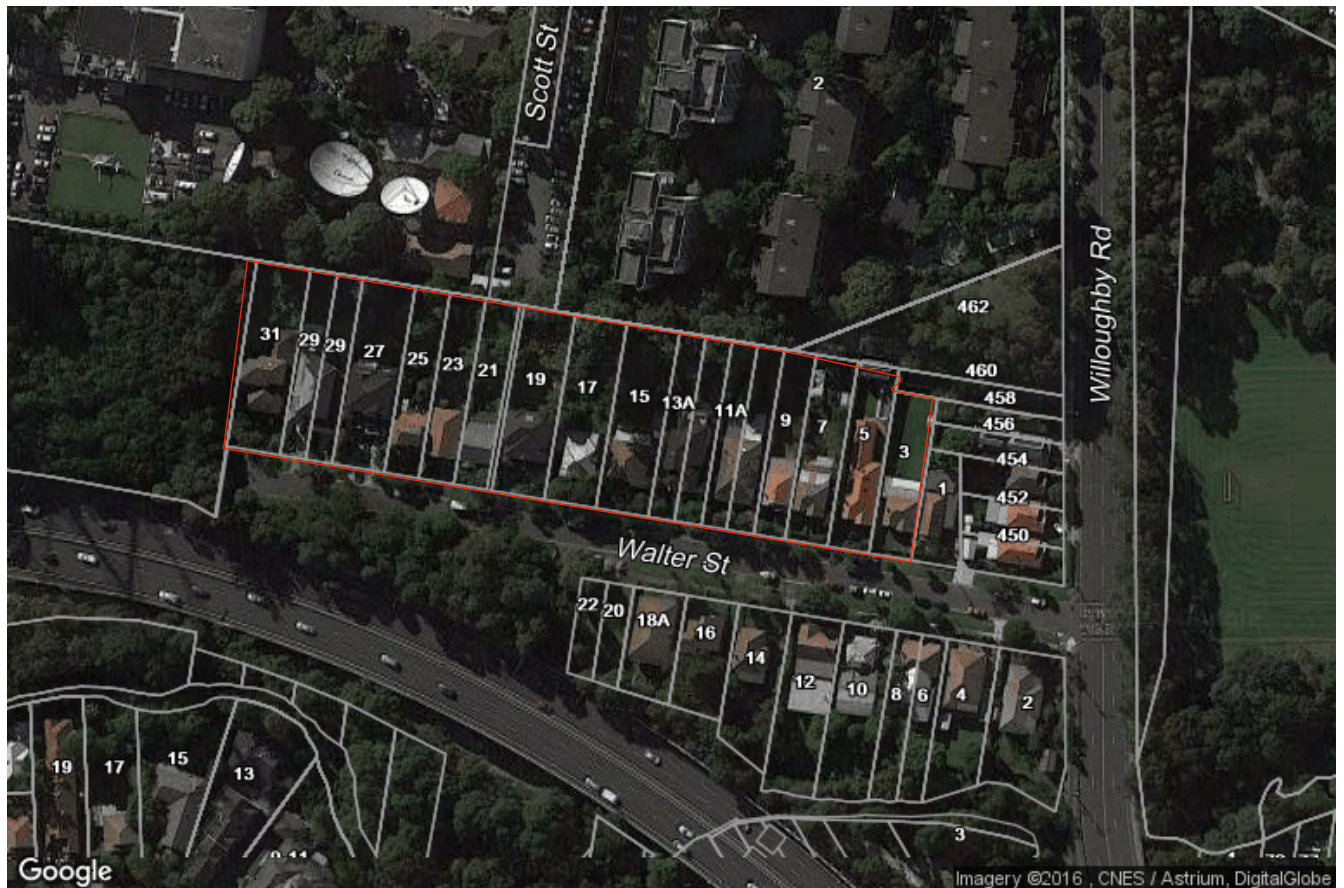


3 – 31 Walter Street, Willoughby  
Strategic and Site Specific Merit Test

1.0 Background

This Planning Proposal has been prepared on behalf of Walter Projects Pty Limited and was submitted to Willoughby Council in support of an amendment to the provisions of the Willoughby Local Environmental Plan 2012 (LEP) as they relate to the site known as 3 – 31 Walter Street, Willoughby.



