

RECORD OF THE PRE-PLANNING PROPOSAL LODGEMENT MEETING

Date/Time of meeting: 11.30am, 4 August 2021

PROPERTY:

The Proposal is located at 100 Edinburgh Rd Castlecrag.

Applicant/Proponent details:

Greencliff Ltd

Attendees:

Michael Neustein	City Planning Works
Michael Goldrick	Greencliff Ltd
Stanley Quek	Region Group
Larissa Brennan	LJB Urban Planning P/L
Daniel Nolan	FJMT

Council officers:

Ian Arnott (Planning Manager)
Norma Shankie-Williams (Strategic Planning Team Leader)
Alice Stapleton (Heritage Planner)
Andrew Gillies (Strategic Transport Planner)
Ian Shillington (Strategic Planner)

Existing Planning controls (as per the Willoughby LEP 2012 and DCP 2012)

Zoning: B1 Neighbourhood Centre
Max. Height of Building: - 9m
Max. Floor Space Ratio: - 1:1
Heritage Conservation Area: No
Local Heritage Item: No
Flood Prone Area: No
Bushfire Prone Area: No

Description of Proposal and Controls sought in the Planning Proposal concept plan.

Amend Willoughby Local Environmental Plan 2012 for the site as follows:

- Retain the current B1 Neighbourhood Centre zone Willoughby LEP 2012.
- Increase the height of building to a proposed AHD of 97.490 – ie 11m height on Edinburgh Rd and 14m height at rear. **Note the rear height of building to be confirmed.**

Specific height of building clause proposed to LEP Clause 4.3 (Clause 6.24) allowing additional height variations including balustrades less than 1.2 m height, lift access and other communal facilities such as disabled toilets on roof areas. These structures will add another potential 4.5m to the 11m height proposed on Edinburgh Road at those central locations on the roof. **These additional heights should be specified on the drawings.** Further comments are included on building height below.

- Increase the FSR to 1.8:1 with the maximum FSR above Edinburgh Road being 1.6:1

A mixed-use building is proposed comprising two levels of parking, retail uses on the ground floor and 53 residential units on part of the basement and ground floors and on the upper floors. Two one-bedroom affordable housing units are proposed as part of the 53 units.

It is understood that the gross floor area will be 9,303m², with a residential area of 7,563m² and a retail area of 1,740m². The number of car spaces proposed is 159 spaces.

Key issues for Consideration and officer comments

Council officers have received an outline of the plans at the formal Pre-Planning proposal meeting held on 4 August 2021. It is anticipated that the following reports are to be submitted to Council as part of the planning proposal:

Discipline	Status and proposed
Traffic	Revised Traffic, parking and transport report to be submitted
Heritage	Revised Heritage report to be submitted
Landscape Architecture	Revised Landscape concept to be submitted
Visual/View Analysis	Initial analysis undertaken Report to be submitted
Social/Economic	Initial analysis undertaken Report to be submitted
Arborist Report + BDAR Waiver	Updated Report to be submitted
Wind Impact Assessment	Preliminary Report to be submitted
Contamination	Preliminary assessment report to be submitted
Urban Design	Urban design analysis and concept plan prepared (context, survey data, shadows, design, building ventilation) Report to be submitted
Planning	Draft Planning proposal Report to be submitted
Civil and Services	Initial services capacity and flooding analysis to be undertaken. High level stormwater concept plan to be submitted

Council confirms that while the assessments listed above will need to be submitted with the planning proposal, further assessments or information on other issues may be required as part of the assessment of the proposal.

At the pre-planning proposal meeting Council officers raised and discussed the following matters:

- The planning proposal requires a site-specific LEP clause for heights and FSRs subject to the following comments and additional details of building heights being

provided (see section on building heights)

