

## Planning Proposal

### Review of Willoughby Local Environmental Plan 2012

#### Part no

1. Objectives and Intended Outcomes
2. Explanation of Provisions
3. Justification
4. Mapping
5. Community Consultation
6. Project Timeline

Version 7 - 23 December 2020

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## Part 1 – objectives or intended outcomes

### Background

What does this planning proposal aim to do?

The planning proposal aims to establish controls to deliver on the vision and objectives of Council's Local Strategic Planning Statement. To achieve this, the planning proposal brings together recommendations drawn from a number of planning studies as well as updating the provisions contained within Willoughby Local Environmental Plan 2012. Such a review is a statutory requirement under the Environmental Planning and Assessment Act 1979. This comprehensive review brings together outcomes from a number of planning strategies and statutory requirements that have occurred over the past few years.

### Context

The Willoughby City local government area (LGA) is situated around 10 kilometres from the Sydney CBD at the heart of the North Shore of the metropolitan area and within the North District of the Greater Sydney Commission's Sydney Regional Plan. The eastern boundary is formed by the rugged coastline and peninsulas of Middle Harbour, while Lane Cove River, Mowbray Road and the Pacific Highway define the western boundary. Boundary Street defines the LGA to the north where it borders Ku ring gai Council.

- The population in 2016 of 78,000 is expected to grow by almost 14,000 people to approximately 92,000 in 2036.
- The number of dwellings is expected to grow by over 6,700 from 2016 to 2036
- There were about 64,000 jobs in Willoughby in 2016 with an additional 10,600 jobs anticipated by 2036.

These key statistics have informed a number of State and Council led planning studies to guide and pave the way for the future resident and business population. A summary of these Planning Studies are detailed in the next section.

It is recognised that with the unfolding COVID pandemic there are questions in relation to statistical projections. However, for the purposes of this planning proposal, Council will continue to apply the know data from established advice until that advice changes.

### The changes

A large number of changes are proposed to the current *Willoughby Local Environmental Plan 2012* (WLEP 2012) as a result of a substantial amount of strategic planning in recent years.

The changes have primarily resulted from a number of planning strategies which have been endorsed by Council over the past 2 years. In addition, planning officers have reviewed the existing WLEP 2012 and looked at ways to improve efficiency and application.

In broad terms, these changes are summarised as follows:

1        Rezone and change height and FSR controls in the following Strategic and Local centres:

- Chatswood CBD

- St Leonards
  - Artarmon
  - North Willoughby
  - Naremburn
  - Castlecrag
  - Northbridge (including the reclassification of Council owned land)
  - Penshurst Street
  - Willoughby South
- 2 Provide an increase in floor space ratio for certain amalgamated sites in the industrial areas of Artarmon and East Chatswood and an adjustment to what uses are permissible and not permissible in the industrial zones.
  - 3 Increase the affordable housing requirement for sites benefitting from upzoning or enhanced controls from 4% to 10%.
  - 4 Housekeeping amendments to address anomalies
  - 5 LEP improvements to enable efficiency

*The Environmental Planning and Assessment Act, 1979* (EP&A Act), requires councils to periodically review their local environmental plans (LEPs) and determine if those LEPs should be amended following such a review. WLEP 2012 commenced on 31 January 2013. WLEP 2012 has been amended 14 times since coming into force. This planning proposal reviews WLEP 2012.

Changes to planning controls are therefore compiled from the following studies and reviews:

- *The Greater Sydney Region Plan and North District Plan* March 2018
- *Willoughby Local Strategic Planning Statement* March 2020
- *Chatswood CBD Planning and Urban Design Strategy to 2036* September 2020
- *Willoughby Housing Strategy* May 2020
- *Willoughby Local Centres Strategy* June 2020
- *Willoughby Industrial Lands Strategy* October 2020
- *Willoughby Integrated Transport Strategy* August 2020
- *St Leonards / Crows Nest Plan to 2036* August 2020
- Housekeeping of issues / anomalies associated with WLEP 2012
- LEP efficiency improvements (include any recommended new clauses)

Associated amendments to *Willoughby Development Control Plan* are to be exhibited along with this planning proposal.

