

## PLANNING & INFRASTRUCTURE Planning Unit

1 March 2021

Brendan Metcalfe Director, North District Eastern Harbour City NSW Department of Planning, Industry & Environment Locked Bag 5022 PARRAMATTA NSW 2124

Dear Brendan,

#### Site Compatibility Certificate – 34 Fullers Road Chatswood SCC2020WILLO-1

Thank you for the opportunity to comment on the application for a site compatibility certificate (SCC) in relation to a proposed residential flat building at 34 Fullers Road, Chatswood, under Division 5 of State Environmental Planning Policy (SEPP Affordable Rental Housing) 2009.

It is noted that the development involves a new two-storey residential flat building with undercroft parking containing 30 one-bedroom dwellings, of which 50% are proposed to be managed by a social housing provider as affordable housing for at least 10 years.

The proposed development involves demolition of an existing building and construction of four two-storey buildings comprising 30 one-bedroom units. A total of 15 car parking spaces, one motorcycle space, three bicycle racks and three bicycle lockers will be provided on the ground floor of the site. Proposed access to the site is via a two-way driveway off Fullers Road. The driveway then continues to a one-lane, two-way access towards the rear parking area.

The site is located on R2 Low Density Residential zoned land in Willoughby LGA and residential flat buildings are not permissible in the R2 Residential zone under the Willoughby LEP 2012 (WLEP). As such, the proposal is considered inconsistent with the Affordable Rental Housing SEPP, Clause 10 (1) which states that the development can be considered only if:

(a) the development is permitted with consent under another environmental planning instrument

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Further, clause 35 of the SEPP specifies that the Division within which provisions relating to the issue of SCCs only applies to development for the purposes of a residential flat building where it is:

- a) by or on behalf of a public authority or social housing provider, or
- b) by a person who is undertaking the development with the Land and Housing Corporation

The SCC should not be issued in the absence of evidence that agreement has been reached with such authorities or providers for the delivery of the development.

As such Council objects to the proposal, the scale and size of which is inconsistent with the character and low density nature of this residential area. In that regard, the proposed FSR is marginally less that 0.9:1, which is significantly greater than the maximum FSR in the R2 Low Density Residential zone of 0.4:1.

In addition, the proposed development is inconsistent with the *Willoughby Local Strategic Planning Statement 2036* (LSPS) endorsed by the DPIE and the Greater Sydney Commission (GSC), Action 1.3 which aims to "Generally, protect existing low-density areas from development as they are not needed to ensure sufficient dwelling supply and are important as a source of traditional family housing".

Council's housing priorities are to focus medium and high density development in the expanded Chatswood CBD, in the vicinity of local centres and in existing R3 Medium Density Residential and R4 High Density Residential zones.

Council is also concerned with a number of specific aspects of the proposed development including the following:

Site location, visual amenity, privacy and site design;

Council is concerned that the proposed development is out of character with other development in the locality due to the bulk and scale of the development. There will also be a number of potential adverse privacy impacts on adjoining properties.

Lack of quality open space;

The proposed backyard lawn of 265m2 is considered to be insufficient in size, of low quality and poorly located in relation to solar access.

#### Impact on existing trees;

The application states that there are a number of trees on the property which will be removed as a result of the development. Council is concerned about the adverse impact of the proposed loss of trees and future minimal deep soil areas as a result of

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this development. Council policy requires replacement of any tree that is removed to be replaced by three new trees in the attempt to improve the urban tree canopy in Willoughby.

#### Traffic and Transport impacts;

The Transport Impact Assessment submitted for the proposal states that based on the average trip rates presented for these types of developments, the proposed development is anticipated to generate 10 vehicles per hour for both morning and evening peak periods.

The assessment states that the above traffic generation estimate is considered to be minimal and is not expected to have significant impact on the surrounding road network. Council however notes that Fullers Road is a State controlled classified road and that referral to Transport for NSW is required.

Council is concerned about the additional traffic impact and potential access issues resulting from the proposal on this busy road, and the potential difficulty of right-hand turns from the development site onto Fullers Road.

 Overshadowing impacts, including to the proposed private open space area and adjoining dwellings;

The proposed development will have significant overshadowing impacts to both the proposed private open space and adjoining developments.

 Heritage, including Aboriginal Cultural Heritage and Non-Aboriginal (European) Heritage;

The site is located in close proximity to the Blue Gum Heritage Conservation Area (HCA) in addition to two heritage items located at 24 Fullers Road and 30 Edgar Street Chatswood. The potential impacts on these heritage items and Blue Gum HCA should be considered.

#### Conclusion

In conclusion Council objects to the proposed SCC for a residential flat building at 34 Fullers Road Chatswood as the proposed development does not comply with both the State Environmental Planning Policy (Affordable Rental Housing) 2009 and Willoughby LEP 2012 and is inconsistent with Council's LSPS which has been endorsed by the DPIE and the GSC.

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Please contact Ian Shillington in the first instance on 9777 7620 or Ian.Shillington@Willoughby.nsw.gov.au if you require further information in relation to Council's comments.

Yours faithfully

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IAN ARNOTT PLANNING MANAGER