



NORTHBRIDGE  
PROGRESS ASSOCIATION

*Working for the advancement of Northbridge since 1919*

ABN 733 956 702

PO Box 357 Northbridge 2063

June 8 2010

Mr Nick Tobin  
General Manager  
Willoughby City Council  
PO Box 57  
CHATSWOOD NSW 2057

Dear Mr Tobin,

**Re: Draft Willoughby Local Environmental Plan 2009  
and Draft Willoughby Development Control Plan**

We refer to Willoughby City Council's exhibition from March 25 to May 20 2010 of the following planning documents:

- Draft Willoughby Local Environmental Plan 2009 (WLEP); and
- Draft amendments to the existing Willoughby Development Control Plan (WDCP).

This submission contains the comments of Northbridge Progress Association (NPA) about the draft planning documents. In particular, our comments focus on any changes to zoning or development standards that may have the effect of increasing the development potential of Northbridge land.

NPA has operated continuously since 1919 and had 465 members at December 31 2009.

**Summary**

NPA commends Council on many aspects of the draft documents. We recognise the documents contain numerous standard provisions required by NSW Government and there are compulsory clauses as well as local provisions where Council may prepare its own controls. We also recognise Council has attempted to choose the best match for the conversion of most existing zones into the standard zones and the conversion of existing development standards and special clauses into the standard clauses.

We also recognise that the 2005 Sydney Metropolitan Study required that the number of dwellings in Willoughby increase by 6800 by 2031 and that Council is using the WLEP to attempt to achieve that target.

However, there are numerous parcels of land in Northbridge where Council has chosen to increase residential densities in order to help satisfy dwelling targets across the local government area. These include land along Sailors Bay Rd and Eastern Valley Way where Council's proposed rezoning from low density to medium density will permit four storey and three storey residential flat buildings to be developed in areas which are currently zoned Residential 2(a) and currently allow only single dwellings.

**NPA members are strongly opposed to this rezoning, especially for Northbridge peninsula. Not one member that we have contacted supports the increased population density in Northbridge that will arise from the proposed rezoning.**

Our perception is that the vast majority of Northbridge residents want their suburb to retain its unique character as a predominantly low density single dwelling area for families. Many feel that Northbridge lacks the infrastructure to support higher densities, particularly east of the Town Centre.

Consequently, there is widespread condemnation of Council's proposals which will result in a serious deterioration in the character of Northbridge; a reduction in amenity and property value for many residents impacted by the rezoning; a significant increase in traffic generation; and reduced safety for pedestrians (particularly schoolchildren in Sailors Bay Rd).

**NPA believes that, as a minimum, Council should retain the character of Northbridge peninsula by maintaining the current low density single dwelling zoning east of Northbridge Town Centre.** This would be consistent with the proposed zonings in other peninsula suburbs such as Castlecrag, Middle Cove and Castle Cove. The reduction in proposed dwellings (approximately 80 from Council's proposed 250) which would result from this change might be better applied by Council to those parts of Willoughby City where high density residential buildings are accepted as inherent in the character of the suburb and where appropriate infrastructure already exists.

#### **Sailors Bay Rd rezoning**

NPA notes it is proposed that all existing residential land along Sailors Bay Rd from Alpha Rd to Northbridge Public School (except Northbridge Town Centre) will be rezoned from 2(a), 2(b) and 2(c) to R3 medium density zone.

The existing development standards to control the bulk and scale of development are:

- 2(a) zone –two storeys building height limit and varying FSR limits between 0.4:1 and 0.65:1 depending on the site area;
- 2(b) zone –two storeys building height limit and 0.7:1 FSR limit; and
- 2(c) zone –three storeys building height limit and 0.9:1 FSR limit.

The proposed draft WLEP development standards are:

- A building height limit of 12 metres (the equivalent of four storeys) and a FSR limit of 0.9:1 on the northern side of Sailors Bay Rd;
- A building height limit of 9 metres (the equivalent of three storeys) and a FSR limit of 0.7:1 on the southern side of Sailors Bay Rd.