The following sections explain the above studies in more detail and then specify what the proposed LEP changes each have recommended.

## Planning Studies:

### The Greater Sydney Region Plan and the North District Plan March 2018

*The Greater Sydney Region Plan - A Metropolis of Three Cities* (The Region Plan) was released by the Greater Sydney Commission in March 2018. It provides a 40 year vision and actions for managing Greater Sydney's growth and advocates a 30 minute city where jobs, services and public spaces are within easy reach of people's homes. To meet the needs of the growing population, the vision seeks to transform Greater Sydney into a metropolis of three cities:

- The Western Parkland City
- The Central River City
- The Eastern Harbour City

Willoughby is located in the Eastern Harbour City. The population of the Eastern Harbour City is projected to grow from 2.4 million people in 2016 to 3.3 million people by 2036.

The *North District Plan* (the NDP) informs local strategic planning statements and local environmental plans, the assessment of planning proposals as well as community strategic plans and policies. The District Plan provides planning priorities consistent with the Objectives from the Region Plan.

The Region Plan prescribes councils work with GSC to establish agreed 6-10 year housing targets.

For Willoughby, the NDP provides:

- a Housing Supply target 2016-2021 of 1,250
- an employment target of 31,000 – 33,000 jobs by 2036 for Chatswood CBD. Along with 6,900-16,400 jobs by 2036 in the St Leonards (some of which are to be accommodated in the LGAs of Lane Cove and North Sydney).

The NDP does not provide specifics for the current planning proposal. However, it did provide the framework which Council studies looked to when preparing the following studies and planning direction to 2036.

### Local Strategic Planning Statement 2020 March 2020

The EP&A Act, requires councils to prepare a Local Strategic Planning Statement (*LSPS*). In accordance with these legislative requirements, Council adopted a LSPS on 10 February 2020 and an assurance was received from the Greater Sydney Commission on 20 March 2020.

The *LSPS* provides the basis for strategic planning in a council's local government area (LGA). It is required to have regard to economic, social and environmental matters and identify how the desired outcomes of the *Region Plan* and *North District Plan* will be addressed. The *LSPS* is then to inform any changes to a council's local environmental plan (*LEP*) and/or other planning policies.

Key short term Actions from the LSPS which form a major part of this planning proposal are:

**1.2** Review planning controls in the Chatswood CBD and in local centres to facilitate delivery of an increased number of medium and high-density dwellings, increasing dwelling diversity in the LGA.

**1.4** Assess any proposals for increased housing density against the Willoughby Housing Strategy.

**1.5** Ensure that planning controls create dwellings of universal design that are suitable for the changing needs of the community, including smaller and accessible dwellings for the aging population and family-friendly medium and high-density dwellings for new families moving to the area.

**1.6** Ensure higher sustainability and resilience targets for all new dwellings in Willoughby City in order to lower life cycle costs for new residents.

**2.1** Undertake the required feasibility testing to increase the proportion of total floorspace to be delivered as affordable housing in new developments.

**2.2** Seek opportunities to deliver increased public benefit through affordable housing when increases in density are sought in major proposals.

**5.1** Generally protect the existing character of low-density suburbs in the LGA.

**5.2** Continue to protect Aboriginal sites, State and local heritage items and conservation areas through planning controls.

**6.1** Review planning controls in local centres to encourage site amalgamation and development.

**6.2** Complete the *Willoughby Draft Local Centres Strategy to 2036* and implement its recommendations.

**6.4** Limit retail development outside of local centres.

**9.1** Promote office growth in the commercial core and a diverse mix of uses.

**9.2** Create great spaces and a high level of urban design quality.

**9.4** Develop and promote Chatswood's distinct role in the Eastern Economic Corridor.

**10.1** In consultation with adjoining Councils, prepare and exhibit an industrial lands strategy.

**10.3** In line with the *North District Plan* Priority N11 to retain and manage industrial and urban services land, Council will protect Artarmon's critical urban services and employment role.