- All building setbacks are to be shown on plans, including minimum and maximum setbacks for all sides and floor levels.
- Quality of the proposed public open space is important, so details of proposed dining and pedestrian walkway areas should be provided as well proposed landscape treatments.
- It was noted that the 350m² public minimum open space requirement noted in the *Local Centres Strategy* refers to the following Strategy recommendation:
 - *Provide a new publicly accessible open space within the Quadrangle site relating to the Edinburgh Road frontage and achieving good solar access. This may be achieved by providing a setback in the order of 3.5 - 4m along the frontage of the site.(P.27).*
- It was agreed that this reference to the 350m² requirement would be amended on the drawings submitted to clarify this.
- The proposal includes a new public open space of a minimum area of 1,150m², including the front setback on Edinburgh Road and the central plaza area and public walkway through to the rear. It was noted that this is a reduction on the previous proposal which included a public open space area of 1,350m². It is considered important that dining areas are easily accessible from footpaths and other public spaces.
- Two rooftop communal open spaces are proposed for residents. Details of locations and areas of the communal areas are to be shown on the plans. This is to include locations of lifts, toilets, air conditioning ventilations, solar panels and other structures and are to be considered as part of any overshadowing analysis. In order to minimise visual impact, location of rooftop structures are to be located towards the centre of the building.
- It was noted that retention of the existing mature tree canopy was a key feature of the *Local Centres Strategy* recommendations. The proposal includes removal of a maximum of 5 dead or dying trees on the southern boundary, with all adjoining street trees to be retained. A proposed vegetation plan for new plantings is proposed to be provided and is also to be included in the site-specific DCP (see further comments on the DCP below).
- The root zones of all retained trees are to be protected. The proposed carpark will extend to the property boundaries on all sides except to the south, however no additional excavation on the northern Edinburgh Road boundary is proposed. Any additional excavation of the existing carpark on the eastern and western boundaries will be undertaken in line with recommendations of the arborist report to ensure that the root zone of all trees to be retained or future plantings will be protected.
- The urban design analysis is also to have regard to existing scale, building heights and character in the locality, including its location at a key entry point to Castlecrag and its proximity to the Griffin Heritage Conservation Area (HCA). Information on proposed colours and building materials is to be provided. More detailed heritage comments are included below.
- Information on the layout and functionality of the public open space and plaza area is to be provided, including specifying areas devoted to outdoor dining, pathways and landscaping.
- Anticipated potential benefits of the proposal to the locality, including provision of an improved public plaza area, an upgraded pedestrian link to the Postern and potential additional public car spaces for the Castlecrag neighbourhood centre.
- Overshadowing impacts on nearby residential properties and any public open space areas to be considered.
- Context analysis, including compliance with the *SEPP 65 Apartment Design Guide*.

is to be included providing further detail on overshadowing on nearby properties to the south. It was noted that there is medium and low density housing located to the south.

- Overshadowing and eye of the sun diagrams are to include a version in relation to buildings only and a version that includes the impact of existing trees.
- Heritage impacts on the nearby Griffin HCA and heritage items are considered in further comments below.
- Traffic Impacts and management of traffic, parking arrangements and pedestrian and other active transport access to the site to be considered. An updated traffic impact assessment is to be provided with the planning proposal.
- A full breakdown of car spaces for residential and retail uses will be required, along with disabled car spaces, and electric vehicle charging stations as well the required number of bicycle storage spaces and lockers.
- Council is proposing reduced car parking rates for local centres (Further information on this matter is included in **Attachment B**)
- A Design Excellence clause is proposed to apply to the site (see further comments below).

Further comments on these and other issues are outlined below:

1. Relationship to strategic planning framework

The planning proposal will require justification with sufficient detail to demonstrate:

- consistency with the *Greater Sydney Region Plan* and the *North District Plan*;
- consistency with local strategic planning documents, in particular the *Willoughby Local Strategic Planning Statement (LSPS) 2020*, the *Willoughby Local Centres Strategy 2019* and *Willoughby Local Housing Strategy 2020*.

Officer comments:

- Any Planning Proposal is to clearly address each of the strategic planning documents. A table is to be provided identifying the relevant elements of the Strategy and how this has been addressed in the planning proposal.

2. Land use

The site has partly a B1 Neighbourhood Centre zone with a strip of RE1 Public Recreation land to the rear. The proposed land use is a mixed use development comprising retail and residential uses.

Officer comments:

- It is noted that the proposal is generally consistent with the *LSPS 2036* with regard to proposed land uses, however further justification is required in relation to the proposed heights and FSRs in relation to existing urban character and the local context.
- Confirmation of the proposed land use is required. A mixed use development is defined in the Willoughby LEP 2012 as “a building or place comprising 2 or more different land uses”. Both land uses proposed need to be permissible for this land use to be permissible in the B1 Neighbourhood Centre zone. As residential uses are only permissible in the B1 zone as part of a shop top housing development, demonstration of compliance with the definition of shop top housing is required. Alternatively, if the proposal is not complying with this definition, a site specific clause may be required to permit a mixed use development on the site. It is noted that shop top housing is defined as “one or more dwellings located above ground floor retail premises or business premises”.