Extent of Land for Rezoning

Source: RPData 2018

The objective of the Planning Proposal is to amend the WLEP 2012 as follows:

1. It is proposed to rezone the site from R3 to R4;

2. It is amend the height control across the site from 12 metres to 24 metres and 27 metres; and
3. It is proposed to amend the Floor Space Ratio for the subject site from 0.9:1 to 1.5:1 (including affordable housing).

On 27 July 2017, Architecture Urbaneia on behalf of Walter Projects Pty Ltd (the proponent) submitted a planning proposal to Council detailing an original concept masterplan for the site.

On 29 October 2018, the proponent submitted a rezoning review request as Council had failed to indicate support for the proposal within 90 days of submission of the planning proposal.

The *Guide to Preparing Local Environmental Plans* requires the justification to address the following criteria to demonstrate whether the proposal:

*a. has strategic merit as it is:*

- *consistent with 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*
- *consistent with a relevant local strategy that has been endorsed by the Department; or*
- *responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.*

*There will be a presumption against a Rezoning Review request that seeks to amend LEP controls that are less than 5 years old, unless the proposal can clearly justify that it meets the Strategic Merit Test.*

*b. having met the strategic merit test, has site-specific merit, having regard to:*

- *the natural environment (including known significant environmental values, resources or hazards)*
- *the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal*

- *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.*

## 2.0 Introduction

The proposal is considered to have strategic merit as it involves increasing residential densities in a highly accessible location and is consistent with the direction of the revised Willoughby Council Housing Position Statement as part of its review of the Willoughby City Strategy. The proposed redevelopment has the potential to provide significant community benefit through public domain improvements, road widening, intersection upgrade, improved pedestrian and cycle linkages and affordable housing.

Willoughby Council has recently completed its Housing Position Statement as part of its review of the Willoughby City Strategy. The recently released North District Plan (March 2018) requires Council to deliver a 5 year housing target of 1,250 dwellings to 2021 and requires the development of 20 year strategic housing targets identifying investigation areas for additional housing capacity.<sup>1</sup> The report identifies the subject site as part of the “Area suggested for investigation 5.3 Willoughby” where it forms part of the R3 Medium density zoned land which borders the centres along Penshurst Street and Willoughby Road.<sup>2</sup>

The subject site presents a unique opportunity to redevelop an existing highly accessible low density residential precinct by retaining and upgrading the existing infrastructure and facilities to satisfy contemporary access, safety and amenity standards and integrate them into a larger site redevelopment, creating pedestrian linkages and dealing with traffic and parking demands on site. A significant portion of the site creates the opportunity for a residential interface providing a buffer to the open space uses adjoining and the high density residential uses to the north and providing a local population to support and enhance the broader Willoughby town centre. The site provides the opportunity for the provision of additional pedestrian networks linking the area, through the site, between Artarmon and Willoughby town centres.

The Planning Proposal is consistent with Council’s Housing Position Statement endorsed in June 2017 which is a background document informing a future Willoughby Housing Strategy. The Position Statement discusses planning for the

<sup>1</sup> Willoughby Council Willoughby Housing Position Statement 2016 p4

<sup>2</sup> *ibid.* p26

future housing needs of Willoughby City residents over the next 20 years in response to growing and changing population. The Planning Proposal is consistent with the underlying principle of the Position Statement that states “focus new housing growth in larger centres and areas of medium and high density with access to public transport to protect lower density neighbourhoods.” The Housing Position Statement identifies the land within an area of investigation for increased density as it is located near the Willoughby and Naremburn business centres, close to public transport and open space with good bicycle and pedestrian linkages.

It is considered that the Planning Proposal is the best means of achieving the objectives and outcomes discussed above.