**10.4** Support the development of East Chatswood with a blend of urban services, light industrial uses, large format retail and some local services.

**11.1** Encourage proposals which enhance the commercial and enterprise role of the St Leonards centre.

**11.2** Diversify and deepen the health and education role of the precinct focused on RNSH.

**14.3** Protect existing trees in the LGA through planning controls, and require large developments to retain existing trees and plant mature trees where appropriate.

**14.4** Encourage green roofs or green nature walls and green buildings, particularly in the Chatswood CBD and St Leonards.

**15.7** Encourage the use of cool building materials in any new development to reduce the urban heat island effect, and where appropriate integrate water

features both natural and man-made into urban design.

**15.9** Ensure that local planning controls encourage the minimisation of waste and the re-use and recycling of waste where possible.

**16.1** Continue to integrate resilience across Council to ensure climate change risks and impacts are considered in strategic planning.

**16.5** Continue to ensure that new residential development is targeted away from parts of the Council at risk from natural hazards including bushfire and flooding.

**18.3** Working with the Greater Sydney Commission and other councils to agree the roles of the different centres in the northern part of the Eastern Economic Corridor and promote and further develop Chatswood (and St Leonards) consistent with identified strengths and advantages.

These Actions are expanded further in the work which has been carried out in the various planning strategies for Chatswood, local centres and industrial lands. All of these strategies have been subject to extensive public consultation programmes.

## **Chatswood CBD Planning and Urban Design Strategy to 2036 September 2020**

The *Chatswood CBD Planning and Urban Design Strategy to 2036* (the CBD Strategy) seeks to amend existing planning controls to provide capacity for the future growth of Chatswood and seeks to achieve exceptional design and a distinctive, resilient and vibrant CBD.

*The CBD Strategy* outlines and recommends changes to planning controls for the Chatswood CBD.

Adopted by Council on 26 June 2017, the *CBD Strategy* has been subject to verification and testing requirements by *DIPE*. Final endorsement was received in August 2020. The endorsed *CBD Strategy* provides for a CBD that accommodates employment and residential growth not just for Willoughby but the Eastern Economic Corridor as identified in the *Region Plan* and *North District Plan*.

As the original CBD Strategy was adopted in 2017, a number of site specific planning proposals were submitted to Council by land owners and developers. These were submitted in accordance with the CBD Strategy and have been processed individually for Gateway Determinations and public exhibitions. This planning proposal will draw together all of the recommendations from the CBD Strategy to provide a unified set of controls. Associated amendments to *Willoughby Development Control Plan* for Chatswood are being exhibited as along with this planning proposal.

The LEP amendments will translate the recommendations from the CBD Strategy into planning controls. This is intended to strengthen the role of Chatswood as a strategic centre for employment and population growth to 2036.

## **Willoughby Local Centres Strategy June 2020**

Council adopted the *Willoughby Local Centres Strategy* (the Local Centres Strategy) on 9 December 2019. It provides for housing and jobs growth in the Willoughby LGA to 2036.



The Local Centres Strategy provides new recommended LEP controls for the following centres:

- Artarmon
- North Willoughby
- Naremburn
- Castlecrag
- Northbridge
- Penshurst Street
- Willoughby South
- With no change to the current controls for the High Street local centre.

The changes will implement the requirements from the *Region Plan* and *North District Plan* in providing local jobs and housing diversity in a 30 minute city.

This planning proposal transfers the *Local Centres Strategy* recommendations into LEP zoning, height and floor space controls. Each centre is also supplemented by development location specific controls.