- More detail is also requested on the proposed mix of commercial uses planned for the development on the site.
- Information is also requested confirming the residential apartment mix proposed (i.e. number of bedrooms)

3. Height

The proponent has requested a specific height of building clause to allow a building height to be the equivalent of a AHD of 97.490 with exceptions including the lift tower and additional rooftop exclusions no more than 2m in height being air conditioning, solar panels and skylights. Other rooftop facilities proposed include barbeques, tables and chairs, planter boxes and disabled toilets.

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Officer comments:

- Achievement of increased heights depends on addressing the existing urban character, site constraints, surrounding context and consistency with *SEPP 65* and the *Apartment Design Guidelines*
- It is noted that the draft Willoughby LEP endorsed by Council for exhibition purposes in December 2020 proposed the following for this site:

XX) *The maximum Floor Space Ratio on land identified as "Area X" (being 100 Edinburgh Road, Castlecrag) on the Floor Space Ratio Map may exceed 1.6:1 if —*
 (a) *additional floorspace is located below the Edinburgh Road Frontage and*
 (b) *the FSR will not exceed 1.8:1 and the building does not exceed the height on the Height of Building Map.*

- Council is awaiting gateway determination by DPIE and it is anticipated that the draft Willoughby LEP will be placed on public exhibition later in 2021.
- The height of building draft LEP map shows the front half of the site on Edinburgh Road being 11m and the rear half of the site being 14m.
- Council officers are generally supportive of the proposal for a site specific clause 6(24) with an AHD requirement. Additional clauses (1) to (4) proposed can potentially be supported, provided that maximum heights of all additional rooftop facilities and the rear building height are stated and specified on the drawings.
- Adoption of the proposed site specific clause will allow for achievement of 3 storeys on Edinburgh Rd and 4 storeys at the rear.
- Careful consideration needs to be given to the placement of all rooftop facilities. The placement of these facilities needs to consider visual and shadow impacts on adjoining development and the public domain of any rooftop amenities including the lift tower, disabled toilets, solar panels and air conditioning.

4. Floor space

The proponent has proposed a floor space maximum being 1.6:1 and 1.8:1 when including development below Edinburgh Road.

Officer comments:

- The proposed floor space ratios proposed are consistent with the *Willoughby Local Centres Strategy* and can be supported in principle. Further comments on this issue are included in comments above relating to building height.
- This increase in FSR is indicative of the scale of development proposed on the site and are not necessarily achievable. All increases in FSR will depend on satisfactorily addressing site constraints, surrounding context, setbacks at ground

and upper levels, *SEPP 65* and the associated *Apartment Design Guidelines*.

5. Heritage

Officer comments:

- It is noted that the proposal is adjacent to the Griffin HCA and nearby Heritage items and is a “gateway” site to the Castlecrag neighbourhood centre and suburb.
- The requirements of the *Part H.3.5 Griffin Heritage Conservation Area:C4* in the *Willoughby DCP* are to be considered in the design of the building and associated landscaping. This includes assessment of the proposal viewed from the public domain and HCA and including building bulk and scale, colours and materials. Landscaping is also a key component of the DCP requirements.
- The protection of all street trees and the majority of trees at the rear of the site is important in order to minimize any impact on the adjoining HCA due to the new development.

Further detailed heritage comments are outlined below:

- The subject site, 100 Edinburgh Road, Castlecrag is located on the southern side of Edinburgh Road at the corner of Eastern Valley Way and is legally known as Lot 11, DP 611594 and Lot 1, DP 43691. The subject site is within land that is zoned B1 - Neighbourhood Centre (Lot 11 DP 611594) and RE1 - Public Recreation (Lot 1, DP 43691) under the Willoughby LEP 2012.
- The subject site adjoins the Griffin Heritage Conservation Area (HCA) at its eastern and part southern side of the boundary. Although not located within the Griffin HCA, the site is considered to be the entry point to the conservation area. Walter Burley Griffin and his architect wife, Marion Mahony Griffin, founded the Greater Sydney Development Association (GSDA) in 1920, and set about establishing a residential development that was sympathetic with the natural environment, and in sharp contrast to the red roofs and grid streets that characterised Sydney at that time (Willoughby DCP). The subdivision and building works in the Castlecrag area started from 1921.
- The subject site is in the vicinity of three (3) heritage items: 10 The Postern (Community Centre - I48), 136 Edinburgh Road (House - I13) and 140 Edinburgh Road (House - I15). All the three (3) heritage items are significant to the Griffin area and they are listed as having "local significance" in the Willoughby LEP 2012.
- The current scheme has been slightly reduced in size and scale from the previous scheme, which will have a slightly positive impact on the adjacent Conservation Area, although the building overall appears to have less articulation and building separation than the design presented in the document, titled Architectural and Landscape Design Statement, dated 23 June 2020
- The proposed development is unlikely to have any adverse impact on the listed heritage items in the vicinity, due to the distance from the subject site and/or topography of the land. The proposed concept development of the mixed use development is considered to be acceptable from a heritage point of view.
- The details of the lift over-run, services and communal open space on the roof will need to consider the visual impact when viewed from the public domain and amenity impact on the neighbouring HCA. The proposal will negatively impact on the solar access to properties to the south and as such, any extra rooftop additions should be minimised.
- Materials and colours to the proposed development will be very important and should be considered carefully. Materials and colours must blend inconspicuously with the

predominant colours of the local bushland. Locally indigenous vegetation is to be used for the landscaped areas, including private open spaces. An Indicative Materials Palette has been submitted as part of the Architectural and Landscape Design Statement previously provided, however, future submissions may need to provide a materials and finishes schedule to more accurately indicate where the colours and materials will be located

- Further, in keeping with the heritage nature of the area, the adequate provision of deep soil to protect the mature trees surrounding the site is of concern. These trees are essential from a heritage point of view to protect and continue the landscape character of the adjoining heritage conservation area. The subject site is the entry point to the conservation area and requires to be treated as such.
- Many of the relevant management policies for the Griffin Conservation Area should be incorporated into the DCP section pertaining to the subject site given the close proximity to the HCA. A copy of the management policies are included at **Attachment A**.
- Any updated HIS submitted as part of the current proposal should assess the proposal in more detail against the pertinent individual controls of Part H Griffin HCA – policies pertaining to materials and colours, locally indigenous vegetation and landscaping, natural topography and spacing between buildings (maintaining views from the public domain) are relevant and important characteristics for this locality.
- The planning proposal, in its current form, is considered to be acceptable from a heritage point of view, subject to the issues raised above being addressed. It is considered that the proposal will have an acceptable impact on the heritage conservation area and, if detailed sympathetically, has the potential to present as an acceptable gateway to the Heritage Conservation Area.

6. Location and Urban Design Assessment

Officers Comments:

- The site is in a prominent gateway location on the corner of Edinburgh Road and Eastern Valley Way at the entry to Castlecrag.
- A combined architectural and landscape design statement is to be presented at Planning Proposal stage – reflective of the comments in these notes.
 - Such a consolidated design statement is to consider the existing urban character and explain how the proposal makes a positive contribution to the locality.

7. Site Amalgamation

Confirmation is required whether the planning proposal includes the amalgamation of the relevant sites.

8. Scale and Form of Development including overshadowing

Officer comments:

- The scale and form of the new development proposed requires further justification in relation to overshadowing impact on nearby developments
- The impact of overshadowing on adjoining properties and information on compliance with SEPP 65 is to be provided with the planning proposal.
- Heights and FSRs need to demonstrate achieving minimum 2 hours' sunlight on 22 June including impacts on adjoining developments consistent with the SEPP Apartment Design Guidelines.
- Further detail on overshadowing is to be provided (i.e. key points throughout the

day, winter solstice, and the autumn and spring equinox).

- Plans should also show the concept appearance of each building elevation in context.
- More detailed site analysis and architectural plans required to demonstrate site context and streetscape impact i.e. details on setbacks, building elevations.
- It is noted that a visual assessment and view analysis is to be provided with the planning proposal.
- A preliminary wind impact assessment of the proposed development should also be undertaken and provided with the planning proposal.

