

Summary of Submissions

PP-2022-4316



Submission Name	Issues Raised	Proponent Response	Planning Proposal Authority Team Response
Willoughby City Council Submission			
Willoughby City Council	<p>No further comment</p> <p>Willoughby City Council (Council) noted that changes proposed to the <i>Willoughby Local Environmental Plan (LEP) 2012</i> and that 38 Anderson Street (excluded from this proposal) will retain the 10% contribution rate.</p> <p>They also commented that they already voiced their objection to the Sydney North Planning Panel (Panel) regarding the appropriate affordable housing rate and noted the Panel's decision regarding the 7% contribution rate.</p> <p>Council confirmed that they had no further comment.</p>	Noted	<p>The Planning Proposal Authority (PPA) Team is aware that Council's position has not changed since the original Panel meeting and have chosen to not provide any additional comments on the planning proposal.</p> <p>Council's submission does not preclude the proposal from proceeding to Finalisation.</p>
Proponent Submission			
Mecone	<p>Re-inclusion of 38 Anderson Street</p> <p>The Proponent has advised that they have now exchanged</p>	N/A	<p>The PPA Team note the site was acquired at Council's behest to include in the proposal, however it was not included in the</p>

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	<p>contracts for the purchase of 38 Anderson Street, with the settlement due to occur in September 2025. Therefore, there is no impediment for including it in the proposal now.</p> <p>The Proponent provided the following justifications for of 38 Anderson Street's inclusion:</p> <ul style="list-style-type: none">• Acknowledges the Proponent's efforts to acquire 38 Anderson Street at Council's behest and would make development quicker and more feasible.• Would assist in expediting the delivery of 18 affordable housing dwellings across site, if included.• Provides consistency with other Chatswood CBD sites that have a consistent rate (many with 4% rate) across amalgamated lots.		<p>proposal when lodged for Rezoning Review nor was the subject site of the proposal when the gateway determination was issued or during public exhibition.</p> <p>The PPA Team is of the view that the inclusion of the additional site (38 Anderson Street) would trigger the re-exhibition of the planning proposal, as it would be expanding the land included in the proposal to be greater than what was previously placed on public exhibition. To re-exhibit the proposal would extend the time period beyond the existing gateway finalisation time of August 2025, resulting in the need to seek an extension of time from the LPMA to likely add a further 6 months to the process and this time delay may not be supported by the Department.</p>

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			Notwithstanding the above, there is merit in changing the affordable housing rate to have a uniform rate across the amalgamated lots. However, the PPA Team does not support the inclusion of 38 Anderson Street, due to the likely extensive time delays and does not recommend this post-exhibition change to the planning proposal.
Community Submission			
SUB-9947	Overcrowding and Traffic The submitter raised concern that a future development would exacerbate the existing overcrowding and traffic in the area, impacting the daily lives of the community, particularly the elderly.	This planning proposal concerns only the affordable housing contribution for future site development. The proposal will not alter height and Floor Space Ratio (FSR) controls and will not impact site capacity or traffic.	The PPA Team notes that issues relating to overcrowding and traffic do not relate to the proposed affordable housing contribution rate change outlined in the planning proposal. Traffic and overcrowding issues do not prevent the proposal's progression to Finalisation.
	Insufficient Infrastructure Concern was raised that a future development would exceed the	As noted above, the proposal will not alter height and FSR controls, and as such will not impact traffic or site capacity.	Issues relating to the sufficiency of infrastructure for future development are not related to the affordable housing

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	capacity of the existing roads and infrastructure.		contribution rate and do not prevent the proposal's progression to Finalisation.
	Affordable Housing and Anti-Social Behaviour The submitter opposed the inclusion of Affordable Housing and raised concern over the increased risk of illegal and anti-social behaviour because of its inclusion.	Providing affordable housing is a key political and strategic planning objective, supported by state and local policies. Willoughby City aims for 7-10% of new development Gross Floor Area to be affordable housing by 2026, particularly for low to moderate-income households and key workers. The benefits of delivering affordable housing are numerous, including fostering more inclusive and vibrant communities close to public transport, alleviating housing stress, reducing displacement, supporting the local workforce and economy, and potentially decreasing traffic congestion. It also contributes to sustainable	The PPA Team note that that an affordable housing contribution rate of 10% currently applies to the site. The planning proposal seeks to reduce this rate to 7%. Concerns raised relating to illegal and anti-social behaviour do not impede the planning proposal moving forward to Finalisation.

