

In addition, the other matter in this Planning Proposal yet to be satisfactorily addressed is the non-provision of updated documentation to address WLEP 2012 (Amendment 34) and WDCP (as updated).

### **Other Issues to be addressed**

#### **Development Control Plan provisions**

The proponent has submitted site specific *Development Control Plan* provisions. No discussion is provided as the Planning Proposal is not supported.

#### **Department of Planning and Environment Requirements**

The Planning Proposal is not considered to be generally in accordance with the requirements under Section 3.33(2) of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (August 2023) *Local Environmental Plan Making Guideline*.

Development within the Chatswood CBD MU1 Mixed Use zone is expected to be in accordance with the elements and vision contained within the CBD Strategy, which have been endorsed by both the Council and Department of Planning and Environment, as well as incorporated into *Willoughby Local Environmental Plan 2012, Amendment 34, 30 June 2023* (WLEP 2012), and *Willoughby Development Control Plan* as updated (WDCP).

With regard to how the CBD Strategy, WLEP 2012 and WDCP are expressed in the concept plans accompanying this Planning Proposal, Council does not recognise an appropriate level of consistency – which is the basis for amending current planning controls. As discussed above, particular concern is raised regarding the issue of affordable housing. Other CBD Strategy issues, carried through to WLEP 2012 and WDCP, relate to height and floor space being based on the provision of the required 10% affordable housing. In addition, the Planning Proposal does not provide updated documentation satisfactorily addressing *Willoughby Local Environmental Plan 2012 (Amendment 34)* and *Willoughby Development Control Plan* (as updated).

#### **Strategic Considerations**

Planning Proposal 2023/2 in its current form is considered to be inconsistent with the strategic objectives of the *Greater Sydney Region Plan* and the *North District Plan* which encourages development to be consistent with strategic planning undertaken by local Councils including the provision of affordable housing.

In regards strategic planning undertaken by Willoughby Council, considerable work has been done since 2016 in the form of *Our Future Willoughby 2032*, the *Willoughby City Local Strategic Planning Statement* (February 2020), the *Chatswood CBD Planning and Urban Design Strategy 2036* (September 2020) (the CBD Strategy), the *Willoughby Housing Strategy 2036* (May 2020) and the *Willoughby Local Environmental Plan 2012* review leading to Amendment 34 (30 June 2023).

The *Greater Sydney Region Plan* (updated June 2018) emphasizes the importance of affordable housing in Section 4 'Liveability', 'Housing the City', Objective 11 'Housing is more diverse and affordable'. This strategic document states in regards affordability:

*"Across Greater Sydney, both home renters and purchasers face housing affordability challenges. Greater Sydney has been measured as being one of the*

*least affordable housing markets globally and is the least affordable Australian city. This has been exacerbated in the past five years by rapid home price growth.”*

The *North District Plan* identifies principles for housing strategies, including:

*“Affordable rental housing: through housing diversity for those on moderate incomes and affordable rental housing for low and very low-income households.”*

*Our Future Willoughby 2032, Community Strategic Plan*, identifies the following community priorities:

- Under Outcome 3 ‘A City that is Liveable’: 3.7 Promote housing choice and affordability.
- Under Outcome 5 ‘A City that is effective and accountable’: Anticipate and respond to changing community and customer needs.

The *Willoughby City Local Strategic Planning Statement* identifies the following priorities for ‘Housing the City’:

- *“Priority 1 - Increasing housing diversity to cater to families, the aging population, diverse household types and key workers.*
- *Priority 2 - Increasing the supply of affordable housing.”*

The issue of affordable housing is considered to be an issue of even greater importance to the Greater Sydney Region, and the City of Willoughby, in 2023.

A planning proposal is sought on this site consistent with state and local strategic planning (in particular WLEP 2012) with regard to affordable housing provision.

### **Willoughby Local Planning Panel (WLPP)**

On 11 July 2023, the WLPP considered a number of issues in its review of PP-2023/2: 3 McIntosh Street, 2 Day Street, 40 and 42 Anderson Street, Chatswood including:

- *“compliance with the strategic framework,*
- *Percentage of affordable housing to be provided,*
- *History of Planning Proposal 2023/2 and comprehensive WLEP 2012 review – resulting in WLEP 2012 Amendment 34,*
- *Amalgamation with 38 Anderson Street, and*
- *Inconsistency with CBD Planning and Urban Design Strategy 2036 and Willoughby Development Control Plan requirements.”*

In regards PP-2023/1, the WLPP advised Council that:

*“The Panel advises that while the proposal mostly meets the strategic framework it has failed to incorporate the increased affordable housing provision of 10%.*

*The Panel notes all landowners were notified of the increased affordable housing provision to 10% during the WLEP 2012 exhibition period between 5 March and 7 June 2022. The Panel also notes that this proposal did not form part of the savings list as determined by Council at its meeting 12 December 2022.*

*For these reasons, the Panel does not recommend the planning proposal in its current form.*

*The Panel advises it is not satisfied that the planning proposal is worthy of being forwarded to the DP&E for a Gateway consideration having not demonstrated merit in relation to the affordable housing provision."*

The provision on amended plans on 31 August 2023 does not change the above WLPP advice to Council.

## **Conclusion**

Development within the Chatswood CBD MU1 Mixed Use zone is expected to be in accordance with the elements and vision contained within the CBD Strategy, which have been endorsed by both the Council and Department of Planning and Environment, as well as incorporated into *Willoughby Local Environmental Plan 2012, Amendment 34, 30 June 2023 (WLEP 2012)*, and *Willoughby Development Control Plan as updated (WDCP)*.

The fundamental issue with Planning Proposal 2023/2 is the variation from 10% affordable housing as required in *Willoughby Local Environmental Plan 2012* to 4%. This Planning Proposal accepts the uplift provided in Amendment 34 with regard to height (90m) and floor space (6:1), and seeks to vary the affordable housing controls by reducing the contribution rate by 6%. This reduction is not supported, for the reasons outlined in Part 4.10 above.

Other CBD Strategy issues, carried through to WLEP 2012 and WDCP, relate to height and floor space being based on the provision of the required 10% affordable housing contribution. In addition, the Planning Proposal does not provide updated documentation satisfactorily addressing *Willoughby Local Environmental Plan 2012 (Amendment 34)* and *Willoughby Development Control Plan (as updated)*.

The Planning Proposal in its current form is considered to be inconsistent with the strategic objectives of the *Greater Sydney Region Plan* and the *North District Plan* which encourages the provision of affordable housing and consistency with local strategic planning.

The Willoughby Local Planning Panel also advised that it is not satisfied "*the planning proposal is worthy of being forwarded to the DP&E for a Gateway consideration having not demonstrated merit in relation to the affordable housing provision.*"

In the absence of a scheme providing a contribution rate of 10% of the residential GFA towards affordable housing, and having regard to the other issues raised, it is recommended that Planning Proposal 2023/2 should not be forwarded to the Department of Planning and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.