9. Setbacks of the proposed development

Officer comments:

- Details on the proposed setbacks of buildings to all roads need to be provided with the proposal.
- The proposed setbacks include reduction in setback on Edinburgh Rd from 11.5m to a range of 4-8 m max with other setbacks between 6m or less. There is a need to be clear about all other setbacks and width of proposed corridor link to rear pathway (max 14.5m shown) – appears to be max. 6.4m setback on Eastern Valley Way. The minimum width on all sides appears to be quite narrow in part, 6m setback at rear and nil setback on eastern boundary (although open driveway is on part of boundary). A minimum 2.4m setback is required for footpath with additional width required for footpath dining on Edinburgh Road.
- There is a need to ensure that setbacks stated on the layout plans are to the site boundary and do not include public land (footpaths etc). Council's rear access path appears to be included on the plans (zoned RE1 Public Recreation).
- Compliance with setbacks under the WDCP and ADG will be required. Setbacks to boundaries are required to provide adequate deep soil planting allowing for the maintenance and potential increase of the future tree canopy.

10. Landscaping

The landscape concept information provided is to show the proposed location of new landscaping and protection of significant trees.

Officer Comments:

- Significant trees exist on site and adjacent streets – updated arborist assessment is required to demonstrate trees can be protected through deep soil areas and adequate building setbacks.
- A landscape assessment and arborist assessment is to be submitted with the planning proposal. This should detail the landscaping elements and strategy proposed as well as proposed deep soil planting areas.
- The arborist assessment should outline any potential impact on the existing significant trees and measures to ensure their protection and retention.
- It is anticipated that a Biodiversity Development Assessment Report (BDAR) waiver will also be provided with the proposal (if required).

11. Affordable Housing.

- It is also noted that affordable housing policies including the Affordable Housing SEPP and the WLEP requirement will apply to the proposal (currently 4% affordable housing for planning proposals in the LEP with Council's intention to increase this to 10% by

2026). It is noted that the provision of two one-bedroom affordable housing units is proposed out of a total of 53 units, which complies with Council's existing LEP requirement.

12. On-site public realm and relationship with public domain

Officer comments:

- Details of open space areas and public access to and through the site from adjacent roads should be provided with the proposal.
- Open space areas are to remain in private ownership and are to be fully maintained by the owners (see further comments below on this matter).
- The design of open space areas is to consider a range of factors in the design and layout of this space, including access and movement pathways including disability access, sunlight access, shade, wind impact, location of outdoor dining, areas and type of landscaping and community safety. It is noted at a safety by design assessment (CPTED) will be required at DA stage.
- There is an existing public access way zoned RE1 Public Recreation along the southern boundary of the site and linking through to The Postern. The plans show that this is proposed to be extended with a "public right-of-way" linking through the site to Edinburgh Road.
- Further information is required regarding the future intended ownership and management of this "public open space" as identified on the layout plans (public open space area of 1150m² and public right of way area to be confirmed). The implications for existing RE1 Public Recreation zoning also needs to be clarified, including if there is any proposed change to the existing RE1 Public Recreation zone link to the site (existing public pathway).

The following matters are also noted and are flagged now for consideration for the concept proposal and the draft DCP as well as subsequent development applications:

- The Edinburgh Road frontage has limited footpath width between the existing street furniture/vegetation and the current boundary. Pedestrians currently use both the current public footpath and the private land in the vicinity as the existing buildings are set back from the boundary. If the development were to restrict public access to the public roadway only, as currently landscaped, there would not be the width required for a footpath. A footpath width available for use that is 2.4m or wider as determined by the pedestrian load of the area and that generated by the development will be required. This may require a public right of way into private land. Any potential outdoor eating areas should be clear of this footway area. Appropriate DCP provisions should be provided addressing this.
- Reconstruction of the streetscape should occur. A public domain landscape plan should be included as a DCP requirement for review by Council. The bus stop in front of the development needs to be a Disability Standards for Accessible Public Transport 2002 (DSAPT) compliant bus stop.
- Any public right of way over private land should be for the public to use but is to be maintained and renewed, insured etc. by the private land holder. Council should not have any responsibilities or liabilities on the private land. This public right of way should be compliant for disabled access and give consideration to *Safer By Design* (CPTED) principles and guidelines.
- The rear pathway from The Postern (between No.3 and No.5) should be upgraded to

a minimum width of 1.5m with a desirable width of 1.8m (for passing wheelchairs). At the moment there are makeshift stairs on private land that provide access to the site from this pathway. This access should be upgraded to allow for disabled access.

