

## Agenda Report

**Meeting Date:** 10 May 2021

- **Agenda Report** - double-click to view report.
  - **Resolved Items Action Statement** - add a Note informing the Action undertaken as per the Council Decision or Resolution Under Delegated Authority.
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### **PLANNING PROPOSAL - 44-52 ANDERSON STREET, CHATSWOOD**

**RESPONSIBLE OFFICER:** HUGH PHEMISTER – DIRECTOR PLANNING AND INFRASTRUCTURE

**AUTHOR:** CRAIG O'BRIEN – STRATEGIC PLANNER

**CITY STRATEGY OUTCOME:** 3.5 MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES  
5.1 BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO

**MEETING DATE:** 10 MAY 2021

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### **PURPOSE OF REPORT**

The purpose of this report is to seek endorsement for the forwarding of Planning Proposal 2021/1 for 44-52 Anderson Street, Chatswood, to the Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979* and proceed to public exhibition.

Members of the Sydney (North) Planning Panel should retire from Council Chambers during consideration of the Agenda Item.

### **MOTION**

**That Council:**

1. Forward the Planning Proposal to the Department of Planning, Industry and Environment seeking a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*, with the following amendments to *Willoughby Local Environmental Plan 2012*:
  - a) To add Clause 5.6 'Architectural roof features', (2A) as follows:

“(2A) Despite subclause (2), development within Area 8 on the Special Provisions Area Map may only be carried out in accordance with the maximum height of Clause 4.3.”
  - b) To amend Clause 6.8 (2) to include “Area 3 or Area 8 or Area 9” on the Special Provisions Area Map.

- c) To amend Clause 6.10 “Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing, residential flat buildings and secondary dwellings” in part to the following:

**6.10 Minimum lot sizes for attached dwellings, dual occupancies, secondary dwellings, multi dwelling housing, residential flat buildings and Shop top housing.**

- (1) The objectives of this clause are:

(a) to achieve planned residential density in certain zones by:

- (i) enabling development sites to be of sufficient size to provide adequate area for drainage, landscaping, and separation between buildings for privacy and solar and vehicular access, and
- (ii) reducing the instances of isolated lots being left with reduced development potential.

(b) to increase the efficiency and safety of the road network by minimising the number of driveway crossings.

- (2) Development consent may be granted to development for a purpose shown in Column 1 of the Table to this subclause on a lot in a zone shown in Column 2 of that Table opposite that purpose, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of that Table.

Column 1	Column 2	Column 3
Shop top housing	B4 Mixed use	1,200 square metres

The remainder of this clause is unchanged.

- d) To amend Clause 6.23 (2) to include “Area 8” or “Area 12” on the Special Provisions Area Map.

- e) To add Clause 6.24 as follows:

**“6.24 Minimum commercial floor space within the Mixed Use zone**

**Land zoned B4 Mixed Use is to contain a minimum commercial floor space component of 1:1 if located within Area 8 on the Special Provisions Area Map.”**

- f) To amend the Land Zoning Map (Sheet LZN\_004) for 44-52 Anderson Street, Chatswood, to B4 Mixed Use.
- g) To amend the Height of Buildings Map (Sheet HOB\_004) for 44-52 Anderson Street, Chatswood, to 90 metres.
- h) To amend the Floor Space Ratio Map (Sheet FSR\_004) for 44-52 Anderson Street, Chatswood, to 6:1 (including affordable housing).



- i) To amend the Special Provisions Area Map (Sheet SPA\_004) to show 44-52 Anderson Street, Chatswood, as Area 8.
  - j) To amend the Active Street Frontages Map (Sheet ASF\_004) to include 44-52 Anderson Street, Chatswood, to include the Anderson Street, O'Brien Street and Day Street frontages.
  - k) To amend the Lot Size Map (Sheet LSZ\_004) to include 44-52 Anderson Street, Chatswood, with a minimum lot size of 2,500 sq metres.
2. Subject to 1. above, endorse for public exhibition the Planning Proposal as amended, with the accompanying draft site specific Development Control Plan provisions.
  3. Note that following public exhibition the Planning Proposal will be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
    - a) To proceed as recommended.
    - b) To not proceed with the Planning Proposal.
  4. Request that the Department of Planning, Industry and Environment nominate Council as the Planning Authority to finalise the Planning Proposal and that the Department of Planning, Industry and Environment delegate authority to the Council Planning Manager, Mr Ian Arnott to process and finalise the Planning Proposal documentation for the purposes of Section 3.36 of the Environmental Planning and Assessment Act, 1979.
  5. Delegate authority to the Chief Executive Officer to make any minor amendments to the Planning Proposal which do not alter the policy intent.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ZHU**

**CARRIED**

The Motion on being put to the meeting was **CARRIED** to become the resolution of Council.

**Voting**

**For the Motion:** Councillors Eriksson, Tuon, Wright and Zhu.

**Against:** Councillors Norton, Rozos, Mustaca, Rutherford

**Absent:** Councillors Giles-Gidney and Campbell.

**The vote being even former Deputy Mayor Councillor Eriksson used his casting vote FOR the motion.**

**Notes:**

1. *The Mayor Councillor Giles-Gidney and Deputy Mayor Councillor Campbell declared a non-pecuniary significant interest in this item and left the chambers at 7:16pm and did not participate in the discussion or voting.*
2. *Former Deputy Mayor Councillor Eriksson assumed the Chair in the Mayor's and Deputy Mayor's absence.*

