The new draft Willoughby Comprehensive LEP and DCP

17 March 2022

Community Briefing

On behalf of Willoughby City Council, I wish to acknowledge the traditional inhabitants of the land on which we stand, the Aboriginal People, their spirits and ancestors. We acknowledge the vital contribution that indigenous people and cultures have made and still make to the nation that we share, Australia.

AGENDA

6.00 pm	Process for preparation of the new draft LEP (dLEP) Current LEP and the Local Strategic Planning Statement (LSPS) Basis of the new dLEP Key statistics for Willoughby in future Planning
6.15	**Northern Sydney Local Health District – creating a Healthy Built Environment in Willoughby- Andrew Wheeler**
6.30	**The new dLEP key changes in relation to:** ➢ Housing ➢ Chatswood CBD ➢ St Leonards ➢ Local centres ➢ Industrial areas ➢ State revisions to Employment Zones ➢ Design Excellence ➢ Heat island impacts ➢ Housekeeping aspects –updates and corrections ➢ State changes to Environmental zones.
7.15	**Draft DCP outline and changes**
7.30	**QUESTIONS**
8.00	Thank you and next steps

Headline Changes

Local Environment Plan

- **Growing Chatswood CBD** to the North and South – in line with CBD Strategy adopted by Council and publicly exhibited
- Increasing **density in our local centres** – in line with Local Centres Strategy adopted by Council and publicly exhibited
- More **height and density in Industrial zones** – in line with Industrial Lands Strategy adopted by Council and publicly exhibited
- New **design excellence requirement**, **increase affordable housing** from 4% up to 10%, and **manage urban heat** impacts.
- **Alignment** of residential controls **with Code SEPP** (Exempt and Complying)
- Inclusion of **landscape controls** in LEP from DCP

Development Control Plan

- Strengthen **heritage controls**
- **Reduction of parking requirement** for railway precincts (Chatswood, Artarmon and St Leonards)

12 Week exhibition period with consultation events



Process for New Council Initiated Comprehensive LEP

Specific Strategies prepared to guide future LEP and DCP preparation
CBD; Housing; Local Centres; Industrial Lands; Affordable Housing; Integrated Transport; St Leonards/Crows Nest and North District Plan (GSC)

Local Strategic Planning Statement (Adopted by Council 10 February 2020)

Draft LEP (Planning Proposal)

To WLPP for advice

Reported to Council

Referred to DPE for 'Gateway' determination

'Gateway' granted Dec 2021 specifying requirements to proceed to exhibition

Satisfy 'Gateway' requirements

Exhibit minimum 28 days (3 months)

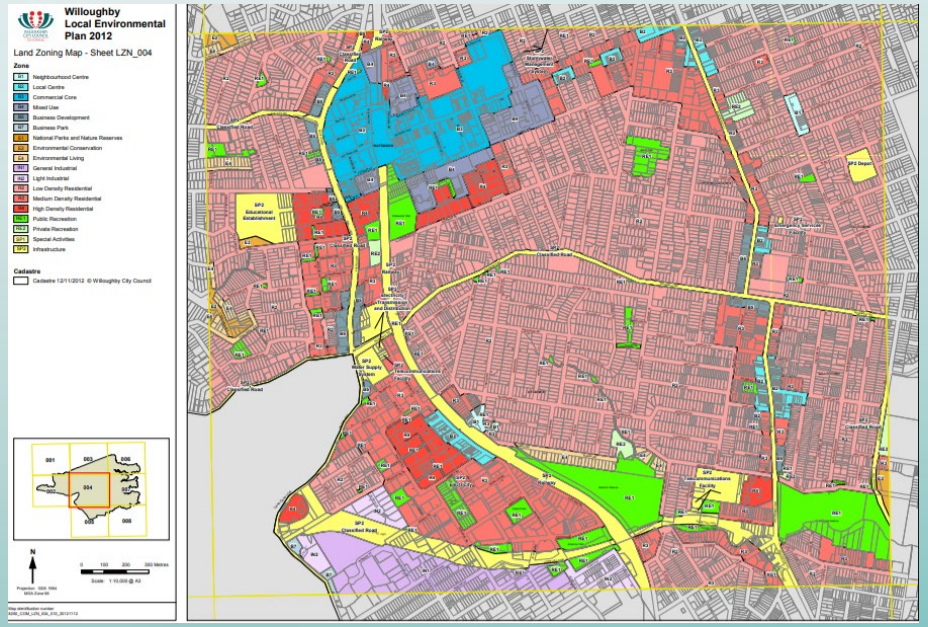
Report to Council

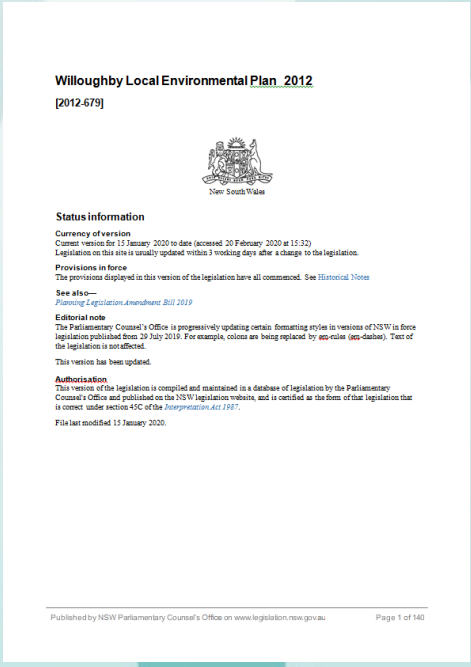
Refer to DPE for LEP to be made/gazetted

LEP takes effect from the date of notification on NSW Legislation website

Current Willoughby Local Environmental Plan 2012

- Work commenced in 2006
- Exhibited in 2010 and re-exhibited in 2012
- Came into force in February 2013 so now 9 years old
- 19 amendments since Gazettal





Willoughby Local Environmental Plan 2012

[2012-679]

New South Wales

Status information

Currency of version
Current version for 15 January 2020 to date (accessed 20 February 2020 at 15:32)
Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force
The provisions displayed in this version of the legislation have all commenced. See Historical Notes

See also—
Planning Legislation Amendment Bill 2019

Editorial note
The Parliamentary Counsel's Office is progressively updating certain formatting styles in versions of NSW in force legislation published from 29 July 2019. For example, colons are being replaced by em-rules (em-dashes). Text of the legislation is not affected.

This version has been updated.

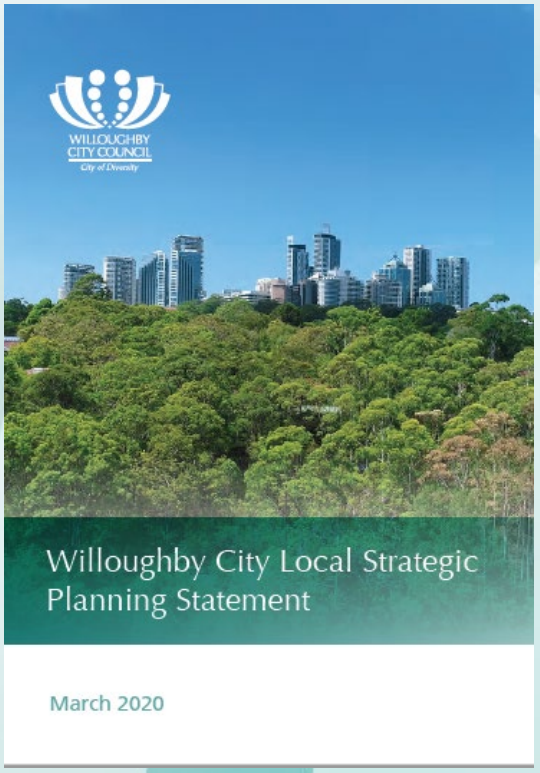
Authorisation
This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the *Interpretation Act 1987*.

File last modified 15 January 2020.

Published by NSW Parliamentary Counsel's Office on www.legislation.nsw.gov.au Page 1 of 140

Willoughby Local Strategic Planning Statement (LSPS)

- Following issue of District Plans across Sydney in 2018 by the GSC all Councils required to prepare an LSPS
- This sets a 20 year vision with priorities and actions for the entire LGA
- Comprehensive LEP gives statutory effect to LSPS actions by:
  - implementing the planning controls provided in the local strategies prepared by Council
  - providing land use controls to achieve the outcomes sought in terms of housing, transport, heritage, health and liveability, economy and employment, waterways, biodiversity, climate change, resilience, social infrastructure and collaboration.