13. Traffic, Access and Parking

Officer comments:

- A number of detailed comments were made by Council and Transport for NSW (TfNSW) on the previous planning proposal submitted in 2020. Information on these matters is to be addressed in the draft DCP and subsequent development applications (see **Attachment B – Additional Matters**). This includes further detailed assessment of access arrangements, parking and transport.
- A more detailed Traffic and Transport Assessment report is to be submitted with the Planning Proposal. The report should outline the traffic and transport impacts of the proposal, including proposed access arrangements. It should include a table assessing compliance with parking rates (see next two points) as well as tables clearly presenting the results of SIDRA analyses i.e. Levels of Service (LoS) for relevant intersections.
- Council is in the process of reviewing its car parking rates LGA-wide. Revised car, bicycle and motorcycle parking rates are proposed in Part F (Transport and Parking Management) of the draft DCP, which was recently endorsed by Council for public exhibition. It is anticipated that the draft DCP will be placed on exhibition later in 2021 along with the draft Willoughby LEP.
- While it must be emphasised that the revised rates have not yet been endorsed by Council, it is recommended that these rates be used for the purpose of calculating the required number of parking spaces for this proposal. This would result in a lower car parking requirement compared to existing rates.
- The section of *Willoughby Local Centres Strategy* for Castlecrag shows the potential for an exit-only ramp from the site to Eastern Valley Way. Given this is not proposed, it is requested that comment be made on the reasons for this (e.g. inadequate sight lines).
- Basement plans are to be provided with the PP to show indicative parking, access and loading arrangements. A physical solution is required rather than a mechanical one for loading/servicing.
- Provisional details of any Green Travel Plan (GTP) can be provided with the PP, with further detail with any future DA. This would include motorcycle and bicycle parking and end-of-trip facilities. Car share and electric vehicle (EV) spaces and charging points should also be given proper consideration as part of plans with any future DA.
- Further details in relation to traffic comments are included at **Attachment B**.

14. Contamination assessment

- It is requested that a Preliminary Contamination assessment be submitted with the proposal.

15. Civil and Services

- Details of the flooding and drainage assessment and services capacity analysis is to be submitted with the proposal.
- By way of early advice on this proposal, stormwater drainage management plans,

incorporating water quality systems and on-site detention systems complying with part C.5 of the Willoughby DCP including Technical Standards No. 1 shall be submitted with any future DA for the site. Detailed stormwater management plans prepared by a qualified and experienced civil engineer, shall be submitted with the Development Application for assessment.

- Onsite stormwater detention tank (OSD) systems shall be located in a common area. Access to OSD tanks shall be designed to enable ready access for inspections and maintenance and comply with confined spaces regulations. The OSD outlet shall be connected to the stormwater drainage system in Eastern Valley Way, which is under the control of TfNSW (former RMS). In this regard, the stormwater management plans need to be referred to TfNSW and shall also comply with their requirements.

16. Design Excellence

Officers Comments:

- In accordance with the *Willoughby Design Excellence Policy (dated 9 December 2019)* and *Willoughby Design Excellence Guidelines (dated 9 December 2019)*, proposals less than 35m height will be required to be assessed by a Design Excellence Panel. The requirements of the Design Excellence Panel Report shall be addressed prior to the submission of a Development Application.
- The amended *WLEP* shall include an amendment on the Special Provisions Area Map to specify that the *Design Excellence Clause* will apply to this site.
- A copy of the *Willoughby LEP Design Excellence Clause (Cl.6.23)* is included in **Attachment B)**

17. Street activation

The subject site has a street interface with Edinburgh Road and Eastern Valley Way.

Comments:

- Street activation is required for the proposed commercial uses on all street frontages.

18. Public Art

Public art is proposed to be considered at design excellence and development application stage.

Officer comments:

- All redevelopments in the Chatswood CBD and nearby commercial areas should contribute to public art in accordance with Council's *Public Art Policy*.
- Council seeks commitment to public art in the Planning Proposal.

19. VPA

A Letter of offer to enter a Voluntary Planning Agreement is invited from the proponent.