We note that, for those lands currently within the 2(a) - low density single dwellings - zone predominantly between the eastern end of the shops and Tunks St/Naomi Rd but also just west of the Eastern Valley Way/Sailors Bay Rd intersection, the draft WLEP 2009 would newly permit multi-dwelling houses (i.e. townhouses and villas) and residential flat buildings.

We understand that these proposed changes would increase the number of dwellings on Sailors Bay Rd by 124.

**NPA's position:**

Our members object strenuously to the proposals to increase density on Sailors Bay Rd. It would become a "canyon" of four and three storey residential units and the character of the suburb would be changed forever.

Residents living in single dwellings that back onto the new R3 zone developments would back onto three or four storey unit blocks. Their amenity would be seriously reduced and their property values much diminished. They would also have significantly reduced privacy, a sense of enclosure, loss of landscaped setting and a significant amount of overshadowing in the case of the southern side of the road.

**Moreover, Northbridge's infrastructure is simply not adequate for such an increase in density.** Traffic generation in Sailors Bay Rd would increase intolerably. Vehicle trips per hour generated by dwellings in Sailors Bay Rd at the AM and PM peaks would increase by 47% to 97 per hour. Already, the road is the only major thoroughfare by which vehicles can exit the peninsula and it is already subject to long queues and delays at peak hours.

NPA is also seriously concerned about **the safety of children** who attend Northbridge Public School and St Philip Neri School, many of whom use the Sailors Bay Rd footpath to arrive at and leave their schools. In NPA's view, to permit additional traffic to enter and exit new multi-storey buildings across the footpath would be foolhardy.

NPA strongly urges Council to change the WLEP rezoning proposals for Sailors Bay Rd as follows:

- 1. Maintain a low density single dwellings zoning (viz R2) for Sailors Bay Rd east of the Town Centre (as defined in the draft Northbridge Town Centre Masterplan).**

2. We would exclude from this change the western end of Sailors Bay Rd where there are a limited number of single residences backing onto the lots. We note that at the far western end of Sailors Bay Rd, there is already traffic chaos at Shore School drop-off and pick-up times. If higher density zoning were to go ahead for this area, there would be a need for improved traffic management including consideration of a roundabout at Pyalla St and a safer design for the pedestrian crossing.

### **Eastern Valley Way rezoning**

NPA notes that Council proposes to rezone properties on the western side of Eastern Valley Way from Sailors Bay Rd to the Market Garden site and properties on the eastern side of Eastern Valley Way between Northbridge Plaza and Tenilba Rd from 2(a) zone to R3 medium density zone.

The existing development standards are a two storey building height limit and varying FSR limit (between 0.4:1 and 0.65:1) depending on the site area.

The proposed development standards are:

- A height limit of 12 metres (equivalent to four storeys) and a FSR limit of 0.9:1 on the western side of Eastern Valley Way; and
- A height limit of 9 metres (equivalent to three storeys) and a FSR limit of 0.7:1 on the eastern side of Eastern Valley Way.

We understand that these changes would increase the number of dwellings on Eastern Valley Way by 126.

Eastern Valley Way is a four lane RTA clearway and the relative impact of increased traffic generation would be low. (However, NPA remains concerned that the bulk of southbound traffic will continue to turn east into Sailors Bay Rd and then south into Strathallen Ave, causing increased traffic congestion in those two streets.)

Many of the lots in Eastern Valley Way in Northbridge are relatively isolated – some back onto Shore School’s playing fields or onto Council’s car park so that the impact of new developments on nearby residents would be less. Other lots are already occupied by higher density SEPP5 units, retirement villages or a former nursing home.

#### **NPA’s position:**

If the higher density zoning proposed for Eastern Valley Way were to go ahead, NPA suggests:

1. Minimum 5 metre setbacks should be provided from the front boundary of medium density buildings as this is the approximate current predominant building line.
2. For all residential developments of three storeys or four storeys, the top floor should be setback by at least 2.0 metres.