Basis of the new dLEP

Drawn from conclusions and recommendations in our existing strategies delivered through extensive community consultation since 2017:

- *Willoughby Local Centres Strategy*
- *Chatswood CBD and Urban Design Strategy to 2036*
- *Willoughby Industrial Lands Strategy*
- *St Leonards Crows Nest 2036 Plan*
- *Willoughby Housing Strategy*
- *Integrated Transport Strategy*

and will assist in responding to the new

- *Resilient Willoughby Strategy and Action Plan 2021*



Basis of the new dLEP

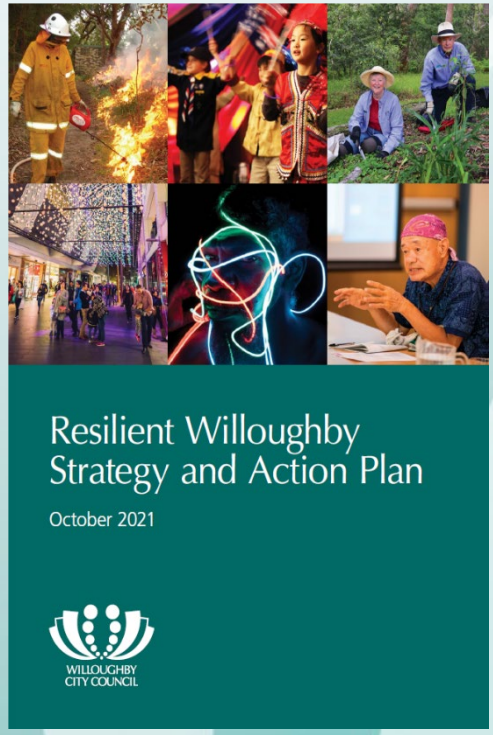
Council's *Resilient Willoughby Strategy* strives for:

Resilient places to withstand climate change, sustain biodiversity and support vibrant, connected communities

- Address the decline in urban biodiversity and tree canopy, reduced availability of green infrastructure
- Urban Greenways to better connect our unique green spaces and enhance opportunities for residents to enjoy nature and improve fitness by walking and cycling
- protect and extend the urban tree canopy (including green walls and roofs)

Resilient buildings which are safe, well-designed, affordable and sustainable

- Enhanced affordable housing opportunities e.g. improved access for vulnerable people and key workers, increased supply
- Response to extreme heat impacts which compromise comfort, productivity and health with sustainable programs to address thermal comfort in the built environment (indoors and outdoors)



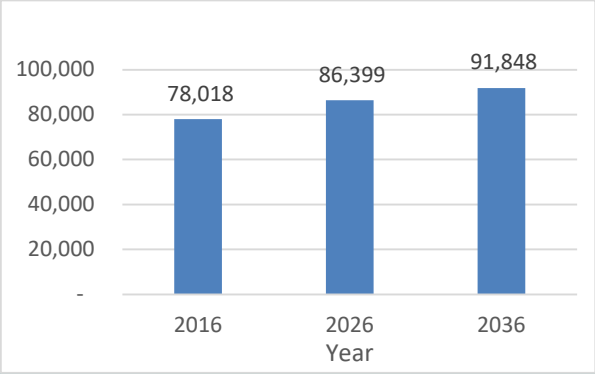
Key statistics for Willoughby in future planning

Population, housing and jobs growth

The population is expected to grow from 78,000 in 2016 by 14,000 people to almost 92,000 in 2036.

The number of dwellings is expected to grow by over 6,700 from 30,367 in 2016 to over 37,000 in 2036. The 5 Year dwelling target of 1250 new dwellings between 2016 and 2021 met (North District Plan)

The number of jobs in Willoughby City is expected to grow from 64,000 to 74,600 in 2036 with a 6,300-8,300 jobs target for Chatswood CBD (North District Plan).



FORECAST POPULATION GROWTH TO 2036
Source: Willoughby Council, Draft Housing Strategy 2019

Creating a Healthy Built Environment in Willoughby

Prepared by **Andrew Wheeler**
Manager, Healthy Built Environments
Health Promotion

March 2022

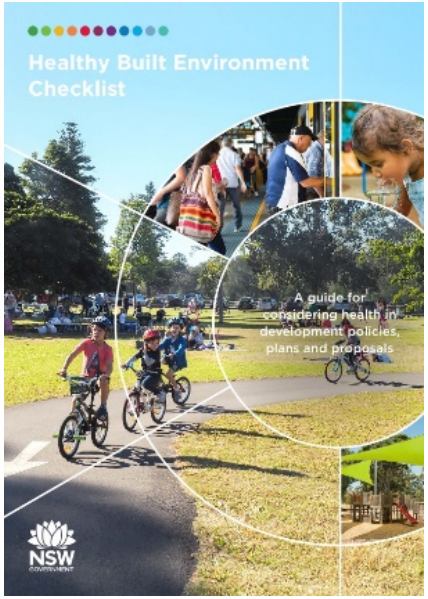
NSW GOVERNMENT Health
Northern Sydney Local Health District

What makes *you* feel healthy?

How does the neighborhood that you live in contribute to your health and wellbeing – both positively and negatively?

NSW GOVERNMENT Health
Northern Sydney Local Health District





NSW GOVERNMENT | Health
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Local Health District



Source: Frasers Property





Source: Bike North

NSW GOVERNMENT Health
Northern Sydney
Local Health District





NSW GOVERNMENT Health
Northern Sydney
Local Health District





NSW GOVERNMENT Health
Northern Sydney
Local Health District

Healthy Neighbourhood Design

Centrally located ‘destinations’
e.g. primary school, library, community centre, open space

Nearby retail



Higher residential densities around neighbourhood centre/open space

Primary local traffic route with public and active transport options

NSW GOVERNMENT Health
Northern Sydney Local Health District



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Housing





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Local Health District

Housing



Source: Architecture & Design AU

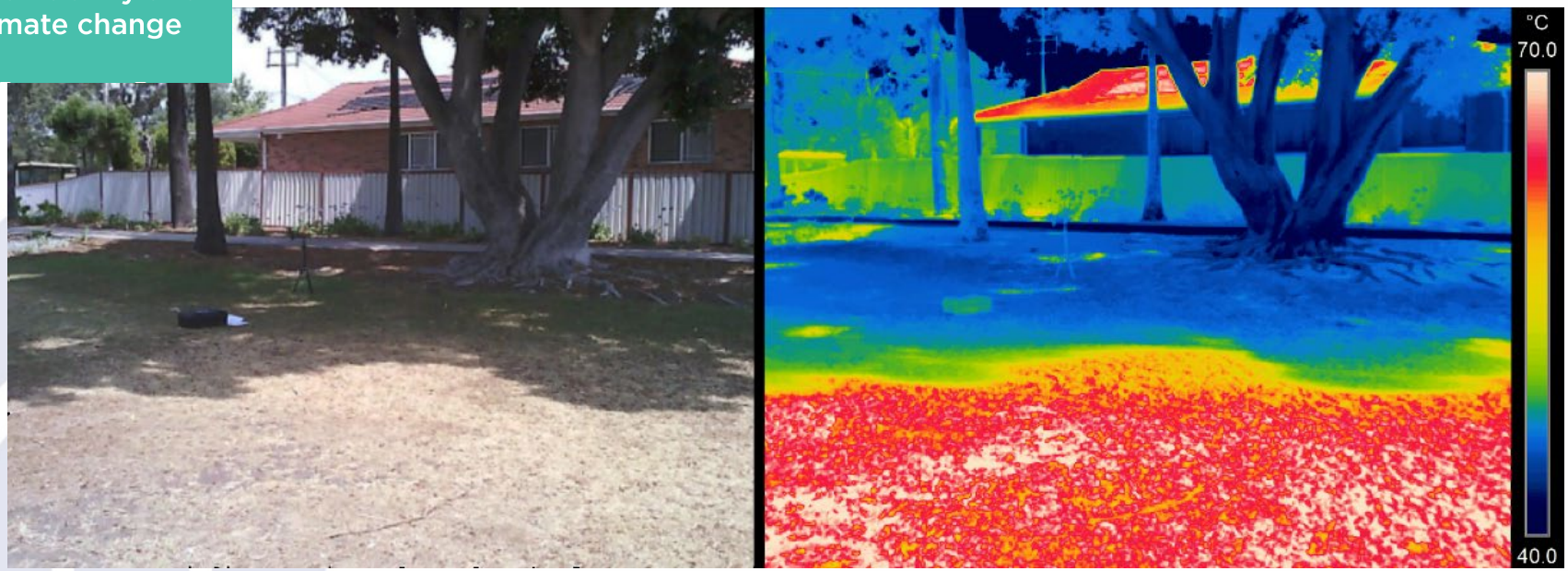
Open space and natural features





NSW GOVERNMENT | Health
Northern Sydney Local Health District

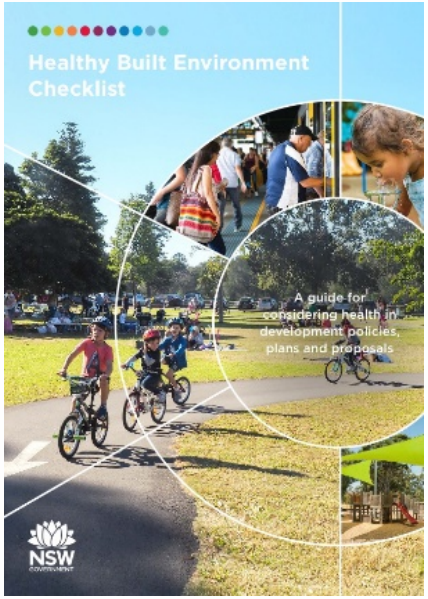
Environmental sustainability and climate change



Source: Dr Sebastian Pfautsch, WSU

NSW GOVERNMENT Health
Northern Sydney Local Health District





NSW GOVERNMENT | Health
Northern Sydney
Local Health District

What makes *you* feel healthy?