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		growth and more resilient communities. Future development proposals will need to demonstrate design excellence and adhere to Crime Prevention Through Environmental Design (CPTED) principles.	
	Scale Issue was raised with the scale of the development and noted it should be substantially reduced.	The scope of this planning proposal is limited to the affordable housing contribution that future site development would necessitate, without affecting the established controls for height or FSR.	The PPA Team highlights that height and FSR controls are not the subject of this planning proposal and thus do not impact the scale of any future development. Issues relating to the scale are not relevant to this planning proposal and thus do not prevent it from progressing to Finalisation.
	Alternative Solution to Housing Crisis The submitter highlighted that more high-rise developments and Affordable Housing is an ingenuine	This planning proposal specifically applies only to the properties located at 3 McIntosh Street, 2 Day Street, and 40-42 Anderson Street,	The Panel determined on 8 June 2024 that the proposal had strategic and site-specific merit. It was issued a Gateway Determination on 28 January

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	effort by the government to solve the housing crisis and should focus on new housing in underdeveloped areas and improving transport infrastructure.	Chatswood, and is consistent with the applicable strategic planning policies.	2025 which further supports its strategic and site-specific merit. The issues raised regarding alternate solutions to provide affordable housing do not preclude its advancement to Finalisation.
	Taxpayer Rights The submitter noted that the opinions/views of substantial tax and rate payers should hold more weight in these planning proposals.	The Planning Proposal was placed on Public Exhibition, adhering to the NSW Government's LEP Making Guidelines and Schedule 1 of the Environmental Planning and Assessment Act 1979. In accordance with legislative requirements, all submissions made during this period have been considered fairly and equally.	The PPA Team take all submissions into consideration when forming the recommendation for the Post-Exhibition Report. Submissions are viewed based on their content and merit. Individual submitter details, such as tax/rate contributions, are not considered to ensure an equal and fair process. Concern raised as to the weighting of individual submissions based on tax/rate contributions are not related to the planning proposal and do not preclude its movement to Finalisation.

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SUB-10161	Height and scale The submitter raised concern regarding the increase in height limits and the negative impacts an excess number of high-rises will have, specifically referring to privacy, traffic congestions, safety, solar access, and character.	The focus of this planning proposal is solely on the affordable housing contribution associated with any future development of the site. Existing controls for height and Floor Space Ratio (FSR) will remain unchanged, and there will be no impact on the site's capacity or traffic conditions. Any future detailed development application must include a thorough evaluation of environmental effects, specifically concerning built form, local character, privacy, sunlight access, and wind conditions.	As noted above, controls relating to building height and density are not the subject of this planning proposal. No changes are proposed to the maximum build height, floor space ratio, or gross floor area. Design-related aspects for any future development on site, including solar access, character, and privacy, are not relevant at this stage of the planning process. Design details can be adequately addressed at a future DA stage when detailed designs are provided. These concerns do not stop the proposal from moving forward to Finalisation.

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	Environmental The submitter commented that shorter buildings (5-6 storey) are preferred to maintain air quality and avoid wind tunnels. They note that high-rises spoil the environment.	The planning proposal does not propose changing controls for height or FSR. It relates only to affordable housing contribution for a future development. A comprehensive analysis of environmental consequences (including aspects such as built form, character, privacy, solar access, and wind impacts) will be a mandatory component of any subsequent detailed development application.	As previously state, the provisions contained within the planning proposal do not relate to building height. No changes to maximum allowable building height are proposed. Built form and its environmental impacts are more appropriately handled at a future DA stage. This issue does not inhibit the proposal's progression to Finalisation.
	Profit-driven Private Developers The submitter comments that profit-driven private developers can never deliver cheap affordable development and suggests a government statutory body be established to ensure low-cost high-rise developments are built.	The concepts of 'Affordable housing' and 'housing affordability' are different. 'Affordable housing', as define in the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) provides below-market-rate homes for very low to moderate-income households, typically key workers who cannot afford	While the planning proposal seeks to reduce the applicable affordable housing contribution rate, it does not seek to negate it completely. It proposes a 7% rate, higher than the 4% rate applicable to several lots in the Chatswood CBD. The proposal is in line with the Regional and

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		market prices near work but don't qualify for social housing. This proposal ensures development meets Council's affordable housing targets, consistent with the <i>Willoughby Local Strategic Planning Statement</i> (February 2020) (<i>LSPS</i>) and <i>Willoughby's Housing Strategy 2036</i> .	District Plans as well as other relevant housing strategies. Issues raised relating to the delivering of affordability by private developers does not preclude the proposal from moving to Finalisation.
SUB-10207	Lacks Planning Merit The submitter raises issue with the proposal's lack of planning-based merit. They comment that the proposal's justification is administrative and should be disallowed and dealt with separately from the planning process.	Under the <i>LEP Making Guidelines</i> , planning proposals must demonstrate both strategic and site-specific merit to proceed. For progression through Gateway Determination, the Minister (or their delegate) needs assurance of this merit and that any identified potential impacts are manageable in subsequent LEP stages. Specific assessment criteria outlined in the guidelines were addressed in the Planning	The Panel determined on 8 June 2024 that the proposal had strategic and site-specific merit. It was issued a Gateway Determination on 28 January 2025 which further supports its strategic and site-specific merit. The submitter's concern that the proposal's justification is administrative rather than planning-based is not a barrier for the proposal progressing to Finalisation.

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		Proposal and Rezoning Review Request. The proposal successfully met these, receiving a Gateway Determination which confirmed its merit and that potential impacts are manageable later.	