3. Medium density buildings should be **stepped down to two storeys** where they back onto single dwellings in Tenilba Rd and Harden Ave.
4. The design of any development encouraged by the draft WLEP 2009 should have acceptable impacts on adjoining land in terms of overshadowing, overlooking and loss of landscaped setting.

These proposals from NPA would reduce the 250 new dwellings in Northbridge proposed by Council by approximately 80 (though NPA is not expert in such estimates). NPA suggests that this shortfall could be accommodated in other areas of Willoughby City where higher density developments are more accepted by residents and where suitable infrastructure is already in place to service the higher density.

#### **Northbridge Council Car Park and Baby Health Centre**

NPA committee members have previously held discussions with Council officers about the proposed rezoning of the Council Car Park and Baby Health Centre from a Special Use zone to the B2 Local Centre zone.

We note that Council has received legal advice from Mallesons regarding the covenants, classification and statutory trust that presently apply to the car park. Council officers kindly forwarded to NPA this legal advice which confirms that the rezoning will not have any impact on the statutory trust and community land classification or existing covenants unless and until the statutory trust is removed.

We recognise that Council has placed clauses within the draft WLEP to manage the potential recurrence of Northbridge Plaza seeking to expand over the Council car park. These include a draft floor space ratio (FSR) limit over the car park of 0.5:1 (which is low relative to the surrounding commercial sites at 2:1) and a draft height limit of 9m (which again is low relative to the 14m height limit across the Northbridge Town Centre).

#### **NPA's position:**

NPA continues to be uncomfortable about the proposed rezoning and would prefer an Open Space zoning. Nevertheless, after our discussions with Council officers and the explanations received about the statutory trust remaining in place, we reluctantly accept the proposed B2 zoning with Council's intended FSR and height restrictions for future developments.

#### **Northbridge Plaza maximum FSR**

NPA notes that the draft FSR and building height maps appear to permit an FSR limit of 2:1 and height limit of 14m (or more than four storeys) on the Northbridge Plaza site. However, we see that there is a special clause 4.4(10) in the draft WLEP which would restrict the maximum FSR of any new shops within Northbridge Plaza shopping centre and its car park to 1:1. As Northbridge Plaza and its car park have an area of 8,915 sq m and the present gross floor area of the shopping centre is 7,783 sq m, the maximum FSR of 1:1 for shops would result in an additional 890 sq m, or a little over 11% of the existing shop gross floor area.

**NPA's position:**

NPA accepts the 11% restriction on retail expansion for Northbridge Plaza (it being close enough to Council's original constraint of 10%).

**Secondary dwellings**

NPA notes that Council is introducing a concept of secondary dwellings (or "granny flats", for want of a better description) in conjunction with principal dwellings to increase the total number of potential dwellings in the local government area. Secondary dwellings are proposed by Council to be permissible in the R2 low density residential zone and E4 environmental living zones (i.e. the low density residential zones in Northbridge).

We are confused by the development standard which provides that the total floor area of a secondary dwelling cannot exceed the greater of 60 sq m or 10% of the "total floor area of both the self contained dwelling and the principal dwelling."

**NPA's position:**

1. **The E4 zone in Northbridge should be excluded from the secondary dwellings provisions.** The E4 zone is intended for very low density dwellings set in highly visible or highly landscaped areas or where the slope of the site is challenging. NPA believes strongly that secondary dwellings in the E4 zone will erode the sensitivities of the sites that Council is proposing to protect from overdevelopment.
2. Willoughby should adopt a floor space limit for secondary dwellings of 10% of the floor area of the principal dwelling.
3. A secondary dwelling should not be able to be subdivided nor strata-titled.

**Northbridge Town Centre**

NPA notes that the draft amendments to WDCP include a new section dealing with development in the Northbridge Town Centre. We have reviewed the proposed Northbridge Town Centre controls against the Council's adopted Northbridge Town Centre Masterplan from October 2003. We believe that Council has formalised the detailed controls in the Town Centre Masterplan into the WDCP with only minor refinements to the controls.

