

Getting up to speed on the State Government's planning reforms

Community Briefing
15 February 2024

Acknowledgment of Country

Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community.

What NSW Government has announced



When announced	Announcement
7 December 2023	Proposed creation of 39 Transport Oriented Development (TOD) precincts across Greater Sydney
14 December 2023	Finalisation of height and floor space bonuses for developers that include temporary affordable housing in major projects
15 December 2023	Exhibition of planning changes to encourage more and larger low and mid-rise development types in existing urban areas

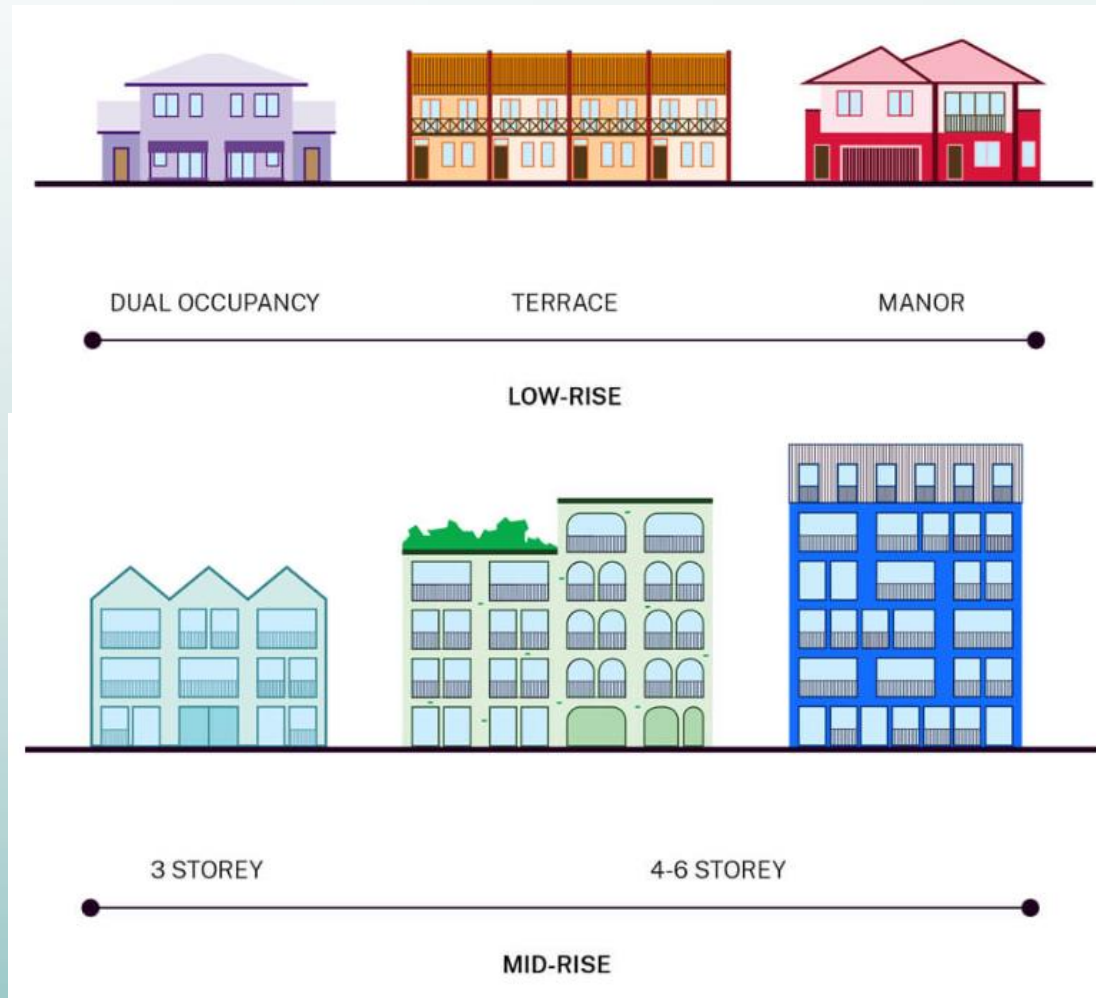
What it means for Willoughby

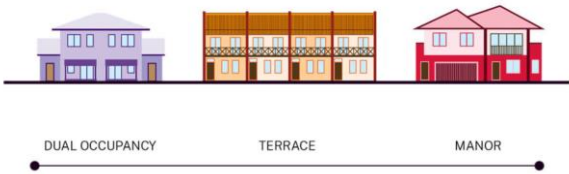
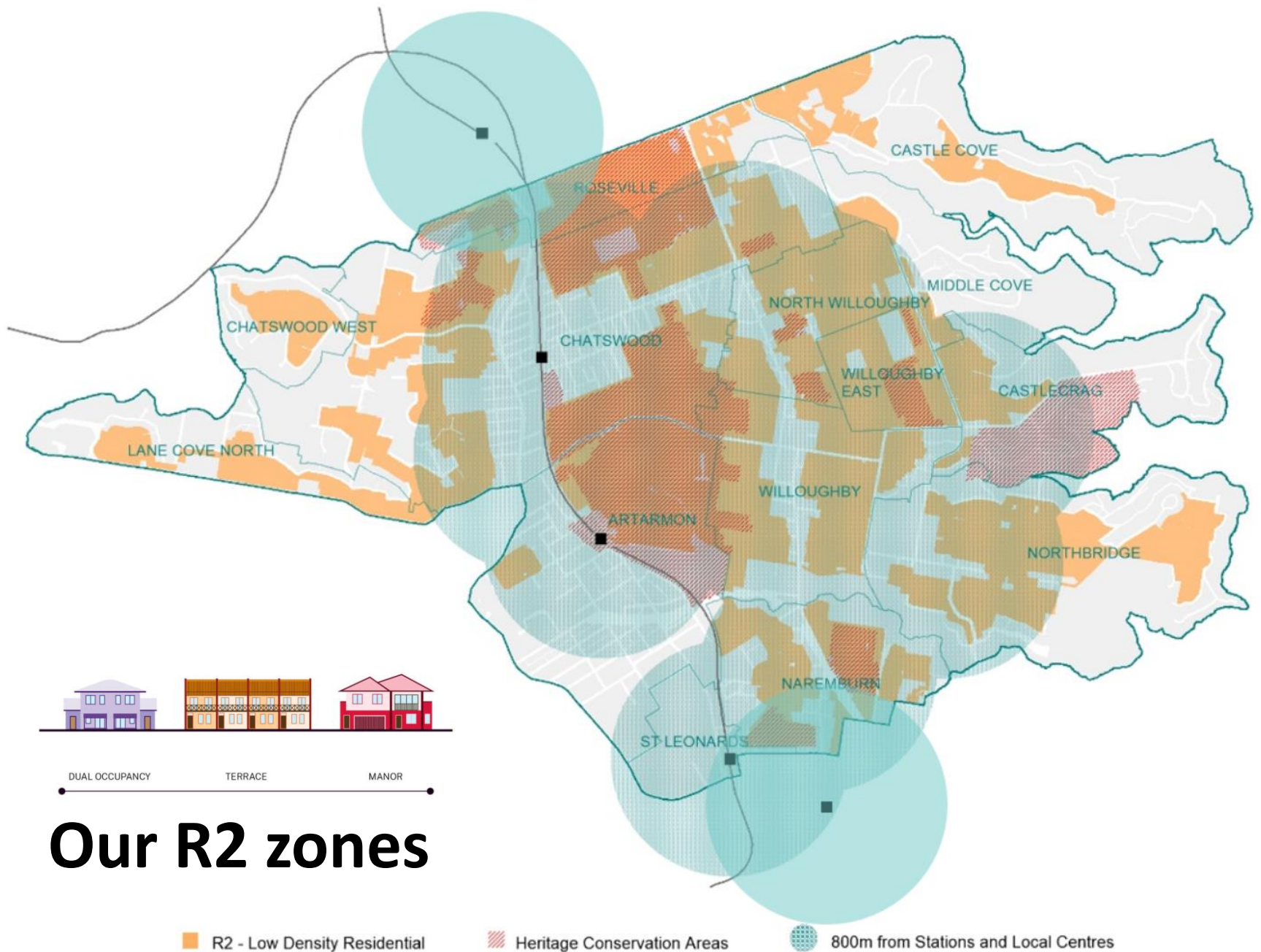