How will the neighborhood that you live in contribute to *your community's* health and wellbeing over the next 15-20 years?

NSW GOVERNMENT Health
Northern Sydney Local Health District

The new dLEP – key changes

In response to growth and change within the context of resilience the new dLEP proposes:

- New development controls including
  - Increases in heights and floorspace in an extended Chatswood CBD
  - Changes in St Leonards in line with the St Leonards and Crows Nest Plan
  - Increases in heights and floorspace in nominated local centres
  - An increased affordable housing requirement
  - Changes to residential controls to align DA requirements with Complying Development controls including no battleaxe subdivisions
  - A new landscape area clause for residential areas to promote biodiversity and tree canopy
  - A new design excellence clause to create high quality sustainable buildings
  - A new heat island clause to mitigate the effects of urban heat.
  - New Heritage items included
- Address anomalies / correct errors (housekeeping amendments) from current *Willoughby Local Environmental Plan 2012* (*WLEP 2012*)



The new dLEP – exploring key changes
Documents provided

On Councils website and the NSW Planning Portal
The following documents have been provided:

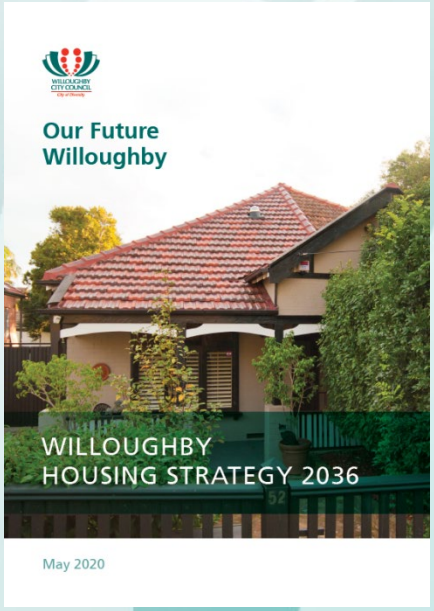
- A 9-page community guide to the draft LEP and DCP
- Flyer with webinar and other basic information
- Instructions for viewing the digital maps on the NSW Planning Portal – enter an address to discover all the proposed controls
- The Planning Proposal itself with various annexures eg Heritage, Affordable Housing Feasibility report, State employment zones reforms and a list of current site specific planning proposals
- Proposed amendments to the WDCP
- Council land reclassification process – Northbridge
- Relevant council reports
- Gateway correspondence with the State government
- Existing WLEP in track changes
- Existing WDCP

The new dLEP in relation to Housing- Willoughby Housing Strategy

Key focus areas for new housing in Willoughby:

- Chatswood CBD in mixed use developments surrounding the core, as endorsed in the Chatswood CBD Strategy
- Local centres as identified in the Local Centres Strategy.
- Existing R3 and R4 zones

Protection of the existing low density R2 residential zones in the interests of housing choice and diversity.



Resulting proposed new dLEP in relation to Housing

- Change in R2 zone from an FSR control to GFA to provide equity by aligning more with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP)
- Introduce a new landscaping control into the LEP from the DCP to provide strength to this important control.
- Amend dual occupancy provisions to also be in line with the Codes SEPP by allowing immediate subdivision and not supporting battle axe configurations.
- Set a minimum lot size of 1,100m2 for a new dwelling type 'manor houses' introduced by the Low Rise Medium Housing Order in 2017 (A manor house is a single building which comprises three or four dwellings attached on one lot of up to two storeys in height)
- Change to the affordable housing clause in line with the Community Strategic Plan (CSP) and the LSPS from 4% to 10% where feasible.

Dwelling House Provisions

Examples of Dwellings approved by CDC

CDC CDC Older DA



Willoughby East

Source: Google Streetview

Dwelling House Provisions

More examples of Dwellings approved by Complying Development Certificate

Castle Cove



Northbridge



Castle Cove



Lane Cove North



Source: Google Streetview

Dwelling House Provisions

DA CDC DA



Woonona Rd, Northbridge

Dwelling House Provisions

Examples of Dwellings approved by DA showing typical scale

Chatswood West



Northbridge



Northbridge



Artarmon



Source: Google Streetview

From FSR to GFA – R2 – Low Density Residential zone

WLEP 2012
FSR calculation

Site Area	Current FSR control	Achievable GFA
< 200	0.65:1	129
200-300	0.55:1	110-165
301-400	0.5:1	150.5-200
401-500	0.47:1	188.5-235
501-600	0.45:1	225.5-270
601-700	0.43:1	258.5-301
701-800	0.41:1	287.5-328
> 800	0.4:1	320

SEPP Complying
GFA calculation

Site Area	SEPP control	Achievable GFA
200-250	78%	156-195
>250-300	75%	188 - 225
>300-350	235	235
>350-450	25% + 150	237.5-262.5
>450-560	290	290
>560-600	25% + 150	290-300
>600-740	335	335
>740-900	25% + 150	335-375
>900-920	380	380
>920-1000	25% + 150	380-400
>1000	400	400

From FSR to GFA – R2 – Low Density Residential zone

Landscaping – Single Dwelling Houses

Existing WDCP Control / Proposed draft LEP Control

Site Area	WDCP Control	Required Landscaped Area (m2)
< 200	0.25 x site area	50
200-400	(0.35 x site area) – 20	50 - 120
401-600	(0.6 x site area) – 120	120 - 240
601-1000	(0.525 x site area) – 75	240 - 450
1001-1500	(0.6 x site area) – 150	450 - 750
> 1500	(0.5 x site area)	750

Existing SEPP Complying Development Control for Dwelling House

Site Area	SEPP (Complying) Control	Required Landscaped Area
200 - 300	10% of site area	20 – 30m2
> 300 - 450	15% of site area	45 – 67.5m2
> 450 - 600	20% of site area	90 – 120m2
> 600 - 900	30% of site area	180 – 270m2
> 900 - 1500	40% of site area	360 – 600m2
> 1500	45% of site area	675m2

From FSR to GFA comparison – R2 – Low Density Residential zone

North Willoughby

Site Area:	620.4m2
Max FSR (LEP 2012):	266.7m2
Max GFA (Housing Code/Draft LEP):	335m2 (303m2 proposed/approved) - an increase in floor area





Source: Google Streetview

From FSR to GFA – R2 – Low Density Residential zone

Northbridge

Site Area:	650.3m2
Max FSR (LEP 2012):	279.6m2
Max GFA (Housing Code/Draft LEP):	335m2 (312.4m2 proposed/approved)
Min Landscaped Area (WDCP/Draft LEP):	266.4m2 more than SEPP
Min Landscaped Area (SEPP Complying):	195m2 (255.5m2 provided)





Source: Google Streetview and Nearmap

Changes to Dual Occupancy Provisions

Forms of Dual Occupancy









Source: Google Streetview and Nearmap

Current WLEP Dual Occupancy Provisions vs Code SEPP

Existing WLEP and DCP Controls

WLEP FSR Control :	0.4:1
WDCP Landscape Control:	35% of site area
Subdivision:	5 years after occupation

SEPP Complying Controls

SEPP (Complying) GFA Control:

• Attached (Side by Side) and detached:	25% of site area + 300m2
• Attached (one above the other): to a max of 400m2	25% of site area + 150m2,
SEPP (Complying) Landscaped Area Control:	50% of site area – 100m2
Subdivision:	Immediate
Battle-axe Dual occupancy	Not supported as CDC

dLEP Changes to dual occupancy provisions

Proposed GFA Controls

- Attached (Side by Side) and detached: 25% of site area + 300m2
- Attached (one above the other): 25% of site area + 150m2, to a max of 400m2

- Landscape control

Site Area	WDCP Control	Required Landscaped Area
< 200	0.25 x site area	50
200-400	(0.35 x site area) – 20	50 - 120
401-600	(0.6 x site area) – 120	120 - 240
601-1000	(0.525 x site area) – 75	240 - 450
1001-1500	(0.6 x site area) – 150	450 - 750
> 1500	(0.5 x site area)	750

Subdivision: Immediate

Changes to Dual Occupancy Provisions

Site Area:	730.6m2
Max FSR (LEP 2012):	292.2m2 (292.2m2 proposed/approved)
Max GFA (SEPP Complying /Draft LEP):	482.6m2
Landscaped Area WDCP	255.7m2 (311.5m2 provided)
Landscaped Area (SEPP Complying):	265.3m2
Landscaped Area (Draft LEP):	308.56m2 -more landscaped area





Source: Google Streetview and Nearmap

Changes to Dual Occupancy Provisions

Site Area:	964.3m2
Max FSR (LEP 2012):	385.7m2
Max GFA (SEPP Complying /Draft LEP):	541m2
Landscaped Area (WDCP):	337.5m2
Landscaped Area (SEPP Complying):	382.1m2
Landscaped Area (Draft LEP):	431.2m2



Battle-axe form (one behind the other)not favoured due to loss of landscaped area to meet tree canopy target with resulting biodiversity loss and increased heat island impacts.

