

Report to the Secretary's delegate on an application for a site compatibility certificate (SCC2020WILLO-1) under State Environmental Planning Policy (Affordable Rental Housing) 2009 – 34 Fullers Road, Chatswood

SITE

The site is located at 34 Fullers Road, Chatswood (**Figure 1**) and legally known as Lot 1 DP 60481. Irregularly shaped, the lot is approximately 1,759sqm, with a frontage of approximately 31m to Fullers Road. The site has a significant 6.8m diagonal cross fall from the site's north-east corner to its south-west and falls approximately 3m east-west along the front boundary.

Located in an established residential area in a landscaped setting, the site is bound by single storey detached dwellings to the east and south. To the west of the site is a shared driveway servicing five battle-axe lots. Beyond the shared driveway is an existing two storey residential flat building comprising 11 apartments and two townhouses.

A one to two storey detached dwelling with an ancillary shed structure occupies the site (**Figure 2**). The site has a landscaped setting with established trees in the front setback and along its boundaries.



Figure 1: Aerial photo of the site and surrounding area (Source: Nearmap).



Figure 2: View of subject site from Fullers Road (Source: Google street view).

The site is located within the Willoughby City Local Government Area (LGA) and development on the site is subject to the Willoughby Local Environmental Plan (LEP) 2012.

Under Willoughby LEP 2012 the site:

- is zoned R2 Low Density Residential (**Figure 3**). The zone permits residential development in the form of boarding houses, dual occupancies, dwelling houses and group homes, but prohibits residential flat buildings
- has a 8.5m maximum building height (**Figure 4**)
- has a 0.4:1 maximum floor space ratio (FSR) (**Figure 5**).

The site is not located within the area identified as Chatswood CBD under Willoughby Council’s Chatswood CBD Strategy.



Figure 3: Zoning map under Willoughby LEP 2012.

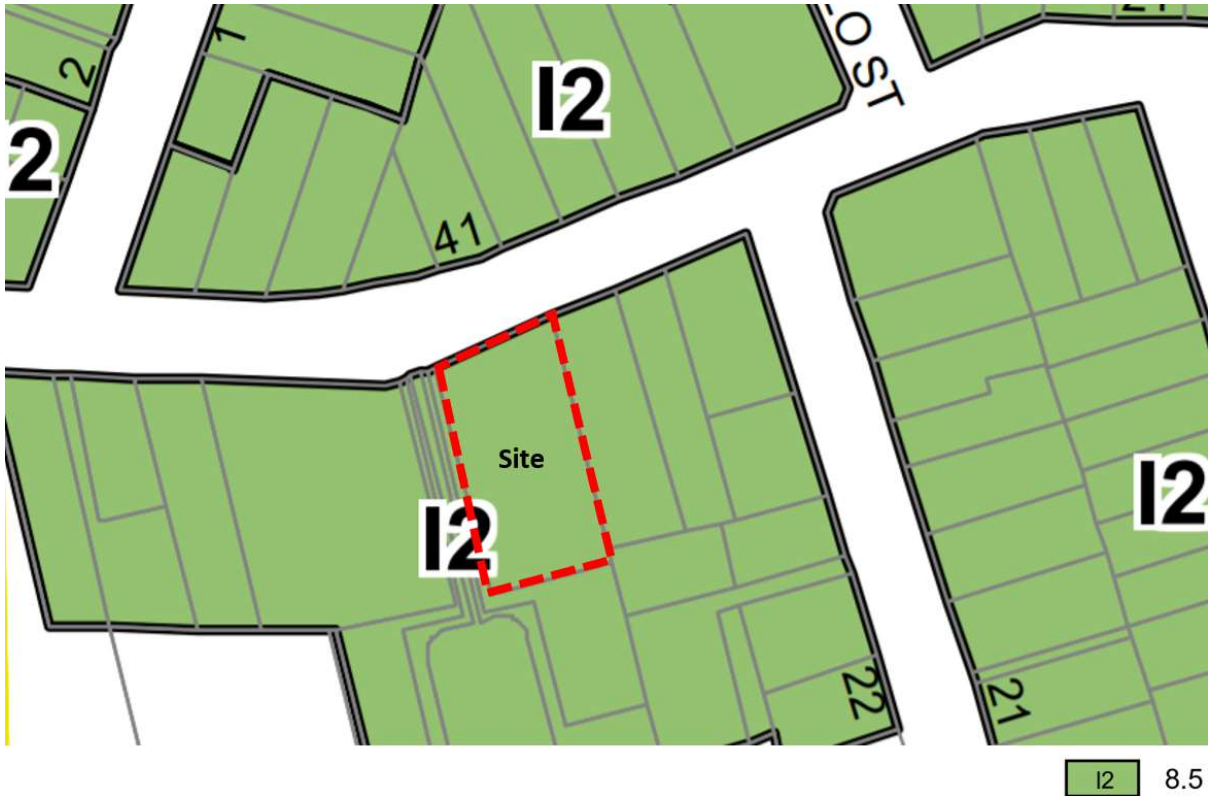


Figure 4: Maximum height of building map under Willoughby LEP 2012.

