

ATTACHMENT 6

Written Amendments to Willoughby Local Environmental Plan 2012

- 1) To replace Clause 4.4 'Floor Space Ratio', (2A), (b) with the following:

"(b) any part of the floor area of a building that:

- (i) is to be used for community facilities, or
- (ii) is a heritage item, or
- (iii) is to be used for affordable housing purposes if located within Area 3 on the Special Provisions Area Map

is taken not to be part of the gross floor area of the building for determining the maximum floor space ratio of the building."

- 2) To add Clause 5.6 'Architectural roof features', (2A) as follows:

"(2A) Despite subclause (2), development within Area 8 on the Special Provisions Area Map may only be carried out in accordance with the maximum height of Clause 4.3."

- 3) To replace Clause 6.8 'Affordable Housing', (2) with the following:

"(2) Development consent must not be granted to the erection of residential accommodation on land identified as "Area 3" and "Area 9" on the Special Provisions Area Map unless the consent authority has taken the following into consideration:

- (a) the Willoughby Affordable Housing Principles,
- (b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,
- (c) whether one of the affordable housing conditions should be imposed on the consent for the purpose of providing affordable housing in accordance with the Willoughby Affordable Housing Principles.

Note. The affordable housing principles set out in Schedule 2 to State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes) may also apply to the development."

- 4) To replace Clause 6.8 'Affordable Housing', (7) with the following:

"(7) In this clause:

accountable total floor space means:

- a) If in Area 3 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application relates, excluding any residential floor area of the building that is used for affordable housing purposes.
- b) If in Area 9 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application

relates, including any residential floor area of the building that is used for affordable housing purposes.”

5) To add Clause 6.23 as follows:

“6.23 Minimum commercial floor space within the Mixed Use zone

Land zoned B4 Mixed Use is to contain a minimum commercial floor space component of 1:1 if located within Area 11 on the Special Provisions Area Map.”

6) To add Clause 6.24 as follows:

“6.24 Design Excellence

(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.

(2) This clause applies to development involving the erection of a new building on land shown in Area 11 on the Special Provisions Area Map.

(3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.”

7) To add Clause 4.3A (9) to read as follows:

“4.3A (9) Development consent must not be granted to the erection of a building on the land at 753 Pacific Highway and/or 15 Ellis Street, Chatswood if the development would cause increased overshadowing impacts on the Chatswood Tennis and Croquet Club at mid winter between 12pm - 2pm.”