings to Victoria Avenue and George Brain Lane will ensure they address the street and provide activation and passive surveillance; and
- The location of communal open space will provide a buffer between dwellings, opportunities for landscaping and solar access, as well as a permeability through the site.

At a macro scale, the proposed scale and density across the site has been designed to provide transition in building height from the proposed 3-6 storey heights proposed for North Willoughby Local Centre to the west, and provide a step down on the eastern side of the site. Distributing height at appropriate locations across the site will successfully transition building form on either side of George Brain Lane between the B2 Local Centre zone and R2 Low Density Housing Zone.

The concept has considered design feasible on the site whilst:

- Protecting solar access to surrounding properties;
- Mitigating visual impact of additional height from lower scale residential properties;
- Providing a transition in height from the proposed heights and scale of North Willoughby Local Centre and the lower residential densities to the east and south; and
- Providing appropriate building breaks between groups of terraces that achieve visual relief, allow for solar access, a fine grain approach to streetscape presentation, as well as landscaping opportunities across the site.

The key drivers of the concept scheme, and in turn the proposed planning controls, are outlined in the Urban Design Report at Attachment 1. Site specific design controls have been prepared for Council's consideration and will form as an amendment to Part I of WDCP 2006, as discussed above.

Traffic and Parking

A Traffic and Transport Study (TTS) has been prepared by SCT Consulting and is provided at Attachment 2. The TTS provides an assessment of existing travel conditions and an assessment of the surrounding road network and classifications, public transport network, as well as the existing walking and cycling network. It further provides an assessment of the proposal in terms of its traffic demand and car parking provision.

The TTS makes the following comments on the Proposal:

Traffic Generation

- Trip rates for medium density residential usually adopts 0.65 vehicles / dwelling during a typical peak hour based on Guide to Traffic Generating Developments (2002). This results in a total of 14 vehicle trips during peak hour based on proposed 22 townhouses.
- Assuming the current three houses generate three vehicle trips during peak hour, the net increase of vehicular traffic associated with the development is estimated to be about 10 vehicles per hour which is insignificant in terms of the general traffic variance of the network.
- The site is not expected to significantly increase the impact on the surrounding road network, because of its proximity to these facilities and the expectation that future residents are expected to walk or cycle there.

Parking

- The concept basement car park could accommodate a maximum of 39 car parking spaces. This assumes 1.5 spaces per dwelling for residents and one (1) space per four (4) dwellings for visitors.
- The provision of the parking space in the concept scheme adopts a higher parking rate than DCP requirements where multi dwelling housing for three bedrooms usually adopts 1.5 spaces per dwelling for residents.
- The car park is currently designed generally in accordance with Council DCP and AS2890 requirements.

Given the above, it is considered that the proposed scheme concept arising from the Proposal will be acceptable in terms of traffic impacts and the ability of the site to sufficiently accommodate sufficient car parking in line with DCP requirements, as well as the existing road network to cater for traffic generated by the proposed development.

Q9. How has the planning proposal adequately addressed any social and economic effects?

The Proposal will have positive social and economic effects for the following reasons:

- The Proposal facilitates the orderly economic development of the site which is currently underutilised in a highly accessible location in close proximity to North Willoughby Local Centre and excellent transport options;
- The Proposal will result in a housing yield of approximately 22 dwellings, providing additional and diverse housing opportunities in a well serviced location;
- The Proposal will facilitate medium density resulting in increased stimulation of the local economy during construction;
- The Proposal will provide a diversity in housing in proximity to a local centre. This will provide additional housing choice for residents across Willoughby LGA;
- The proposal will provide increased opportunities for housing affordability by providing high amenity dwellings on smaller lots in a strategic location;
- The Proposal will stimulate redevelopment of the large consolidated site with good quality residential development, encouraging an improved built environment and economic outcome;
- The site is currently bookended by North Willoughby Local Centre to the west and seniors housing development to the east. The Proposal will allow the redevelopment of the site in a consolidated and efficient manner; and
- The Proposal will not result in any adjacent isolated development sites.

Q10. Is there adequate public infrastructure for the planning proposal?

The site is located in an area well serviced by necessary services and infrastructure including public transport, telecommunications, electricity, water and sewer. The additional demand created under the Proposal will be minimal, thereby ensuring the efficient use of, but not overburdening, existing services and infrastructure.

Consultation with relevant authorities during public exhibition of the Planning Proposal will confirm the capacity of existing utilities to service the site. The increased demand on stormwater created by the future development of the site will be assessed as part of a future development application.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Consultation with relevant state and Commonwealth public authorities will be undertaken in accordance with a Gateway determination.