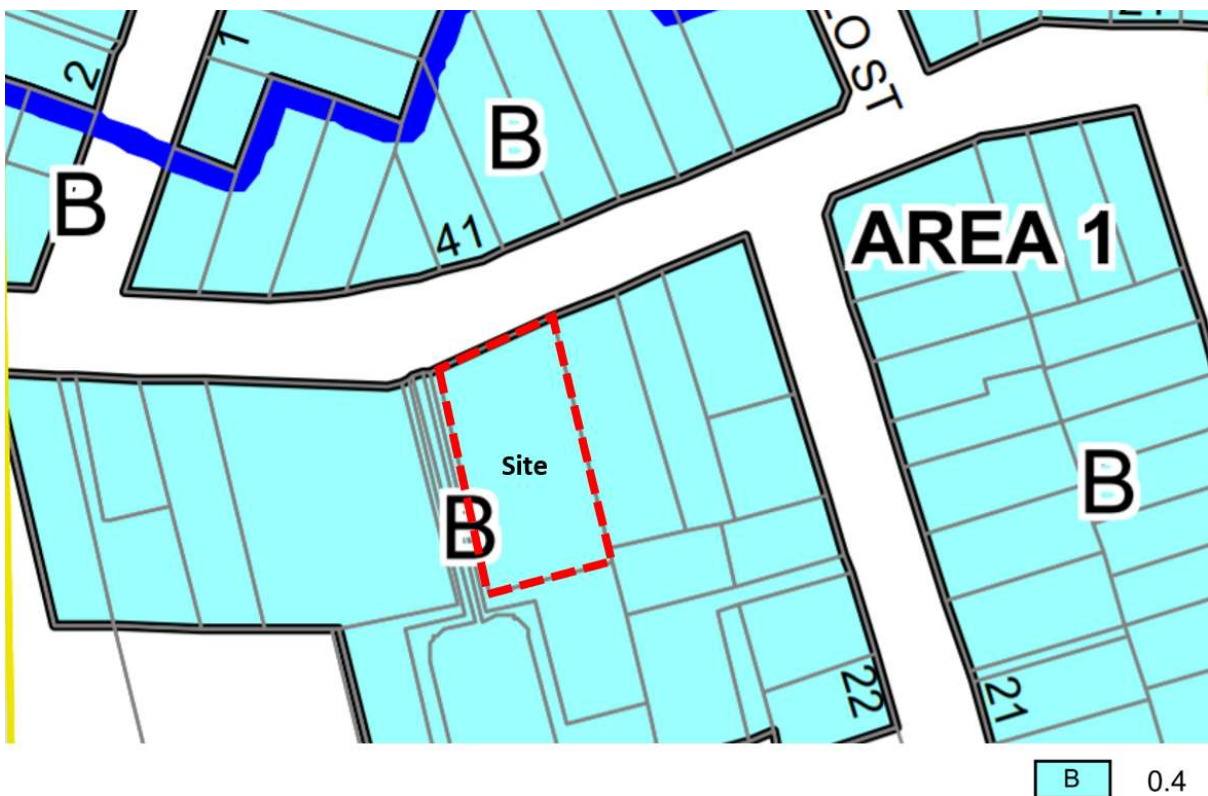


Figure 5: FSR map under Willoughby LEP 2012.

APPLICANT

Bulin Pty Ltd is the applicant on behalf of landowners Shihua Yang and Xinjian Zhang (**Attachment A8**).

PROPOSAL

The purpose of the Site Compatibility Certificate (SCC) application is to facilitate a proposal for a residential flat building development of two and three storeys containing 30 one-bedroom dwellings (of which 50% or 15 dwellings will be designated affordable housing for 10 years). Refer to **Figures 6 to 9** for extracts of the development concept plans.

The proposal has a maximum building height of 8.5m and a maximum FSR of 0.85:1 based on the material provided by the applicant, which is more than double the 0.4:1 maximum FSR control currently allowed under Willoughby LEP 2012 for the site.

The affordable housing dwellings are proposed to be managed by a social housing provider, Link Housing (**Attachment A7**).

A total of 15 parking spaces are proposed on the site, 13 of which would be located to the rear in an under-croft area and two which would be located within the front setback. A motorcycle parking space and bicycle racks are also proposed within the under-croft area. A central driveway ramp connects the vehicular entrance at Fullers Road to the under-croft area in the rear.

The development is proposed to be in a stepped format in response to the site's topography, with the building 'stepping down' to the rear of the site. The proposed maximum height is 8.5m, which is the maximum building height set by Willoughby LEP 2012.

The 30 one bedroom dwellings are provided across four buildings that are linked by external corridors and stairs.

The proposal is supported by development concept plans, shadow diagrams, survey plan, site plan and traffic report.