The reforms will override Council's planning controls to allow:

1. More dual occupancies on smaller lots across most of the LGA, including in heritage conservation areas
2. Terraces, townhouses, villa developments, and two storey residential flats in low density areas
3. Taller and denser apartments and mixed use development in R3 zones within 800m of stations and local centres (for example, North Willoughby, Castlecrag, Naremburn).
4. A very fast rezoning of land within 1,200m of Crows Nest Station which includes significant portions of Naremburn and St Leonards

Types of housing





Our R2 zones

■ R2 - Low Density Residential
 ■ Heritage Conservation Areas
 ■ 800m from Stations and Local Centres

R2 zones: Dual occupancies

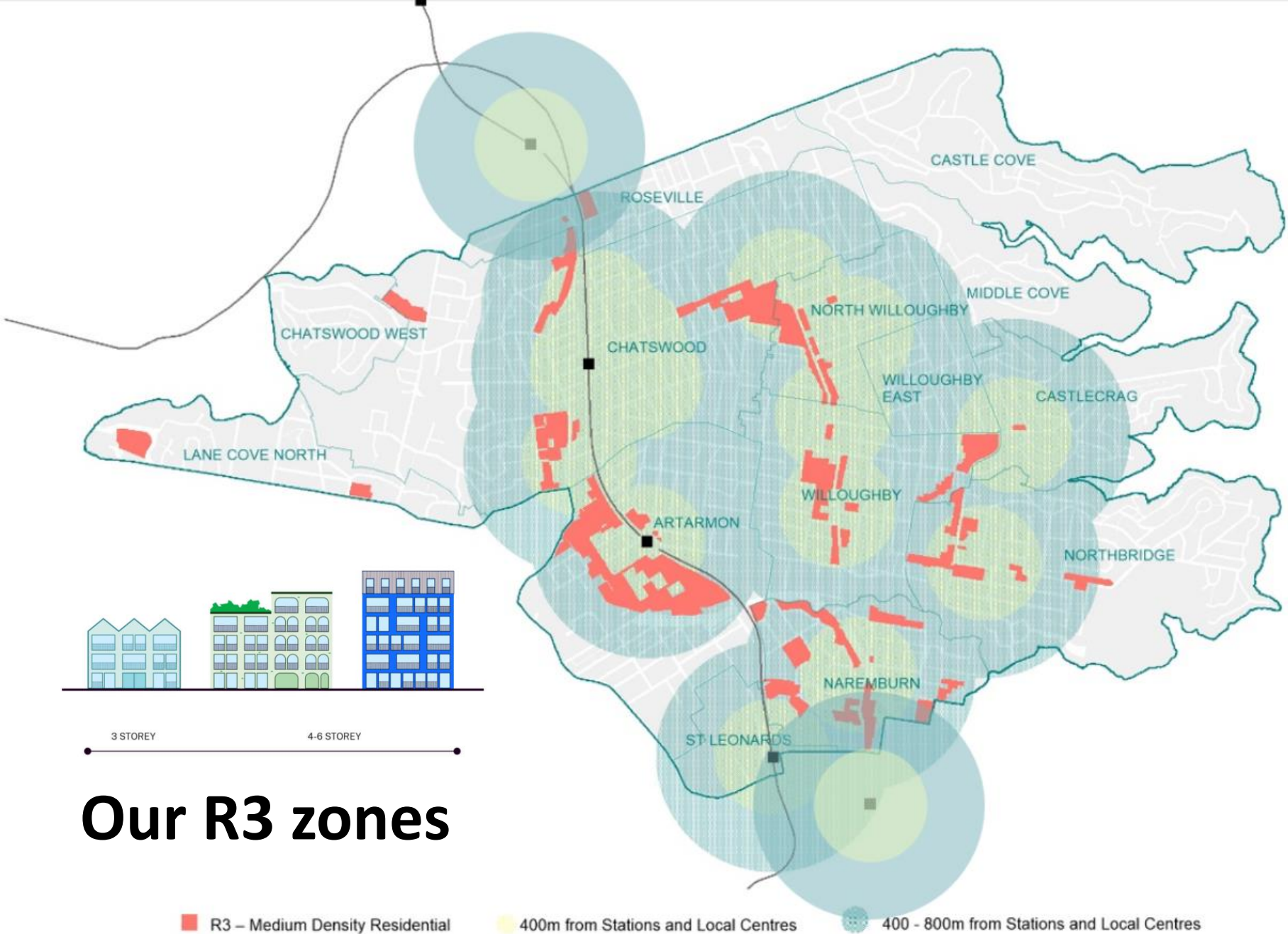


	Council existing	State existing	Proposed change
Min lot size	700m ² attached 900m ² detached	700m ² attached 900m ² detached	450m ² ↓
Min frontage	15m	15m	12m ↓
Height	8.5m	8.5m	9.5m ↑
FSR	≥700m ² and <800m ² 0.41:1 ≥800m ² 0.4:1	GFA 25% of the lot area plus 300m ² (eg. 0.64:1 at 700m ² lot)	0.65:1 ↑
Landscaped area	35% of parent lot (eg. 245m ² for a 700m ² lot)	50% of initial lot minus 100m ² (eg. 250m ² for a 700m ² lot)	15% - 25% for resultant lots
Permissibility in R2 zone	Permitted in zone but excluded in Heritage Conservation Areas	Permitted in zone but excluded in Heritage Conservation Areas	Permitted in Heritage Conservation Areas (HCAs)
Pathway	Development application (DA) ie: Council assessment	Complying development certificate (CDC) ie: certifier approval	CDC or DA (DAs only in HCAs)

R2 zones near stations and centres: multi dwelling housing (MDH) + manor homes



	Council existing	State existing	Proposed change
Permissibility in R2 zone	Not permitted	Not permitted	Permitted, including in HCAs
Min lot size	Prohibited in R2	Prohibited in R2	Manor homes 500m ² MDH (Terraces) 500m ² MDH 500m ²
Min frontage	Prohibited in R2	Prohibited in R2	Manor homes 12m MDH (Terraces) 18m MDH 12m
Height	Prohibited in R2	Prohibited in R2	9.5m
FSR	Prohibited in R2	Prohibited in R2	Manor homes 0.8:1 MDH / Terraces 0.7:1
Landscaped area	Prohibited in R2	Prohibited in R2	20% - 30%