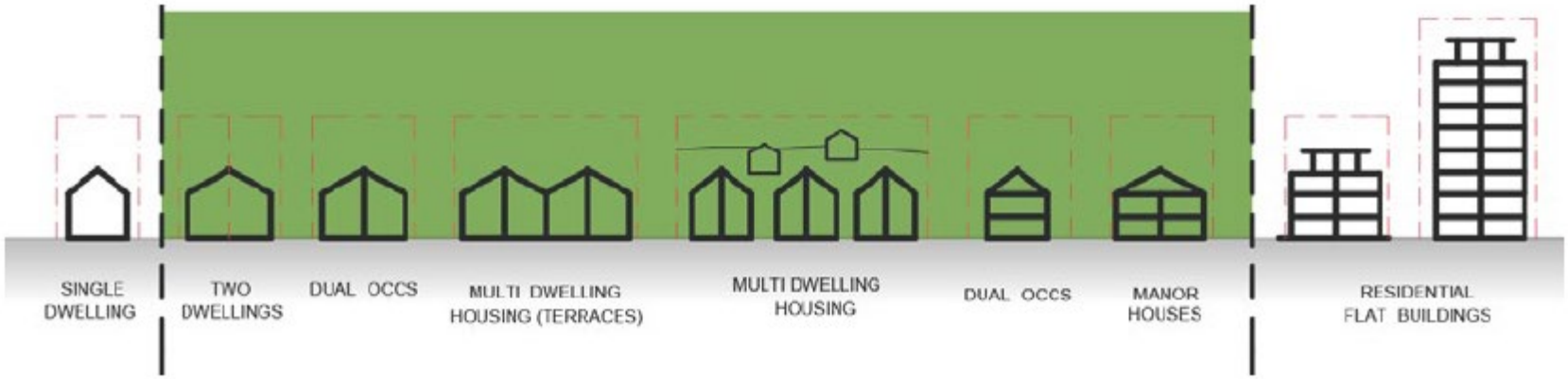


Source: Google Streetview and Nearmap



Manor Houses

Minimum lot size requirement for manor houses – 1100m² proposed
SEPP requires 600m2



Affordable Housing

WLEP Control:	4% of residential floor space in new development in specified areas provided in addition to permissible FSR (eg FSR = 1.5:1 + 4%)
LSPS Commitment:	Increase affordable housing requirement from 4% to 7% by 2021 and 10% by 2026 building on CSP
Draft LEP Proposal:	10% of residential floor space within permissible FSR (eg FSR = 1.5:1 of which 10% is affordable housing)

Note **Feasibility Report by SGS Planning and Economics** available for consideration during exhibition.

Chatswood CBD Planning and Urban Design Strategy 2036

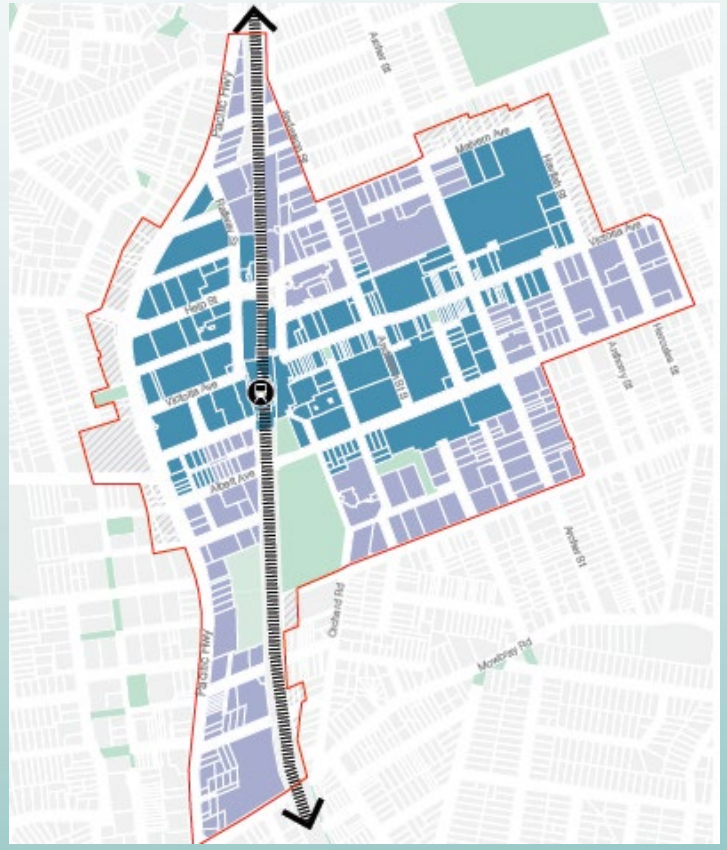
- Chatswood is a Strategic Centre under the North District Plan where employment is the main focus and for which a jobs target of 6,300-8,300 has been set for 2036.
- The *CBD Strategy* seeks to amend existing planning controls to provide capacity for the future growth of Chatswood and seeks to exceed the jobs target while providing exceptional design and a distinctive, resilient and vibrant CBD. It is supported by Public Domain Plan.





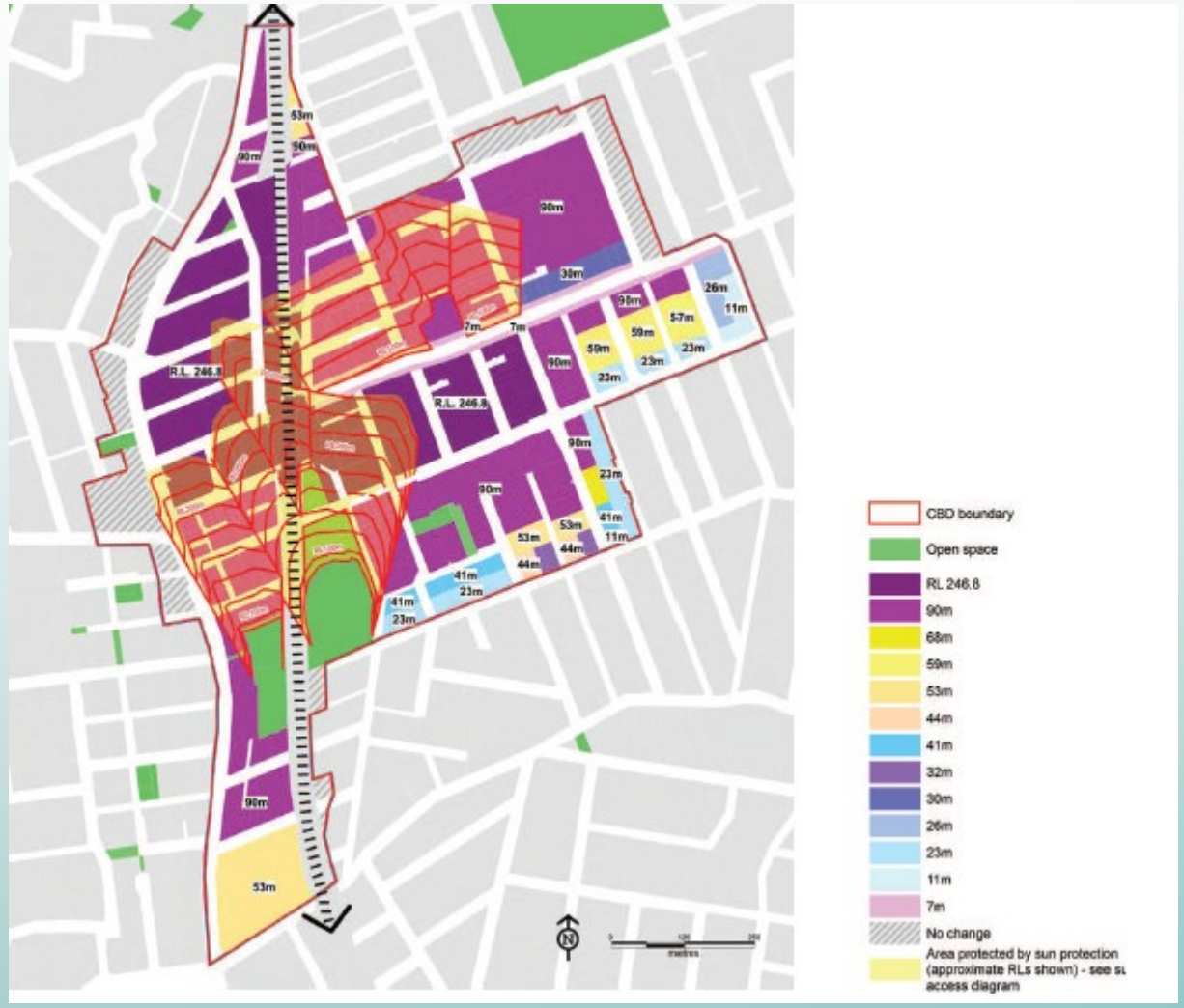
Chatswood CBD Planning and Urban Design Strategy 2036

A Chatswood specific webinar will be held on March 29



The CBD Strategy proposes a number of changes to height, zoning and FSR controls to implement the employment targets in the core of the CBD and contribute to the housing targets in the CBD extension area.
Targets set in the North District Plan

Chatswood CBD Planning and Urban Design Strategy 2036



The sun access plane is to protect certain public spaces in Chatswood CBD.