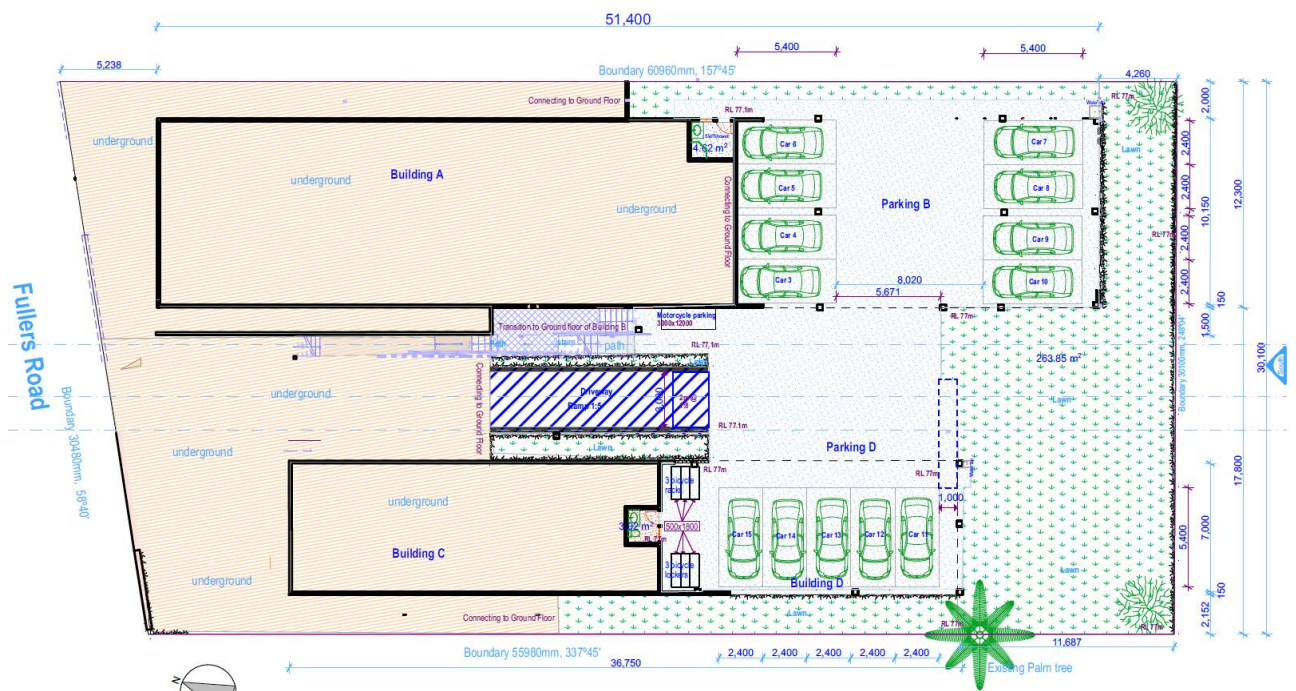


Figure 6: Lower Ground Floor plan (Source: SCC Report, J Yang).



Figure 7: Ground Floor plan (Source: SCC report, J Yang).



Figure 8: First Floor plan (Source: SCC report, J Yang).



Figure 9: West and east elevations showing stepped format of the proposed development (Source: SCC report, J Yang).

PERMISSIBILITY STATEMENT

Division 5 - Residential flat buildings - social housing providers, public authorities and joint ventures of State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) sets out the requirements for permitting residential flat buildings with consent by social housing providers, public authorities and joint ventures.

Clause 34 Land to which Division applies

This Division applies to the following land, but not if development for the purposes of a residential flat building is permissible on the land under another environmental planning instrument—

- (a) *land in the Greater Sydney region that is within 800 metres of—*
- (i) *a public entrance to a railway station or light rail station, or*
 - (ii) *in the case of a light rail station with no entrance—a platform of the light rail station*

Comment: The Department is satisfied that Division 5 of the ARH SEPP applies to the land and that the proposal complies with the requirements of clause 34(a) of the ARH SEPP as the subject site is located:

- On land zoned R2 Low Density Residential under Willoughby LEP 2012 which prohibits residential flat buildings;
- Within the Greater Sydney region; and is
- Within 800m of a public entrance to Chatswood railway station (**Figure 10**).

Division 5 applies to allow residential flat buildings to be permissible on land near key railway stations, and where it is not permitted under another environmental planning instrument, if the proposed development is compatible with surrounding

land uses. As such this Division requires the issuing of a site compatibility certificate (SCC) to allow a residential flat building to be constructed on the site.



Figure 10 Proximity of site to Chatswood railway station entrance (Nearmap, with DPIE edits).

Division 1 In-fill affordable housing of the ARH SEPP

Under clause 10 of Division 1 of the ARH SEPP, a bonus 0.5:1 FSR is permissible where at least 50% of a proposed development is for affordable housing, in areas where residential flat buildings are permissible under another environmental planning instrument and the existing FSR is less than 2.5:1.

This is relevant as the bonus FSR has been used as a justification for the proposed 0.85:1 FSR, almost the equivalent of an additional 0.5:1 FSR. However, Division 1 of the ARH SEPP does not apply to this site as residential flat buildings are not permissible in the R2 Low Density zone under Willoughby LEP 2012.

Clause 35 Development to which Division applies

(1) This Division applies to development, on land to which this Division applies, for the purposes of a residential flat building—

- (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.*

Comment: It is noted that clause 35 refers to ‘development’ for the purpose of a residential flat building under Division 5. It is noted that an SCC does not provide consent for ‘development’, and that future development on the site would need to obtain development approval from Council, to which clause 35 would directly apply.