- Council invites the proponent to consider entering into a draft planning agreement with Council towards costs associated with providing infrastructure works within Castlecrag, such as involving public realm, streetscape, recreation and parks – to be determined by Council in line with a community infrastructure contributions schedule. Refer to Council's website to view the *Voluntary Planning Agreement Policy 2013* and *Revised Draft Planning Agreement Policy 2020* (<https://www.willoughby.nsw.gov.au/Development/Plan/Development->

Contributions/Voluntary-Planning-Agreements)

There are some items that may be considered in relation to a future VPA, including:

- public domain improvements in the Castlecrag local centre,
- streetscape, including rear access to the site,
- open space on site,
- public end of trip facilities
- public art contribution
- on-site public parking contribution (8 spaces)

It is requested that further information be provided in order for the matter of public benefit to be considered fully by Council and enable exhibition of the draft VPA with the draft Planning Proposal and DCP.

20. Draft WDCP controls

Officer comments

- Site specific *WDCP* controls are required to ensure the principles used in developing the concept design are enforceable should the Planning Proposal proceed.
- The Planning Proposal lodged should therefore be accompanied by a schedule of draft *WDCP* provisions to apply to the site.
- Note that *WDCP* general provisions will apply where issues are not covered in the site specific *WDCP* provisions.
- Part I Controls for Specific Area Sites of the *WDCP* provides examples of controls for specific sites.
- Specific comments are also made below in reference to each of the controls outlined below from the draft DCP:

8.2.2 Relationship to the Apartment Design Guide

The Apartment Design Guide (ADG, 2015) is the primary document for guiding the design of the residential development at the site. Where there is an inconsistency between the ADG and controls within this part, the provisions of the ADG should be preferred.

8.2.3 Relationship to Planning Proposal design and Design Excellence Competition

This DCP is to be applied to a scheme designed in accordance with the principles established by the completed Design Excellence Competition held by the Proponent, Greycliff Castlecrag Pty Ltd, in 2019 and won by FJMT Studio (Francis Jones Morehen Thorp Pty Ltd). In accordance with the provisions of the Competition, the design architect is to be FJMT Studio. No alternative architect may be substituted without lodgement of an application to Council under s4.55 of the Environmental Planning and Assessment Act 1979.

- It is requested that the last part of clause 8.2.2 should be amended to state that “the provisions of the ADG will prevail”.
- The section and statement under *8.2.3 Relationship to Planning Proposal design and Design Excellence Competition* should be removed as it is not considered to be appropriate to be included as a Council DCP control. This matter can be addressed as part of the Design Excellence process.
- The following statement should be removed from the draft DCP:
- “8.2.4.....Where there is an inconsistency between this Part and any other Part of the DCP in force, the provisions of this part prevail for a development at this site”.

- It is requested that further details such as updated plans and controls be included in the draft DCP to address the various parameters of the proposed development of the site, including but not limited to:
- building height and building envelopes,
- colours and building materials,
- design excellence
- heritage impacts, including consideration of relevant components of the *WDCP - Part H.3.5 Griffin Heritage Conservation Area:C4*
- site orientation, building setbacks,
- mid-winter solar access to the site and to adjoining properties,
- design, location and management of public open space (incorporating *Safer By Design* Guidelines),
- amelioration of wind impact
- stormwater management,
- access and parking, and
- landscaping, deep soil zones and preservation of trees, included a plan that identifies all trees to be retained and areas of new plantings.

21. Timing

It is understood that a Planning Proposal will be submitted in coming months.

Following lodgment of a Planning Proposal submission, comprehensive internal consultations will be undertaken, further meetings with the proponent may be required, as well as amendments as considered necessary, prior to the submission of a report to Council to determine whether the Planning Proposal should proceed to Gateway and public exhibition.

Forms, Fees & Checklists including Electronic Application requirements

<http://www.willoughby.nsw.gov.au/Development/fees-forms---checklists/>

Planning Legislation & Guidelines

<http://www.willoughby.nsw.gov.au/Development/planrules/>

e-Planning Portal (Application Tracking)

<https://eplanning.willoughby.nsw.gov.au/pages/xc.track/searchapplication.aspx>

Pre-Planning Proposal lodgement Meetings

<http://www.willoughby.nsw.gov.au/Development/do-i-need-approval/pre-lodgement-meetings/>

We thank you for attending the pre-lodgement meeting and assembling your proposal for Council's consideration. Council officers have used their best endeavours to assist you, but please be aware that other issues may arise during the processing of the planning proposal.

NO UNDERTAKING OR GUARANTEE CAN BE GIVEN THAT YOUR PLANNING PROPOSAL WILL BE APPROVED TO PROCEED TO A GATEWAY DETERMINATION WHEN IT IS LODGED.