Chatswood CBD Planning and Urban Design Strategy 2036

Planning Proposals typical of the scale of growth in Chatswood CBD provided for under Strategy



871 Pacific Highway



871 Pacific Highway ground plane as proposed.

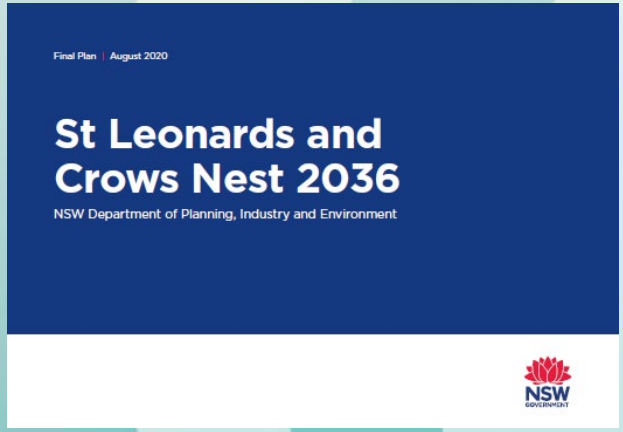
St Leonards and the St Leonards Crows Nest 2036 Plan

A webinar on St Leonards is planned for 5 April

The State government prepared a comprehensive land use and infrastructure package for St Leonards and Crows Nest to guide future development and infrastructure decisions in the area to 2036. The planning package was finalised on 29 August 2020. Changes to heights and FSR for specific sites set by State Government for inclusion in local Councils' LEPs.
The new Willoughby dLEP contains those controls relevant to our Council area.

The plan will deliver 6,680 new homes, capacity for an extra 119,979 sqm employment floor space and 16,500 new jobs in health, education, professional services and the knowledge sector. This applies across the 3 Council areas involved.





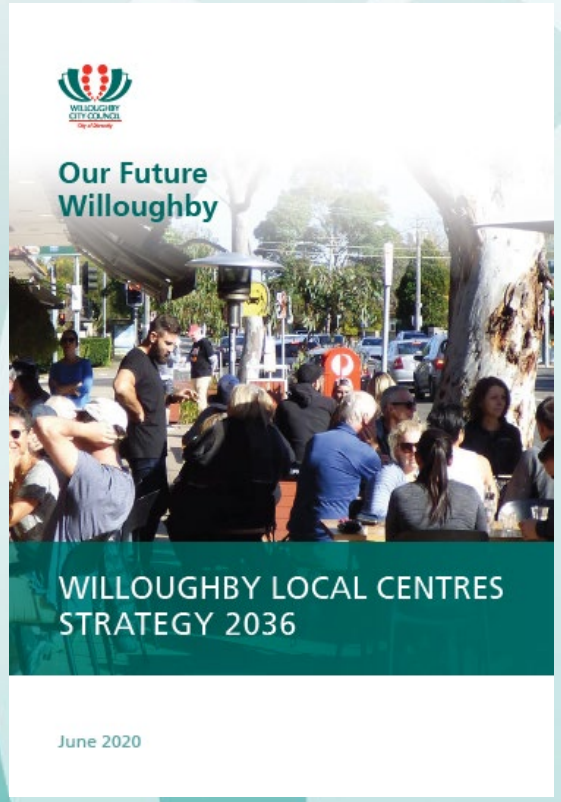
Willoughby Local Centres Strategy

Separate local webinars will be held in coming weeks for local areas

The Willoughby Local Centres Strategy aims to enhance the community role played by our local centres, to enhance their distinctive character, promote and provide capacity for growth for local employment and services, use of active transport and the quality of the public domain.

The new LEP applies the controls endorsed in the final Strategy which will be examined in separate webinars as follows:

- Castlecrag 6 April
- Northbridge 27 April
- Naremburn 28 April
- Artarmon 3 May
- North Willoughby 5 May
- Penshurst St & High St 10 May
- Willoughby South 12 May



Penshurst St: Recommendation Final Local Centres Strategy

A Vision for Penshurst St

The Penshurst St local centre is a diverse commercial centre providing a safe, accessible and landscaped neighbourhood for residents and visitors. The centre is well connected for cyclists and pedestrians and has attractive open space and a pleasant public domain.

WILLOUGHBY CITY COUNCIL



Key recommendations (LEP)

(Numbering below refers to the above scenario diagram)

1. Heights up to 5 storeys and FSR's up to 2.8:1 fronting Penshurst Street on amalgamated sites.
2. Retain R3 zoning with increased heights up to 4 storey and FSR's up to 2.1:1 on amalgamated sites.
3. Increased heights up to 6 storeys and FSR's up to 2.8:1 on amalgamated corner lots fronting Penshurst Street and Mowbray Road.
4. Heights up to 4 storeys and FSR's up to 2:1 fronting Penshurst Street on amalgamated sites.

Willoughby Industrial Lands Strategy
An Industrial lands webinar is planned for 17 May

The Strategy commits to:

- Promoting changing technologies and market requirements
- Promoting flexible building design
- Continuing to encourage incentives for sustainable development and sustainable operating of businesses
- Supporting energy efficient and technologically enabled transport vehicles and systems such as provision of Electric Vehicle (EV) charging stations
- Prohibiting childcare centres in all industrial zones in Willoughby.
- Improving road transport infrastructure
- Allowing inclusion of pet day care facilities