Pathway	DA	CDC	CDCs and DAs



Our R3 zones

R3 zones near stations and centres: Higher and denser Residential Flat Buildings



	Council existing	Reforms 0-400m from station	Reforms 400-800m from station
Min lot size	1,100m ²	None	None
Height	9-12m	21m ↑	16m ↑
FSR	0.7:1 – 0.9:1	3:1 ↑	2:1 ↑
Pathway	DA	DA	DA

Note: Affordable housing bonuses will also apply

How to have your say



- Changes exhibited by NSW Department of Planning, Housing and Infrastructure
- Reforms on exhibition until 23 February (next Fri)
- Access relevant page via Have Your Say link on NSW Planning Portal (we will supply direct link to all meeting participants)
- Council officers will be lodging a draft submission by deadline next week
- The draft submission will also be considered at the March Council meeting

Transport Oriented Development Program



- NSW Department of Planning, Housing and Infrastructure has identified 8 stations across Sydney that will undergo accelerated rezoning
- None of the Stations are in Willoughby LGA
- However, Crows Nest is one of the stations, and the potential rezoning catchment (1200m) affects a portion of Willoughby LGA.
- Details of the process are not yet confirmed.
- Exhibition of proposed rezonings are anticipated in April with implementation in November 2024.

Transport Oriented Development Program



Affordable housing bonuses



- Projects that include at least 10-15% of gross floor area as affordable housing can access:
 - Floor space ratio bonus of 20-30%; and
 - Height bonus of 20-30%
- Bonuses allowed if project is within 800m walking distance of land zoned E1 Local Centre, MU1 Mixed Use, B1 Neighbourhood Centre, B2 Local Centre or B4 Mixed Use.
- No requirement to retain affordable housing after 15 years (can revert to market housing)

Council staff concerns



- Impacts not assessed / investigated
- Infrastructure capacity
- Loss of character of suburbs, especially in heritage conservation areas
- Poor amenity outcomes such as loss of privacy and overshadowing
- Loss of tree canopy and private open space
- Council has recently created capacity for growth through its new Local Environmental Plan