### 3.0 Strategic Merit

#### 3.1 Consistent with the Relevant District Plan

##### Greater Sydney Region Plan March 2018

The Greater Sydney Region Plan- A Metropolis of three cities which is the NSW Government’s revised plan for the future of the Sydney Metropolitan area to 2056 was adopted in March 2018.

The Greater Sydney Region Plan sets ten directions for Sydney to be:

1. A City Supported by Infrastructure
2. A collaborative city
3. A city for people
4. Housing the City
5. A city of great places
6. A well connected city
7. Jobs and skills for the city
8. A city in its landscape
9. An efficient city
10. A resilient city.

The plan encourages Council’s to accelerate housing supply, choice and affordability and build great places to live. This is to be achieved by working with Councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal) and train services along key public transport corridors.

## North District Plan March 2018

The North District Plan was adopted in March 2018 and implements the vision and directions of the Greater Sydney Regional Plan March 2018 through Planning Priorities and Actions.

Planning Priority N5 of the District Plan; Providing housing supply, choice and affordability, with access to jobs and services is the main initiative that is relevant to this Planning Proposal. It requires Willoughby Council to prepare a local housing strategy that addresses the delivery of 1,250 dwellings within 5 years and plans for the capacity to deliver further dwellings within a 10-20 year period.

The Planning Proposal is considered consistent with the Greater Sydney Region Plan March 2018 and the North District Plan March 2018 for the following reasons:

The proposal will assist in meeting the housing supply targets required in the North District Plan in a location identified as being well located to local centres, public transport, public open space and regional walking and cycle networks. The Planning Proposal is considered consistent with the North District Plan March 2018.

### 3.2 Consistent with a Relevant Local Strategy

There are no department-endorsed local growth strategies that apply to the site.

Willoughby Council is in the process of preparation of Draft Housing, Local Centres and Industrial Strategies which are anticipated to be exhibited in late 2018 for community comment. The Planning Proposal is consistent with the Council endorsed Housing and Local Centres Position Statements that are the background documents to the strategies and set the underlying principles for planning for the future needs of housing and jobs for Willoughby residents.

The Planning Proposal responds to the Housing targets for Willoughby Local Government Area as included in the North District Plan and future growth predicted to 2056.

The Willoughby City Strategy 2013-2029 is the Council's community strategic plan for the future of the local government area to help guide decision making and planning.

The Strategy sets out six broad themes, with the relevant sub- theme regarding this Planning Proposal being Homes: Housing choice, quality and character with the goal "To be a place with housing that is liveable, sustainable and enhances urban character."

The following relevant strategies are identified:

#### 3.1.1 Plan for housing choice

- a) Investigate changing demographics of the Willoughby area and review planning controls to encourage new housing types to meet community and intergenerational needs.
- b) Facilitate, provide and advocate for affordable housing.
- c) Protect important employment areas (industrial, commercial land) from incursion by residential development and other uses that affect the long term integrity of those areas.

#### 3.1.2 Quality living amenity for residents

- a) Ensure future development can be provided with adequate infrastructure and services.
- b) Assess development for its quality, sustainability and amenity for living.

The Planning Proposal is considered consistent with the Willoughby City Strategy 2013-2029.

### 3.3 Responding to a Change in Circumstances

The proposal responds to the current State Government Infrastructure investment program and the strategic connections through the Eastern Economic Corridor. Chatswood is the focus of a public transport hub with improved connections to the north and north-west through metro and heavy rail.



The planning proposal supports and responds to these changing circumstances and investment in infrastructure.

#### 4. Site Specific Merit Test

##### 4.1 Natural Environment

There is a significant fall in topography from the north-west corner of Walter Street to the opposite south-east corner and extensive excavation will be required to develop the site in accordance with the Planning Proposal. A geotechnical report prepared by JK Geotechnics notes that the main issue associated with developing the site to R4 High Density Residential will be the anticipated shallow depth to sandstone bedrock.

According to the report, whilst the sandstone bedrock will provide suitable founding material and can generally be excavated with vertical batters, hard rock excavation conditions must be anticipated for any proposed basements, as well as the need to control sound vibrations. Further investigation will be required to be undertaken prior to exhibition.