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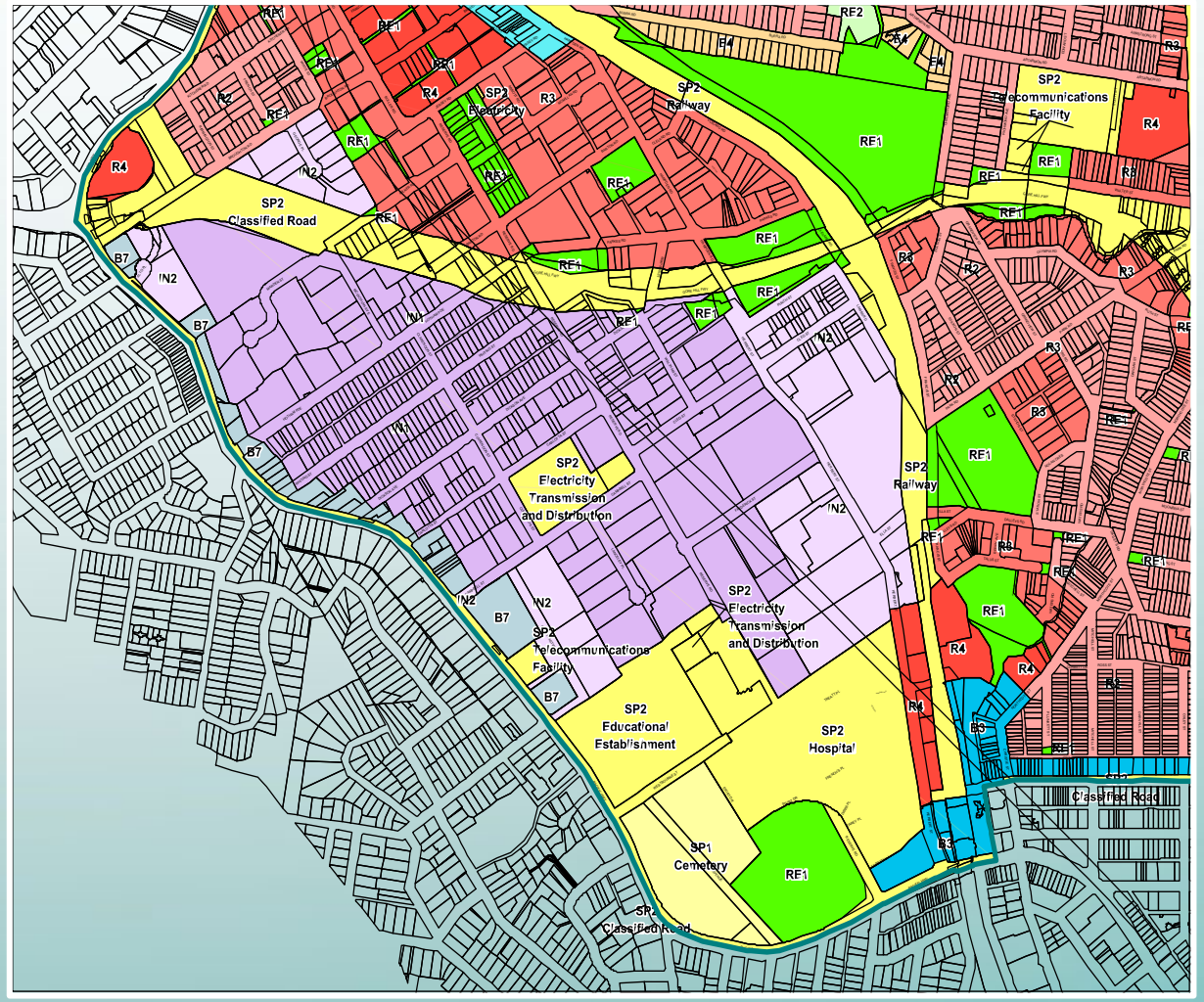
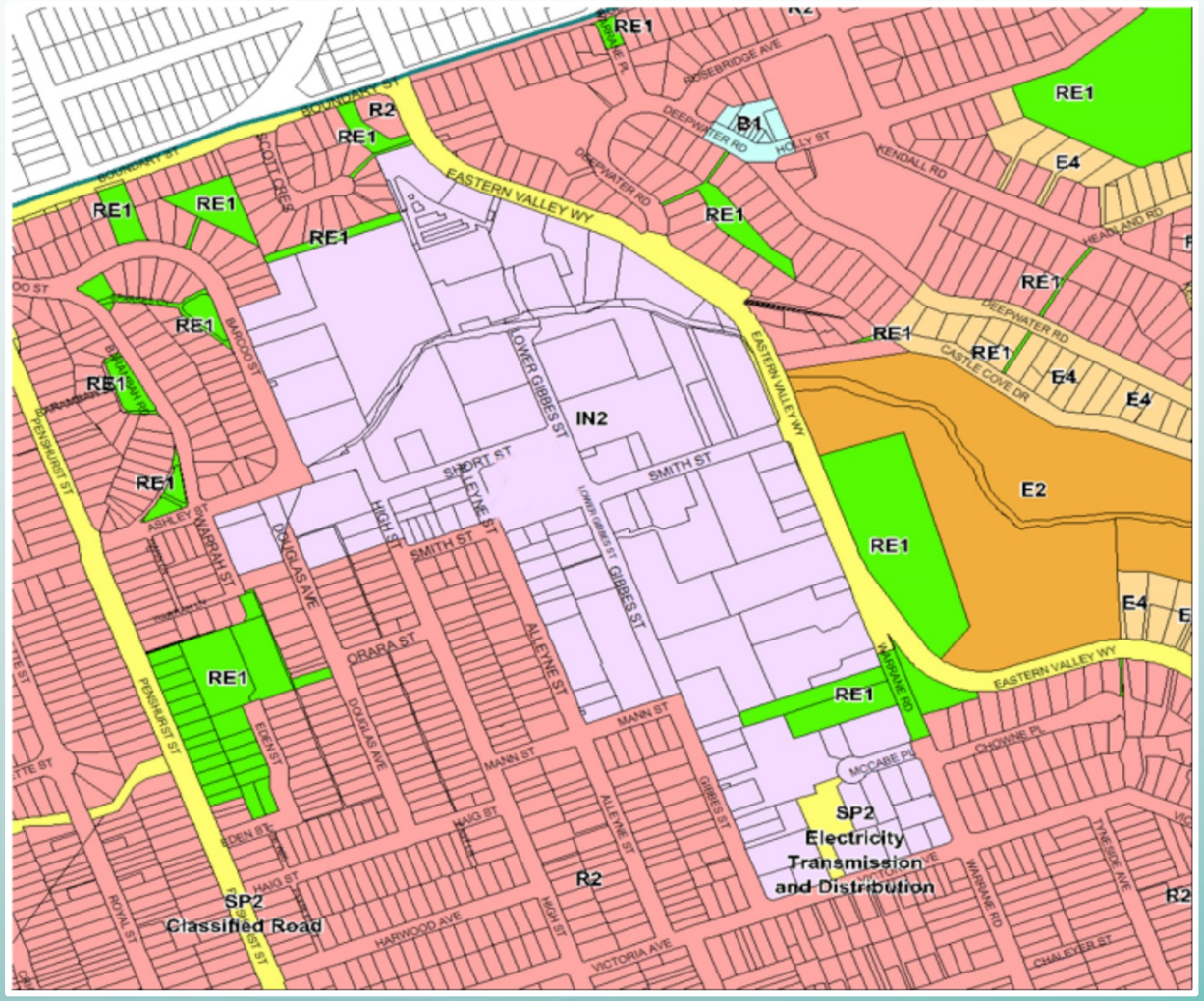
Artarmon Industrial Area Zoning Map



- Retain existing IN1 and IN2 zoning.
- increase of existing FSR from 1.5:1 to 2:1 on sites more than 1,000m2
- Consider additional health and education uses on suitable sites close to the RNSH, while retaining the existing underlying industrial zoning.

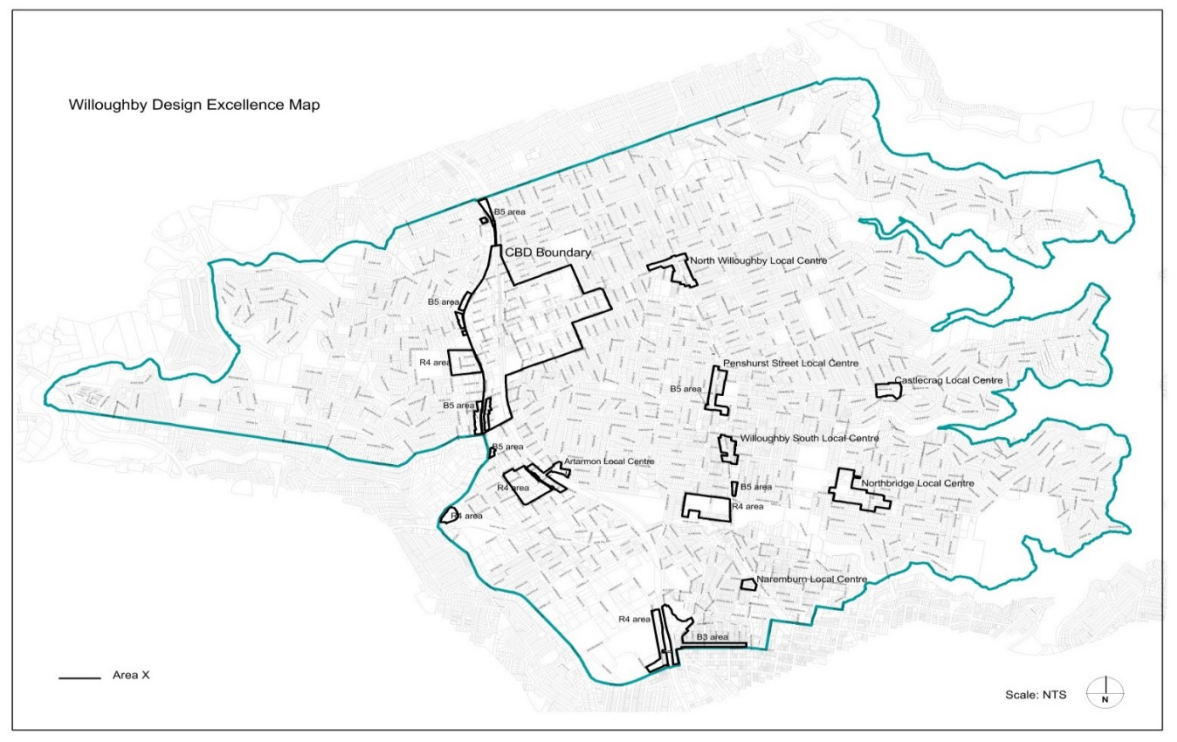
East Chatswood Industrial Area



- Area already sufficiently flexible to support the transition to new forms of industry and employment.
- Increase FSR from 1.5:1 to 2:1 on sites greater than 1,000m2 to encourage redevelopment/ adaptive reuse.
- The addition of 'Pet Day Care'.

New design excellence clause

- Applies to specific areas of Willoughby with uplift
- Proposals above 35 metres in height – subject to architectural design competition
- Proposals above 12m and not above 35m - subject to design excellence review panel



New URBAN HEAT clause

Urban heat refers to higher ambient temperatures (over 28C) that pose a risk to community health and infrastructure.

Urban heat island effect is the tendency of urban areas to be much warmer during the day and at night compared to adjacent non-urban areas



Urban Heat Clause

- The objective of this clause is to ensure new development incorporates effective design and sustainable, ongoing operation to minimise indoor and outdoor urban heat impacts and protect community health and wellbeing.
- This clause applies to all premises.