As such, a SCC application does not need to be made by or on behalf of people listed above in clause 35 but does require owner’s consent under clause 37 (as discussed below). However, a development application made under this division is required to be by or on behalf of the people listed in clause 35 above. Refer to Response to Council comments below for further discussion.

The applicant has provided satisfactory evidence of landowners’ consent (**Attachment A8**) for the purpose of this SCC application in accordance with clause 37(1).

A letter is included with the application from Link Housing, stating that it intends to manage the affordable housing component as a Community Housing Provider for the project (**Attachment A7**).

ASSESSMENT

A. Council Comments

In accordance with clause 37(4) of the ARH SEPP, Willoughby Council was notified of the SCC application for consideration and comment (**Attachment B1**). Council objects to the proposal and considers the proposed development does not comply with the ARH SEPP, Willoughby LEP 2012 and is inconsistent with Council's Local Strategic Planning Statement (LSPS).

The Secretary must not issue a certificate unless the Secretary has taken into account any comments received from Council (clause 37(6)(a)). A summary of the issues raised in Council's submission (**Attachment B2**) along with the Department's response is provided in **Table 1**.

Table 1: Summary of Council comments

Issue raised by Council	Department response
<p>Permissibility</p> <p>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).</p> <p>As such, the proposal is considered inconsistent with Clause 10(1) of the ARH SEPP, which states that the development can be considered only if:</p> <p>a) <i>The development is permitted with consent under another planning instrument.</i></p>	<p>It is noted that clause 10(1) relates to development under Division 1 In-fill affordable housing under the ARH SEPP which does not apply to this proposal. The provisions under Division 1 are not relevant to the proposal.</p> <p>It is agreed that the proposal has been submitted under Division 5 of the ARH SEPP as development for the purposes of a residential flat building is not permissible on the land under another environmental planning instrument.</p>
<p>Application of Division 5, Clause 35 of the ARH SEPP</p> <p>Clause 35 of the ARH 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:</p> <p>a) by or on behalf of a public authority, or b) by a person who is undertaking the development with the Land and Housing Corporation</p> <p>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.</p>	<p>As noted, clause 35 refers to 'development' for the purpose of a residential flat building under Division 5. A SCC does not provide consent for 'development', and that future development on the site would need to obtain relevant approvals from Council, to which clause 35 would directly apply.</p> <p>A letter is included with the application from Link Housing, stating that it intends to manage the affordable housing component as a Community Housing Provider for the project (Attachment A7).</p>

Issue raised by Council	Department response
<p>Bulk and scale</p> <p>The scale and size of the proposal is inconsistent with the character and low density nature of this residential area.</p> <p>The proposed FSR (almost 0.9:1) is significantly greater than the maximum FSR in the R2 Zone of 0.4:1.</p>	<p>The proposed scale of the development is considered to be inconsistent with the existing landscape character and low-density context in which the site sits.</p> <p>This is further discussed as part of the assessment against clause 37(6)(b)(ii) below.</p>
<p>Site location, visual amenity, privacy and site design</p> <p>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 impacts on adjoining properties.</p>	
<p>Consistency with Willoughby LSPS</p> <p>The proposed development is inconsistent with the Willoughby LSPS endorsed by DPIE and the Greater Sydney Commission, 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.</p>	<p>This has been noted and considered as part of the assessment against clause 37(6)(b)(i) below.</p>
<p>Lack of quality open space</p> <p>The proposed backyard lawn of 265sqm is considered to be insufficient in size, of low quality and poorly located in relation to solar access.</p>	<p>The proposed open space is located in the south-western corner of the site where the overall elevation is the lowest. According to the shadow diagrams (Attachment A4), the proposed open space will be significantly overshadowed between 9am and 3pm on June 21.</p> <p>It is noted SEPP No. 65 – Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (ADG) apply to residential development that is 3 or more storeys and contains 4 or more dwellings.</p> <p>The Department considers the proposal triggers the application of SEPP 65 and the ADG, as the concept plans indicate a 3rd storey to the rear that provides for undercroft parking, however is greater than 1.2m above ground level.</p> <p>The concept does not meet the minimum solar access requirements for</p>
<p>Overshadowing impacts</p> <p>Concern over significant overshadowing impacts to both the proposed open space and adjoining developments.</p>	

Issue raised by Council	Department response
	principal communal open space under the ADG (minimum 2 hours between 9am-3pm on June 21 to 50% of principal usable part of communal open space).
<p>Impact on existing trees</p> <p>Council is concerned about the adverse impact of the proposed loss of trees and future minimal deep soil areas as a result of this development. Council policy requires replacement of a removed tree with three new trees to improve urban tree canopy in the LGA.</p>	<p>This has been noted and considered as part of the assessment against clauses 37(6)(b)(ii) and 37(6)(c) below.</p>
<p>Traffic and transport impacts</p> <p>In regards traffic generation and impact, Council notes that Fullers Road is a State controlled classified road and that referral to Transport for NSW will be required.</p> <p>There are concerns about additional traffic impact and potential access issues resulting from the proposal on this busy road and the potential difficulty of right-hand turns onto Fullers Road.</p>	<p>This has been noted and considered as part of the assessment against clause 37(6)(c) below. This would require more detailed assessment at DA stage.</p>
<p>Heritage</p> <p>The potential impacts to two heritage items at 24 Fullers Road and 30 Edgar Avenue and the Blue Gum Heritage Conservation Area should be considered.</p>	<p>This has been noted and considered as part of the assessment against clause 37(6)(b)(ii) below. It is noted that any impacts to heritage items and conservation areas in the vicinity would be further considered as part of a detailed DA process.</p>