The site is also located within an important landscape corridor which extends generally west to east incorporating Artarmon Reserve, the Gore Hill Freeway corridor, Richmond Avenue Reserve, Prentice Park, Fleming Park, Bicentennial Reserve, Flat Rock Gully, Tunks Park, Northbridge Park and Memorial Reserve to Middle Harbour.

The site is currently zoned for medium density which will result in removal of vegetation and the Planning Proposal is likely to result in the removal of a significant number of existing trees.

A tree inventory identifies that initial assessment indicates 31 trees to be removed across the site, with a further estimated 10 trees removed to accommodate the path along the southern side of Walter Street.

The flora and fauna report prepared by Fraser Ecological consulting submitted with the Planning Proposal advises that the habitat tree impacts are largely limited to removal of predominantly exotic or non- locally native trees. It identifies the site as comprising mainly typical North Shore garden planting

and urban back yards. The trees throughout the site provide an upper canopy inter-connectivity including contact with introduced and remnant trees on the adjacent property to the south. No habitat hollows were recorded and the habitat on-site is not considered to provide critical breeding habitat resources.

The major conclusion of the flora and fauna assessment is that the proposed development is unlikely to result in a significant impact on any listed species or communities providing the recommendations of the report are applied to future development. Recommendations are made emphasizing the importance of replacement planting and provision of landscape areas and soil volume to accommodate taller trees commensurate with the building heights and landscape character of the area and corridor is important.

Although it is close to the M2, which abuts the southern boundary of properties to the south side of the street, traffic noise is relatively contained by large acoustic barriers, landscaped setbacks and existing dwellings.

An Environmental Site Assessment has been provided with the Planning Proposal. The report concludes that, based on preliminary findings, higher density is possible however further investigation is recommended particularly in the eastern site areas. A stage 2 – Detailed investigation report will therefore be required prior to exhibition should the Planning Proposal proceed to Gateway.

It is considered that the planning proposal is consistent with the environmental values, resources and hazards of the site.

#### 4.1.1 Site amalgamation

The proponent's concept plan indicates the amalgamation to create four separate development sites along Walter Street. This lot consolidation pattern includes sites currently not owned by the proponent.

It is recommended that the Willoughby Development Control Plan 2006 be amended to require a minimum development allotment size of 2000m<sup>2</sup> be applied to the site to facilitate these amalgamations.

#### 4.1.2 Bulk and scale (solar access and ventilation)



The proponent submitted a solar analysis of the development on the site, taking into consideration the potential overshadowing from the approved and proposed modified development at the nearby Channel 9 site. The analysis indicates that all except Concept Building C (21-27 Walter Street) can achieve 70% of habitable rooms receiving greater than two hours sunlight between 9am and 3pm in midwinter.

The proponent has provided shadow impact diagrams that provide the potential overshadowing of the proposed development on the immediate surroundings.

The proponent provided an analysis of cross-ventilation testing confirming compliance with the Apartment Design Guide standards.

The recommendations from the external urban design advice (for the previous planning proposal) have been adopted in the current proposed plans.

#### 4.1.3 Traffic

The planning proposal is accompanied by a traffic study prepared by The Transport Planning Partnership. The assessment recommends that traffic signals be provided at the Walter Street intersection. The consultant is of the view that this outcome would provide more than adequate network capacity for a good level of service in the future following the completion of all known developments in the area.

The study notes that Roads and Maritime Services has provided in-principle approval for the Walter Street intersection to be upgraded with traffic signals.

#### 4.2 The existing uses, approved uses and likely future uses of land in the vicinity of the proposal.

The planning proposal identifies that although the area is characterised by low-density residential in the form of single-formed detached dwellings, the subject sites are zoned R3 Medium Density Residential.