New Heritage inclusions

2 new proposed heritage items:

- Artarmon Bowling Club, Burra Road, Artarmon
- Griffin Centre, 120 Edinburgh Road, Castlecrag

Other LEP improvements

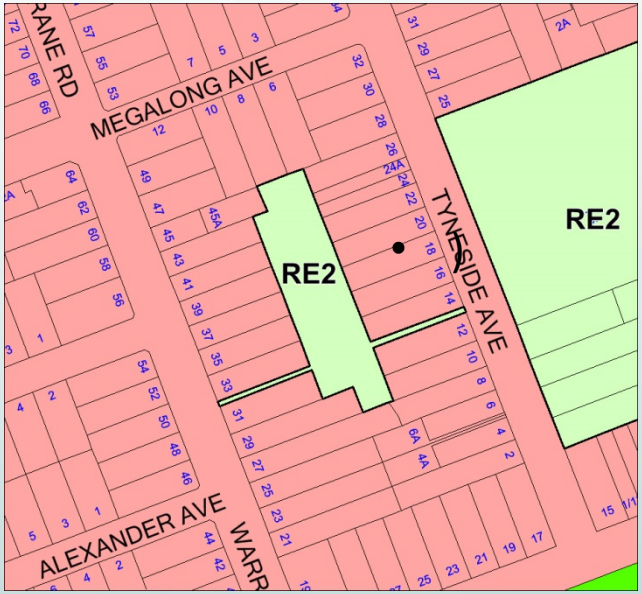
- **Remove anomalies** e.g.

LEP Map boundary to be amended (Castlecrag)



LSPS | Strategy Preparation | Prepare Draft LEP | Report to Council | Gateway | **Exhibition** | Report to Council | Refer to DPIE | Notified in NSW Legislation website

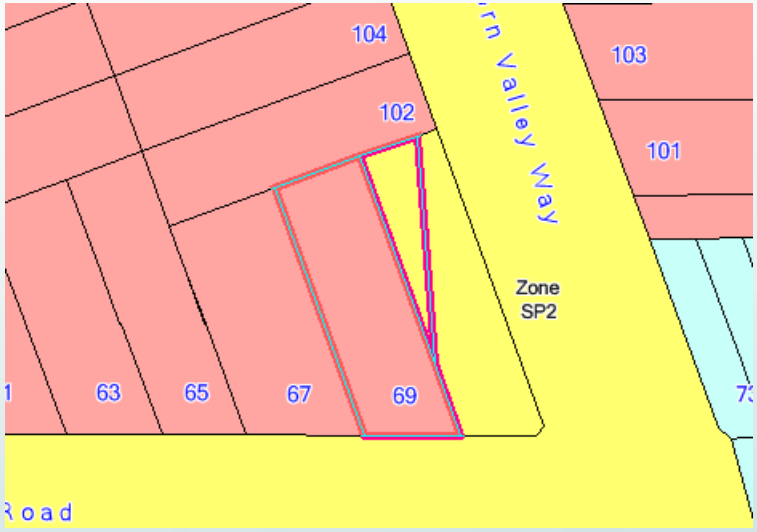
‘Housekeeping’ aspects of the dLEP
Removal of obsolete clauses anomalies and corrections
Update of state and local land acquisitions (road widening and open space)



Council owned Tyneside Tennis Courts

Rezone from RE2 private recreation
to
RE1 public recreation

Anomalies / corrections
Examples



69 Edinburgh Road

Rezone land not used for road widening to R2

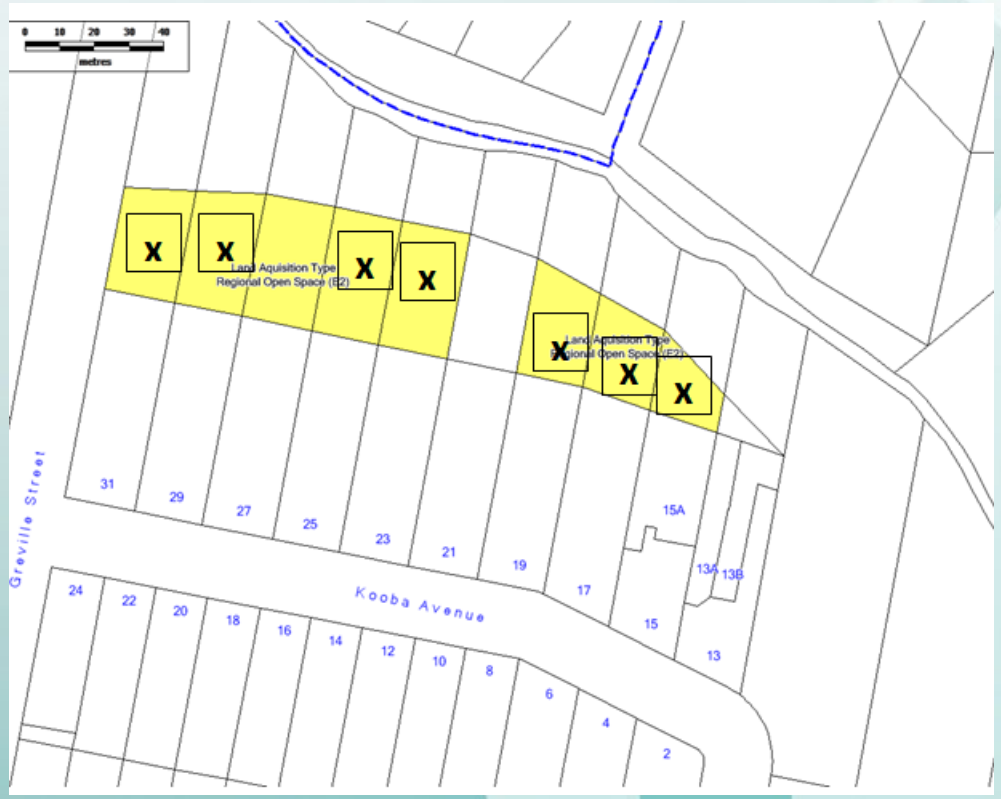


Land acquisition

Stirling Lane (Council acquisition)



Kooba Avenue (DPIE acquisition)



State revisions to Employment Zones

- The existing Business (B) and Industrial (IN) zones will be replaced with five new employment zones and three supporting zones under Standard Instrument (Local Environmental Plans) Order 2006 (SI LEP Order).
- These are:

New zones	*Existing zones*
• E1 Local Centre	(B1 and B2)
• E2 Commercial Centre	(B3)
• E3 Productivity Support	(B5,6 and 7)
• E4 General Industrial	(IN1 and IN2)
• E5 Heavy Industrial	(IN3)

The 3 supporting Zones are:

• MU	(B4,B2 and B8)
• W4	(IN 4) Working waterfront
• SP4	local enterprise zone (new precincts)

- The transition details will be on exhibition soon in parallel with Council's dLEP and the outcomes of that exhibition will be reflected in the final LEP for Willoughby.

State changes to zones Environmental zones

- On Dec 1 2021, the NSW Government renamed ‘environment zones’ to ‘conservation zones’ under clause 2.1 Land use zones of the Standard Instrument – Principal Local Environmental Plans.
- The former E zones were:
  - E1 National Parks and Nature Reserves
  - E2 Environmental Conservation for areas with high ecological, scientific, cultural or aesthetic values outside national parks and nature reserves.
  - E3 Environmental Management for land where there are special ecological, scientific, cultural or aesthetic attributes that require careful consideration/management and for uses compatible with these values.
  - E4 Environmental Living for land with special environmental qualities.

- The new conservation zones now in LEPs are:

  - Zone C1 – National Parks and Nature Reserves
  - Zone C2 – Environmental Conservation
  - Zone C3 – Environmental Management
  - Zone C4 – Environmental Living

Draft DCP 2021 – key changes

- In line with requirements of the State Government and the Greater Sydney Commission for councils to align their LEPs and DCPs with relevant District Plans, a complete review of the WDCP was undertaken during 2020.
- The intent of the review was to deliver the outcomes sought in the North District Plan.
- The new draft *WDCP 2021* is the culmination of this review.
- The new draft Plan has been restructured to incorporate and consolidate the various components of the current WDCP. It is considered the new format is a more 'user-friendly' Plan that reflects contemporary controls to improve environmental outcomes for all future developments.

Twelve (12) Parts of new dDCP

Part A – Overview of Draft WDCP 2021
Part B – Residential Development
Part C – Development in E4 Environmental Living Zones
Part D – Commercial Development
Part E – Industrial Development
Part F – Transport and Parking Management
Part G – Vegetation Management
Part H – Heritage and Heritage Conservation Areas
Part I – Water Management
Part J – Building Sustainability
Part K – Development near Lane Cove Tunnel Ventilation Stacks
Part L – Place Based Plans

Part A – Overview of Draft WDCP 2021

The current WDCP includes Parts A - Introduction and Part B - Application Process.

These two parts have been consolidated into a new Part A. This Part provides an outline of the draft *WDCP 2021* and includes a link to Council's web site to access information relating to the development application process. This new Part also provides a brief description and relationship to other State and local plans, policies, and guidelines.

The notification process previously included under Part B.4 of the current WDCP was repealed in November 2019 and included in the Community Participation Plan (CPP).

Part B – Residential Development

The new Part B of the draft *WDCP 2021* comprises 'minor' and 'major' developments.

Minor development:

With respect to dwellings and other 'minor' developments, it is proposed to generally align the controls in the R2 zone (excluding the heritage conservation areas) with those of the Code requirements under the provisions of the *Exempt and Complying SEPP*.