B. Compatibility with Surrounding Land Uses

The Secretary must not issue a certificate unless the Secretary is of the opinion that the development concerned is compatible with the surrounding land uses having regard to the following matters:

1. The existing uses and approved uses of land in the vicinity of the development (clause 37(6)(b)(i))

The site is in a residential area along Fullers Road that is primarily zoned R2 Low Density Residential, with nearby areas zoned RE1 Public Recreation and SP2 Classified Road (**Figure 3**).

The existing uses on neighbouring properties are predominantly single and two storey dwellings, with these uses continuing east and west along Fullers Road for at least 300m. These single and two storey dwellings sit within an established landscape context along Fullers Road (**Figure 11**).

The only exception is that of 40-44 Fullers Road which is an existing one-to-three storey residential flat building containing 13 dwellings (**Figures 12 and 13**) located to the west of the site (refer to **Figure 1**). It is noted the residential flat

building at 40-44 Fullers Road appears as a single storey structure along the Fullers Road frontage (**Figure 12**).



Figure 11: Streetscape showing low density residential and landscape context of Fullers Road, looking east (Google street view).

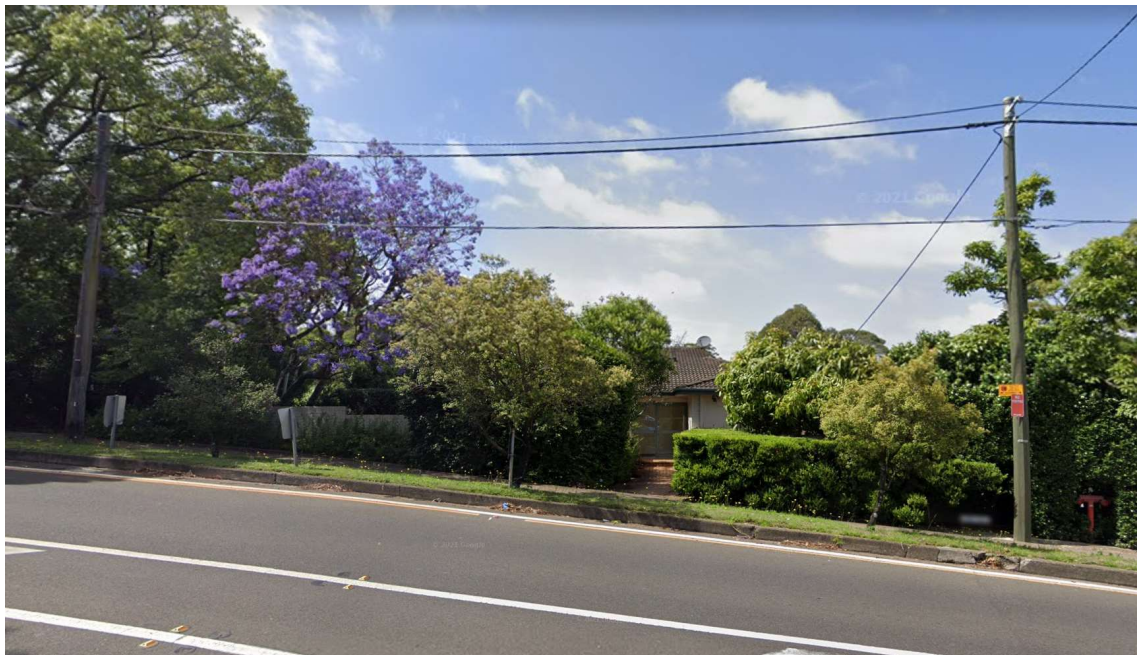


Figure 12: View of 40-44 Fullers Road (Google street view).



Figure 13: Existing one to three storey residential flat building at 40-44 Fullers Road, view from internal driveway (SCC report, J. Yang).

While an existing one-to-three storey residential flat building at 40-44 Fullers Road is located to the west of the site, this is the only departure to the principal land use along Fullers Road, being single and two storey detached dwellings. All directly adjoining land is either zoned R2 Low Density Residential or SP2 Classified Road.

It is also noted that Council's Local Strategic Planning Statement (LSPS) does not envisage additional housing in existing low-density residential areas, as noted by Action 1.3, as they are not needed to ensure sufficient dwelling supply and are an important source of traditional family housing.

Council's Local Housing Strategy also sets the direction to focus new housing in the B4 Mixed Use zones within the Chatswood CBD, local centres, and existing R3 Medium Density Residential and R4 High Density Residential zones. Established low density residential areas are to be retained in order to ensure an ongoing mix of housing and dwelling types for families within the LGA.

The development at 40-44 Fullers Road was approved prior to the implementation of Council's LSPS and prior to the commencement of Willoughby LEP 2012.