The wider precinct has a medium to high-density character with substantial existing and proposed development including:

- 6-30 Artarmon Road, Willoughby (Channel 9 site) – approved Part 3A redevelopment of the site for up to 400 residential dwellings with non-residential uses to support the new population. The site is subject to a modification seeking to permit high residential densities up to 510 dwellings across eight residential flat buildings ranging in height from four to nine storeys, with two buildings up to 11-12 storeys; and
- 2-4 Artarmon Road, Willoughby – existing high-density residential development with heights ranging from nine storeys to five storeys, and three storeys on the Willoughby Road frontage.

A two-storey child care centre has been approved for the adjoining site at 1-1A Walter Street and 452-460 Willoughby Road.



#### Existing and Approved Uses

The planning proposal is consistent with the existing uses and likely future uses in the vicinity of the site.

- 4.3 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.

The proposal provides an opportunity to redevelop an existing highly accessible low-density residential precinct by retaining and upgrading the existing infrastructure and facilities to satisfy contemporary access, safety and amenity standards and integrate them into a larger site redevelopment.

The proposal proposes to forward-fund the intersection upgrade of Willoughby Road and Walter Street to operate under traffic signal control and upgrade the carriageway to allow for two lanes of traffic and parking.

While the precinct has been upzoned to R3 medium density no provision has been made for any road widening or intersection upgrades to support any increased density or intensity of use. Walter Street is a cul-de-sac and the intersection of Walter Street and Willoughby Road is not signalized and is currently operating at a Level of Service F.<sup>3</sup> Level of Service F is described in the RMS Guide to Traffic Generating Development 2002 as “*Extreme delay, major treatment required*” with average delays of 79 seconds in the evening peak.<sup>4</sup> If the Walter Street intersection was to be upgraded to operate under traffic signal control, it would have sufficient traffic capacity to alleviate the existing traffic concerns and accommodate extra development traffic arising from development uplift above the current R3 zoning.<sup>5</sup> As part of this planning proposal, the proponent proposes to forward fund the required intersection upgrade of Willoughby Road and Walter Street to be upgraded to operate under traffic signal control.

Furthermore, the carriageway in Walter Street currently has a width of approximately 7m and with the existing on-street parking provision on both sides of the street only allows for a single lane of traffic movement. The road reserve has a width of approximately 20m with wide unmade verges and compromised footpaths given the changing levels up and down the street. As part of this planning proposal, the proponent proposes to forward fund the upgrade of carriageway to allow for compliant footpaths, street tree planting and a carriageway which will allow for two lanes of traffic and parking on each side within the existing road reserve for the length of Walter Street.

The subject site presents a unique opportunity to redevelop an existing highly accessible low density residential precinct by retaining and upgrading

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<sup>3</sup> The Transport Planning Partnership Walter Street Traffic Report 2018 p12

<sup>4</sup> Ibid. p12

<sup>5</sup> Ibid. 15

the existing infrastructure and facilities to satisfy contemporary access, safety and amenity standards and integrate them into a larger site redevelopment, creating pedestrian and bicycle linkages and dealing with traffic and parking demands on site. A significant portion of the site creates the opportunity for a residential interface providing a buffer to the open space uses adjoining and the high density residential uses to the north and providing a local population to support and enhance the broader Willoughby town centre. The site provides the opportunity for the provision of additional pedestrian and cycle networks linking the area, through the site, between Artarmon and Willoughby town centres.

The planning proposal also includes 4% of the gross floor area to be dedicated as affordable housing and a monetary contribution under a VPA commensurate with the FSR uplift.

## 5 Conclusion

This would result in clear benefits for the adjoining and surrounding residents in providing some employment during construction, improved traffic infrastructure, pedestrian linkages, extended semi-public open spaces but more importantly providing a residential transitional scale to the adjoining large scale residential uses to the north. The proposal would also result in benefits for the future occupants of the subject site and consistent with the good planning practice the accrual of these benefits are proposed to be offset by a Voluntary Planning Agreement towards the upgrade of the Walter Street and Willoughby Road intersection and the Walter Street carriageway.

For these reasons the planning proposal is considered to meet the Strategic and Site Specific Merit Test.

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October 2018