5.5 Part 4 – Mapping

The following LEP maps are proposed to be amended in the LEP Spatial Viewer as part of this Planning Proposal.

WLEP 2012	Amendments
Height of Buildings Map – LEP Spatial Viewer	Nominate the site as “Area 4” to allow for a maximum height limit of 10m, but only where multi dwelling housing is proposed in accordance with subsequent amendment to Clause 4.3A.
Floor Space Ratio Map - LEP Spatial Viewer	Nominate the site as “Area 21” to allow for a maximum FSR of 1:1, but only where multi dwelling housing is proposed in accordance with subsequent amendment to Clause 4.3A.
Lot Size (LSZ) Map - LEP Spatial Viewer	Amend the LEP Lot Size (LSZ) Map to remove lot size controls from the subject site.

WLEP 2012	Amendments
Special Provisions Area (SPA) Map - LEP Spatial Viewer	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).

Table 8: Summary of LEP Mapping Amendments

5.6 Part 5 – Community Consultation

Part 1 of Schedule of the *EP&A Act 1979* requires the relevant planning authority to consult with the community in accordance with the Gateway Determination.

Accordingly, public consultation will be undertaken in accordance with the requirements of the Gateway Determination, the Department of Planning's 'A guide to preparing local environmental plans' and Council's community engagement framework, including its Community Engagement Strategy.

It is expected that community consultation will be pursued consistent with standard practice of:

- Notification of surrounding land owners;
- Notification on Council's website; and
- Availability at Council's customer service centre.

Should further consultation be required, this can be managed through the Gateway Process.

5.7 Part 6 – Project Timeline

The project timeline will be guided by the Planning Authority. The landowner is however, committed to pursuing the Proposal and completing any required studies that may arise from a Gateway Determination.

An indicative timeframe is provided below.

Stage	Timeframe and / or Date
Consideration by Willoughby City Council	March 2022
Planning Proposal referred to DPIE for Gateway Determination	May 2022
Gateway Determination issued by DPIE	12 July 2022
Commencement and completion of public exhibition period	October 2022 – November 2022 (Commencing within three (3) months of Gateway Determination)
Consideration of submissions	November 2022 – February 2023
Consideration of the Planning Proposal post-exhibition	February 2023
Submissions to DPIE to finalise the LEP	March 2023
Gazettal of LEP Amendment	To be determined

Table 9: Indicative Project Timeline

6.0 Conclusion and Recommendations

This Planning Proposal for 92-96 Victoria Avenue, Chatswood has been prepared in accordance with Section 3.33 of the *EP&A Act 1979* and the relevant guidelines prepared by NSW Department of Planning Infrastructure and Environment, including A Guide to Preparing Planning Proposals.

The Planning Proposal seeks to amend the WLEP 2012 to permit multi dwelling housing and moderate uplift in height and FSR on the large consolidated site to facilitate the delivery of a residential development more appropriately responds to the location of the site and the future needs of the immediate area in terms of housing choice and diversity. The site is highly suitable to medium density development given:

- The site is located adjacent to North Willoughby Local Centre and is benefited by side and rear access to George Brain Lane;
- The site is within easy walking distance of public transport; and
- The site, due to its size and tenure, presents a significant opportunity to moderately increase residential densities within the catchment of an existing local centre and within proximity to Chatswood CBD.

The Planning Proposal responds appropriately to the future built form proposed for North Willoughby Local Centre to the north and west and existing seniors housing development to the west. The proposed scale and density will enable a balance and transition to surrounding residential development to the east and south.

The Planning Proposal responds to the location of Victoria Avenue and George Brain Lane, providing opportunities to deliver a fine grain design outcome that will provide appropriate street frontages that reflect the site in its context having regard to the proposed amendments to controls for the North Willoughby Local Centre and existing development to the east and south.

The Planning Proposal provides opportunities for public domain upgrades, including improved pedestrian amenity around the site and connections to North Willoughby Local Centre.

Importantly, the Planning Proposal is consistent with Council and NSW Government priorities to provide increased housing in close proximity to existing centres that are benefited by access to services, facilities and public transport.



Attachments

Attachment 1: Urban Design Report prepared by CM⁺

Attachment 2: Traffic and Transport Study Prepared by SCT

Attachment 3: Tree Assessment Prepared by Truth About Trees

Attachment 4: Response to Pre-Lodgement Meeting prepared by SJB Planning

Attachment 5: Response to Council Request for Additional Information
prepared by SJB Planning

Attachment 6: Proposed Site Specific DCP Provisions prepared by
SJB Planning and CM⁺

Attachment 7: SEPP 65 Design Response prepared by CM+

Attachment 8: Preliminary Site Investigation prepared by Greencap