The Department therefore does not consider the proposal to be compatible with the existing uses and approved uses of land in the vicinity of the site.

2. **The impact that the development (including its bulk and scale) is likely to have on the existing uses, approved uses and uses that, in the opinion of the Secretary, are likely to be the preferred uses of that land (clause 37(6)(b)(ii))**

Front Setbacks

The plans propose front setbacks of between 5.2m and 3.3m for Building A (eastern building) and between 7.5m to 8.1m for Building C (western building) (**Figure 14**).

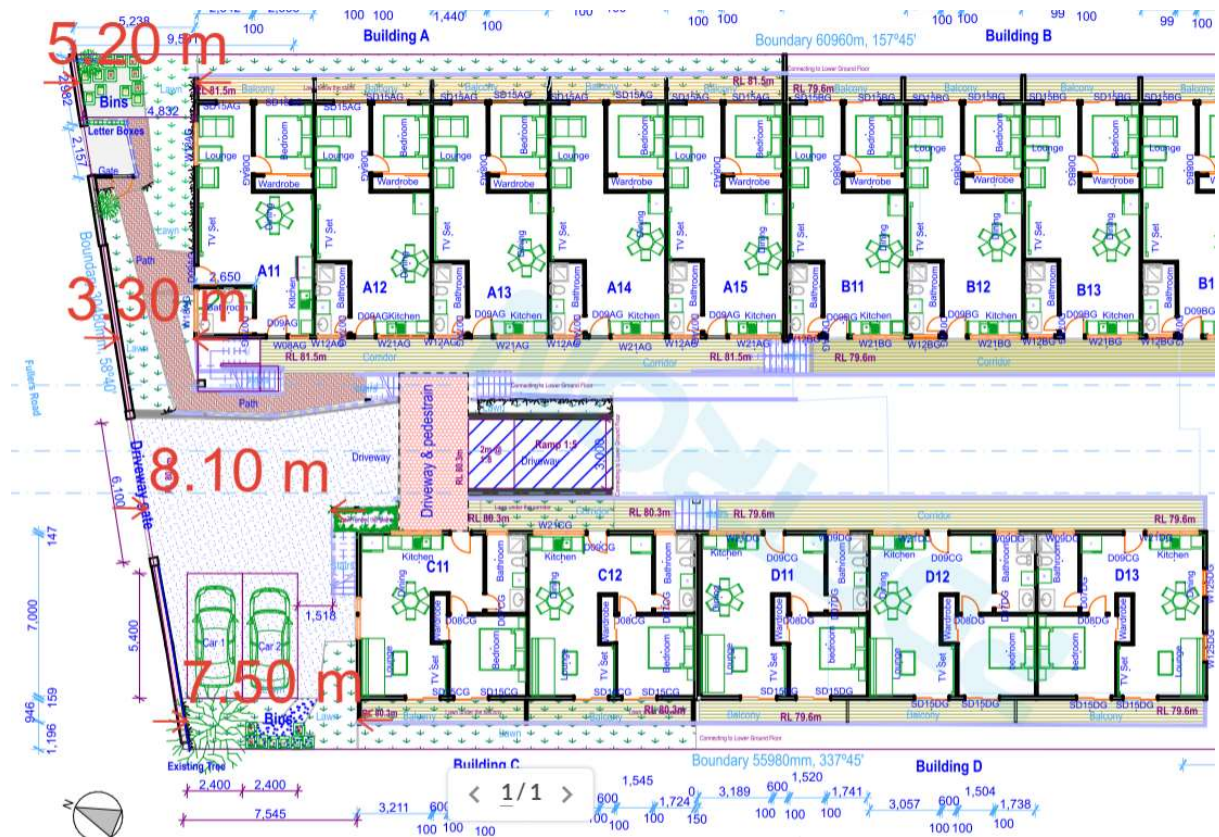


Figure 14: Ground floor plan showing proposed setbacks to Fullers Road (Source: SCC report, J Yang).

Given the site is located within an established low-density residential area with a streetscape that is defined by mature trees (**Figure 11**), the front setback is considered to be important in maintaining a landscaped setting along Fullers Road. Sufficient front setback would be required to facilitate tree growth and landscaping to enable consistency with the existing streetscape.

The proposed front setbacks are notably less than the existing front setback on site which is at a minimum of 9m and are inconsistent with adjoining sites which have a minimum front setback of approximately 6m.

It is also noted that the front setback of Building C (western building), where the front setback is at its greatest, is proposed to comprise a paved driveway and two

car parking spaces. This would further limit the ability for the front setback to support landscaping and tree growth to match the existing streetscape and potentially mitigate the bulk and scale of the proposal.

The Department considers the proposed front setbacks are inconsistent with the general street character and landscaped setting. Other dwellings along Fullers Road have a greater minimum setback overall.

Bulk and Scale

The proposed FSR for the development is approximately 0.85:1, though the maximum FSR permissible for the site under Willoughby LEP 2012 is 0.4:1.

The SCC application relies on Clause 13 Floor Space Ratios under 'Division 1 In-fill affordable housing' of the ARH SEPP, to justify proposed additional FSR of 0.85:1, which exceeds the FSR of 0.4:1 under Willoughby LEP 2012.