**NPA's position**

Recognising that the draft Town Centre Masterplan was approved by Council in 2005, the draft WDCP is the last opportunity for NPA to again raise its three major objections to the Masterplan. We believe strongly that:

1. The proposed Bellambi St town square should ONLY proceed if the street parking spaces lost by its development were to be replaced by Council elsewhere in the Town Centre. As manifested by the high turnover of businesses in the Town Centre, shops and businesses suffer greatly from inadequate street parking and could ill-afford the loss of up to 16 spaces in Bellambi St (the number depending on the extent of the proposed square).

2. Four storey buildings proposed throughout the Town Centre are too high, especially when combined with zero setback from the front boundary. We have always advocated three storeys and maximum FSR of 2:1.
3. A significant (minimum 5 metres) setback from the front boundary would reduce the canyon effect and improve the visual impact of the Town Centre.

### **Dual occupancy, heritage and Foreshore Building Line**

NPA endorses Council's proposals that:

- There are no significant changes in Northbridge to the areas where most types of dual occupancies are excluded and there is no increase in the number of lots where dual occupancy is permissible.
- The Northbridge lots that are heritage listed under WLEP 1995 are the same lots that are proposed to be identified in the draft WLEP; and
- There are no changes to the areas in Northbridge affected by the Foreshore Building Line provisions.

### **Open Space rezonings**

NPA notes that Council proposes to rezone the open space corridor comprising Munro Park and Tunks Park to the north of the Suspension Bridge stretching from Sailors Bay Rd around to Northbridge Golf Club, as well as the foreshore reserve at the end of Sailors Bay Rd, The Knoll and the reserve along Minimbah Rd from the generic 5(a) Open Space Zone to the E2 Environmental Conservation Zone.

We note that under the existing WLEP 2005 this open space land can be developed for uses such as car parking, sports fields and indoor recreation facilities. We understand that under the proposed E2 zoning the range of permissible uses would be limited only to low impact works such as environmental facilities and environmental protection works. The rezoning would therefore significantly restrict any future development and would elevate the importance of protecting and restoring the relevant land for its conservation values.

**NPA commends Council** for this more restrictive zoning of Northbridge's priceless open spaces and natural bushland.

We note that other open spaces including Harden Park, Warners Park, Northbridge Golf Club and Northbridge Oval would continue to be in a general public recreation zone.

### **Minimum lot sizes**

NPA notes that land along Sailors Bay Rd and Eastern Valley Way has been excluded from the draft lot sizes map due to the proposed rezoning of 2(a), 2(b) and 2(c) residential zones to the R3 medium density residential zone. Minimum lot size standards over the Northbridge Public School (8,000 sq m) and the St Philip Neri Catholic School (4,000 sq m) will presumably prevent schools being developed for residential development despite being zoned for residential development.

NPA understand that with the above exceptions, there are no other amendments to the minimum lot sizes in Northbridge. Minimum subdivision sizes remain 650 sq m across standard Northbridge lots and 1,200 sq m on sensitive sloping sites around the periphery of the suburb

#### **Other points**

- Schedule 1 to the draft WLEP refers to Eastern Valley Way, Northbridge (“Northbridge Shopping Centre and carpark”) which comprises the Council’s five lots which together form the Council car park at the rear of Northbridge Plaza. NPA believes the word “and” should be deleted from the draft WLEP’s reference to the land as it appears to be a typo and may give the impression the land belongs to Northbridge Plaza. It should be referred to as “Council’s Northbridge shopping centre carpark” (or similar).
- At the bottom of page 86 of the Report on Residential Development, it states: “However the height limit of 2 storeys will remained unchanged.” We believe this may be an error.

Yours sincerely,



Peter McNair  
President

Copy: Gladys Berejiklian MP  
Willoughby City Councillors  
Mr Greg Woodhams