It is proposed to align the maximum gross floor area (GFA) controls under the SEPP with the maximum GFA for dwellings and dual occupancies under the draft *WLEP 2020*. However, to achieve better environmental outcomes and address the impacts of urban heat island effects it is proposed to retain the current minimum landscaped area controls in accordance with the proposed new provisions under the draft *WLEP 2020*.

Attachment 1 provides a compliance checklist for developments in the R2 zone (excluding heritage conservation areas).

Attachment 2 provides a compliance checklist for manor houses, attached dwellings and multi dwelling housing in the R3 zone.

Part B – Residential Development (continued)

Major developments

All ‘major’ residential developments comprising three or more storeys and four or more dwellings must be consistent with the requirements under the provisions of the *Apartment Design Guide (ADG)*. However, certain additional controls, which are not inconsistent with the ADG, are included to ensure a high standard of development is achieved.

This includes additional performance criteria and controls to ensure new developments achieve good residential amenity in respect to solar access, privacy, views, tree retention and open space; maximising thermal comfort and minimising urban heat impacts; and, enhancing walkability, greening the urban environment and improvements to the streetscape character of individual localities.

Attachment 3 of the draft Part B is a compliance checklist for major residential developments in the R3 and R4 zones. Any variation of these controls is required to be justified, having regard to the performance criteria under the new Part B and the relevant provisions of the ADG.

Part C – Development in E4 Environmental Living Zones – now C4

The specific Aim of the new Part C is *to 'ensure residential and other permitted land uses will result in low impact developments in environmentally sensitive locations'*. This Part includes additional performance criteria and controls to prevent overdevelopment of a site.

The new Part C includes a requirement for an archaeological report for properties adjacent to identified or potential Aboriginal objects or Aboriginal places of heritage significance. It also includes a requirement for a flora and fauna assessment report for properties containing and/or adjacent to significant areas of bushland.

The specific controls for certain land within the C4 zones, which are included in Part D.1 of the current WDCP as E4 zones, have been retained in the new Part C.

Attachment 1 provides a description of the unique characteristics of certain localities within the C4 zone (Castle Cove/Middle Cove, Castlecrag, Northbridge, and Chatswood West).

Attachment 2 provides a compliance checklist. Any variation of the C4 controls is required to have regard to the performance criteria under the new Part B.

Part D – Commercial Development

Part E – Specific Controls for Commercial and Shop Top Housing Development of the current WDCP includes the controls for development in the commercial zones.

The new Part D includes the controls for the commercial components of shop to housing and mixed-use developments. The controls for the residential components of these types of developments are now provided in the new Part B of the draft *WDCP 2021*.

For the most part the same controls under the current Part E have been retained. However, some additional controls presently covered by other Parts of the current WDCP have been incorporated into the new Part D.

This includes controls relating to; waste and recycling (C.8); safety by design (C.11); undergrounding of services (C.15); awnings and outdoor dining area (C.17), sex service premises (G.1); signage (G.5); and child care centres (G.8).

Part E – Industrial Development

This Part of the draft *WDCP 2021* is aligned with the *Willoughby Industrial Lands Strategy 2036.*

In keeping with the strategy, draft *WLEP 2021* includes proposed changes to increase the development potential for industrial lands.

For the most part the other controls under Part F – Industrial of the current WDCP have been retained.

As with the new Part C (Commercial Development), some additional controls presently covered by other Parts of the current WDCP have been incorporated into in the new Part E. This includes controls relating to; waste and recycling (C.8); safety by design (C.11); fences (C.12); undergrounding of services (C.15); sex service premises (G.1); and signage (G.5).

Part F – Transport and Parking Management

This Part the draft *WDCP 2021* is aligned with the principles and intent of the *Willoughby Integrated Transport Strategy 2036*. To ensure the new Part F includes the most up to date and best practice controls, consultants were engaged to review the parking rates, including bicycle parking and end of trip facilities.

Some of the more notable changes in the new Part F include:

- Applying maximum rates to reduce the amount of car parking required in the Chatswood CBD, St Leonards strategic centre and the Artarmon railway precinct.
- Increase the number, and provide more specific requirements for bicycle parking and end of trip facilities.
- New provisions relating to accessible car parking, dedicated electric car charging areas/spaces; internet access to car parking areas to support autonomous vehicles; and, dedicated car share spaces.

The new Part F encourages the use of alternative and sustainable transport strategies to reduce the use and reliance on motor vehicles. To achieve this outcome, major developments are requirement to provide a Travel Demand Management Plan (TDMP).

Part G – Vegetation Management

Amended Part C.9 Vegetation Management of the current WDCP was adopted by Council on 10/02/2020. This component of the current WDCP is supported by the *Vegetation Management Guidelines.*

The new Part G of the draft *WDCP 2021* will essentially remain the same. However, the *Vegetation Management Guidelines* includes a provision that allows an offset planting scheme where replacement planting is not possible. To ensure applicants are aware of this provision, the following amendment has been included under Section 6 – Replacement Planting:

> *'If tree replacement is not possible, the applicant may be able to enter into a deed of agreement with Council for offset planting of trees on public land. The offset planting will require payment of a fee for each tree not replanted on the subject site.*
>
> *The fee payable to Council is listed in its publication 'Fees and Charges'.*

Part H – Heritage and Heritage Conservation Areas

The provisions under Part H of current WDCP were reviewed by Council's Heritage Officer. **For the most part, the current controls have been retained**. **However, some controls have been strengthened to ensure the heritage values of the conservation areas are protected and enhanced.**

In particular, the new Part H clarifies that approval for demolition of a building or removal of any significant elements is not supported. However, approval may be granted in exceptional circumstances, such as the building or some structures being unsafe due to the extent of dilapidation.

The new Part H also strengthens the design controls for proposed alterations and additions to semi-detached dwellings, and reinforces the importance of protecting the external fabric and streetscape character of the conservation areas.

Part I – Water Management

Amended Part C.5 - Water Management was adopted by Council on 17 October 2019. This Part was identified as requiring prompt attention for review as there had been difficulties with implementation and relevance to current best practice.

Appropriate changes were made to reduce the amount of 'red tape'. This included an amendment to allow minor developments to install rainwater reuse tanks without the need for a Positive Covenant and a Restriction on Use of the Land.

The new Part I includes an amendment to Table 1 to clarify the requirements for the size of rainwater reuse tanks for properties that can discharge via gravity directly into the stormwater system, and those properties that require a charged system and/or additional on-site detention (OSD) systems. The amended table is in keeping with the flowchart provided in Section 2.4.

The new Part I includes relevant technical standards as attachments with advice that proponents must satisfy the requirements relating to the design of stormwater management systems, floodplain management, and soil and sediment erosion control.

Part J – Building Sustainability

Amended Part C.3 – Building Sustainability was adopted early by Council on 11/05/2020.

This Part was amended to include the most up to date information and best practice controls to achieve energy efficient and environmentally sustainable buildings.

Apart from formatting, there are no proposed changes to the new Part J under the *draft WDCP 2021*.

Part K – Development near Lane Cove Tunnel Ventilation Stacks

Part C.16 of the current WDCP includes information and requirements to address the impact of vehicle emissions/air quality on any development within an 800m radius of the ventilation stacks in Sirius Road, Lane Cove and Marden Street, Artarmon.

Except for the format, the only significant change to the new Part K is to include an ''Aim'' that states:

The specific aim of this Part is to ensure a detailed assessment is carried out by a suitably qualified person for any new developments within the affected areas.

Part L – Place Based Plans

Council and the NSW Department of Planning and Environment (DPE) undertook a number of studies and prepared several strategies and plans to set the direction for future commercial and residential development in key locations within the Willoughby LGA.

Council has adopted the *Chatswood CBD Planning and Urban Design Strategy to 2036 (Chatswood CBD Strategy)* and the *Willoughby Local Centres Strategy (WLCS) 2036.* The *St Leonards and Crows Nest 2036 Plan* was released by the DPE on 29 August 2020.

This Part of the draft *WDCP 2021* gives effect to the recommendations, and applies controls to achieve the future character in accordance with the strategies and plan. It includes a character statement for each locality, and includes specific performance criteria and additional controls to achieve orderly and economically viable development of the respective localities.

As already mentioned earlier in the webinar, appropriate amendments have been made to the draft *WLEP 2020* to increase the FSR and height of buildings to allow higher residential densities and create additional commercial floor space in the local centres and the Chatswood CBD.

Questions?

Thank you and next steps

- The dLEP and dDCP are now on exhibition for 12 weeks until 7 June
- A series of webinars following this presentation tonight will provide local and issue specific detail and the opportunity for questions
- A Public hearing for reclassification of Council land (Northbridge) will also be held after exhibition closes.
- Report back to Council with submissions and suggested amendments for finalisation is anticipated around October.
- Referral to DPE to make the new WLEP and for Council to endorse new DCP could occur later this year unless a further exhibition period is determined necessary in which case finalisation is expected to be during 2023.