Division 1 In-fill affordable housing does not apply to this SCC application as it does not meet the criteria to which Division 1 would apply under Clause 10. For Division 1 to apply residential flat buildings must already be permitted with consent under another environmental planning instrument.

Rather, Division 5, which applies to this SCC, does not provide any additional FSR provisions for the proposal and any additional FSR would need to be considered on merit.

Therefore, in the instance of a future DA on the site should an SCC be granted, the development would be assessed against the maximum FSR of 0.4:1 under Willoughby LEP 2012. A DA relying on an SCC granted under Division 5 would still need to comply with the relevant planning standards, such as the maximum FSR, applying to the site. Where variations to this may be sought, a Clause 4.6 variation under the Willoughby LEP 2012 would be required to support the DA.

In this instance, the proposed gross floor area (GFA) on the site is more than double than the maximum enabled under the existing controls within the Willoughby LEP 2012. This contributes to significant bulk and scale on the site, and limiting the extent of setbacks to the front, side and rear.

The bulk and scale of the proposal results in unreasonable visual impacts from the streetscape and likely from the adjoining properties to the east and west. According to the digital models provided in the application (**Figure 15** and **16**), the proposal would appear quite visibly as a pair of two storey residential flat buildings from Fullers Road. This is exacerbated by the substantial length (36m to 51m) of each building, a diminished front setback, and setbacks of approximately 1m from each side boundary.

Given the proposal's significant bulk and scale within a low-density landscape context, the Department considers the development to be incompatible with the surrounding character of the area and will impact upon the amenity of the streetscape and adjoining properties.

The proposal's bulk and scale may also have impacts to nearby local heritage items and conservation areas as noted by Council. However further assessment of these impacts should be explored at the DA stage should an SCC be issued for the subject land.



Figure 15: Digital model showing view of proposal from Fullers Road (Source: SCC report J Yang).



Figure 16: Digital model showing the proposed residential flat building development. The bulk of development, limited side and front setbacks, and sheer length of the proposal (Source: SCC report, J Yang).

3. The services and infrastructure that are or will be available to meet the demands arising from the development (clause 37(6)(b)(iii))

The site is part of a long established residential urban area along Fullers Road, which is within 800m (10 minute walk) of the Chatswood transport interchange with train, metro and bus services. These services link Chatswood with the Sydney CBD and other strategic centres including North Sydney, St Leonards and Macquarie Park.

Parts of the Chatswood CBD between the Pacific Highway and the railway line are also within 10 minutes walking distance from the site, including a supermarket, retail shops and community services. A number of public open spaces, including Lowanna Park, Anglo Park and Bartels Park are within walking

distance of the site. Chatswood Public School and Chatswood High School are both located in the site's vicinity.

Based on the site's proximate location to Chatswood CBD and the available range of supporting facilities, the existing services and infrastructure accessible to the site should be sufficient to support the demands of additional housing in the area.

C. Effect on the Environment

The Secretary must not issue a certificate unless the Secretary is of the opinion that the development concerned is not likely to have an adverse effect on the environment and does not cause any unacceptable risks to the land (clause 37(6)(c)).

Traffic and Car Parking

The transport impact assessment report (**Attachment A6**) that supports the proposal considers the parking requirements for the development and estimated trip generation for vehicles in the morning and evening peaks.

A total of 15 car parking spaces are proposed on the site.

The SCC report and transport impact assessment both refer to Clause 14(2) under Division 1 to justify the number of car parking spaces proposed on the site. Clause 14(2) sets minimum car parking requirements for in-fill affordable housing under Division 1.

As previously noted, Division 1 does not apply to this SCC application as it does not meet the criteria under Clause 10. Rather, Clause 36(4), which states that car parking is not required in relation to residential flat buildings provided for under the SEPP, would apply to the site.

The number of car parking spaces is therefore not sufficiently justified, given the site's proximity to public transport. As the SEPP does not require car parking to be provided, the Department considers Council should further consider this issue should it progress to the DA stage.

It is noted that parking and traffic implications would need to be further investigated at the DA phase, including consultation with Transport for NSW for implications to Fullers Road (a State classified road).

Tree Removal and Streetscape Amenity

The proposal notes that removal of several trees would be required to accommodate the proposed development on the site, which will be subject to an arborists' assessment.

It is unclear from the plans provided how many trees are proposed for removal. According to the survey, there are approximately seven (7) trees that are located within the front setback, which contribute to the landscape streetscape.

It is noted that any tree removal within the front setback would be determined by the proposed setback to Fullers Road. In this case, the plans propose a setback of between 5.2m and 3.3m for Building A (eastern building) and between 7.5m to 8.1m for Building C (western building) (**Figure 14**), which are less than the existing front setback.

As previously noted, the site is located within an established low-density residential area that is primarily characterised by one to two storey detached dwellings. The amenity of the streetscape is defined by mature trees and a landscape setting that is typical in character for Chatswood, west of the Pacific Highway. Refer to **Figure 11**.

A sufficient front setback is necessary to facilitate a landscaped setting along Fullers Road and to minimise impact to the streetscape's amenity. Based on the proposed plans provided as part of the SCC application, the proposal is considered to have a high risk in affecting the amenity of Fullers Road, due to the proposed front setbacks and car parking spaces which would likely impact on existing trees.

Biodiversity

As the site is located within an established urban area, impacts on ecological, biodiversity or natural environment will be minor.

Overshadowing

A shadow analysis (**Attachment A4**) has been prepared to support the proposal to demonstrate the height impact of the 8.5m proposal. This information demonstrates that the development will likely have minimal impact on adjoining buildings between 9am and 3pm on the winter solstice.

However, the proposed open space for the site is located in the south-western corner of the site where the overall elevation is the lowest. According to the shadow diagrams, the proposed open space will be significantly overshadowed between 9am and 3pm on June 21.

Further assessment and verification of shadow analysis will be required as part of a future development application should an SCC for the subject land be issued.

Contamination – SEPP No.55 – Remediation of Land

The site is currently zoned and used for residential purposes, and there is no evidence to suggest that the site was historically utilised for any other use except residential. This does not preclude the further consideration of contamination at the DA stage if considered necessary by the consent authority should an SCC be issued.

Heritage

The site is not identified as a heritage item nor located within a heritage conservation area.

The nearest local heritage items are at 24 Fullers Road (approximately 75m east of the site) and 30 Edgar Street (30m to the east), with the Blue Gum Heritage Conservation Area also located to the north.

The proposal's bulk and scale may have impacts to these nearby local heritage items and conservation areas as noted by Council. This would need to be further considered as part of any development assessment should an SCC be issued.

OTHER CONSIDERATIONS

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)

Clause 39 of the ARH SEPP 2009 confirms that the provisions of SEPP 65 and the accompanying *Apartment Design Guide* (ADG) apply to development under Division

5. It is noted SEPP 65 and the ADG apply to residential development that is 3 or more storeys and contains 4 or more dwellings.

The proposal does not consider the application of SEPP 65 and the ADG, presumably due to the development being considered as 2 storeys rather than 3 storeys.

The Department considers the proposal is 3 storeys (refer to elevations at **Figure 9**) and therefore triggers the application of SEPP 65 and the ADG.

As such, should a SCC be issued, a future DA for a residential flat building will be required to meet the design principles of SEPP 65 and the design criteria of the ADG, such as context and neighbourhood character; built form and scale, density, amenity through building setbacks, privacy, noise and landscaping.

The proposal's housing diversity would also be considered under SEPP 65 to provide a mix of apartment sizes and choice, given the proposal seeks to develop 30 one bedroom dwellings.

The concept design does not provide enough detail to resolve all these issues at this time. It is expected that compliance with SEPP 65 would be investigated and assessed as part of a DA should an SCC be issued.

RECOMMENDATION

The Secretary may determine the application by issuing a certificate or refusing to do so. Although the Department is supportive of facilitating additional affordable housing in suitable locations within the Willoughby LGA, it is considered that an SCC for this site should be refused due to the following reasons:

- The proposed residential flat building development is not considered to be compatible with the surrounding uses within the low-density residential context of the existing and approved uses within the vicinity of the site west of the Pacific Highway. Although one existing residential flat building is located at 40-44 Fullers Road, the Department does not consider this to be the preferred or predominate use for land in the area and does not set a precedent for future development.
- The proposed FSR on the site (0.85:1) is more than double what is enabled under the Willoughby LEP 2012 (0.4:1) and will result in a development that is excessively bulky and out of scale with the character of the surrounding area.
- The bulk and scale of the proposal is considered to have an unreasonable visual impact from the streetscape and is inconsistent with the surrounding low-density residential context and on the existing uses, approved uses and preferred future uses of the land.
- The proposed front setbacks and likely resultant tree removal are inconsistent with the general street character and established landscaped setting. Other dwellings along Fullers Road have a greater minimum setback overall, supporting mature trees and soft landscaping.

The following issues are also noted in relation to the proposal:

- Council's LSPS and Local Housing Strategy do not envisage additional housing in existing low-density areas, as they are not needed to ensure sufficient dwelling supply and are an important source of traditional family housing.

- The proposed number of car parking spaces are not sufficiently justified, given the site's proximity to public transport and Clause 36(4) of the ARH SEPP not requiring car parking to be provided.
- The Department considers the proposal is 3 storeys (rather than 2 storeys as noted by the SCC report) and therefore triggers the application of SEPP 65 and the ADG. SEPP 65 and the ADG have not been considered in the SCC.

27 May 2021

Charlene Nelson

Manager, Place and Infrastructure



22 July 2021

Brendan Metcalfe

Director, North District

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A/ Senior Planning Officer, North District
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ATTACHMENTS

Attachment Letter Council – Letter to Council advising of decision

Attachment Letter Applicant – Letter to Applicant advising of decision

Attachment A – SCC documentation

- **A1** – SCC Report
- **A2** – Site Plan
- **A3** – Development Concept Plans
- **A4** – Shadow Diagrams
- **A5** – Survey Plan
- **A6** – Transport Impact Assessment Report
- **A7** – Confirmation Letter – Link Housing
- **A8** – Owner’s Consent

Attachment B – Council correspondence

- **B1** – Notification Letter to Council
- **B2** – Council Comments