### **St Leonards and Crows Nest 2036 August 2020**

A final version of the plan for *St Leonards and Crows Nest 2036* was released in August 2020. Its aim is to facilitate the urban renewal of St Leonards and Crows Nest with the arrival of a new Metro Station at Crows Nest by providing employment and residential growth as prescribed by the North District Plan. The Plan covers parts of Willoughby, North Sydney and Lane Cove Councils.

Now finalised by DIPE, Council is responsible for implementing the recommendations into planning controls for Willoughby.

### **Willoughby Housing Strategy May 2020**

Council adopted the *Willoughby Housing Strategy* (the Housing Strategy) on 9 December 2019.

The Housing Strategy plans to guide future housing in Willoughby City to 2036. It guides the quantity, location and type of future residential development within the LGA.

It seeks to concentrate an increase in housing growth in and around strategic and local centres.

Chatswood CBD is the main focus where future additional residential accommodation will be located. This is supplemented by the additional residential identified in different locations across the LGA in the Local Centres Strategy.

### **Willoughby Industrial Lands Strategy October 2020**

The *Willoughby Industrial Lands Strategy* (the Industrial Strategy) was adopted by Council on 10 August 2020. The Industrial Strategy takes a “retain and manage” approach to industrial areas as they play a critical role in the North District providing essential urban services. The recommendations from the *Industrial Strategy* are included in this planning proposal. These are primarily focussed on strengthening and protecting industrial uses.

## **Willoughby Integrated Transport Strategy August 2020**

The Willoughby Integrated Transport Strategy (ITS) was adopted by Council on 10 August 2020. It provides Council's overarching strategic framework for transport planning and initiatives across the LGA to 2036. The ITS informs the LEP in relation to the management of transport with growth. It assists by defining Council's transport and mobility related initiatives over the short, medium and long term.

## **Affordable Housing Feasibility**

Clause 6.8 of WLEP 2012 identifies certain land where affordable housing is required to be dedicated to Council. When developed, these sites are currently required to dedicate 4% of the gross floor area as affordable. Council's community strategic plan – *Our Future Willoughby* provides a commitment to increase this percentage to 7% by 2021 and to 10% by 2026. DIPE requires feasibility testing be applied to potential affordable housing sites, which is currently underway to be ready for provision to the DPIE with this planning proposal.

## **Housekeeping of issues / anomalies associated with WLEP 2012**

A housekeeping amendment was made to WLEP in June 2017. Since then a number of anomalies and errors have been identified for updating. This planning proposal incorporates these changes.

## **LEP efficiency improvements**

In addition, ways to make the LEP easier to use and understood have been considered and included in this planning proposal. One significant change in this section will be changing the requirements for R2 low density residential zoned land (not in conservation areas) to provide equity in line with the state requirements for new dwellings and dual occupancy development in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

The new LEP provides the opportunity for all the strategic directions established in the above studies in a statutory instrument providing legal strength.

## **What are the changes?**

The proposed changes resulting from all of the above studies are explained in the next section.

## Part 2 Statement of Objectives

This section explains how the various planning studies mentioned in Part 1 transfer into specific planning clauses and map changes.

### Section A: Chatswood CBD Planning and Urban Design Strategy to 2036

The *Chatswood CBD and Urban Design Strategy* (the CBD Strategy) establishes a vision for a confident, fine grain and green CBD that will be diverse, vibrant active and accessible.

The key elements from the CBD Strategy promote employment in the core of Chatswood, with surrounding mixed use development around the core in an expanded CBD area.

The *CBD Strategy* proposes a number of changes to height, zoning and FSR controls with a purpose of implementing the employment and dwelling targets from the North District Plan (NDP).

The majority of Willoughby's employment and dwelling targets will be located in the CBD Strategy boundary with the aim to maintain the B3 Commercial Core for employment uses. Changes to sites are as follows.

DCP controls for the Chatswood CBD will be exhibited along with this planning proposal.

**Table 1 Chatswood CBD Amendments**

Note


- the following table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.

Description and Location (Chatswood CBD)	Proposed Change
A1.	
Update the objectives of the B3 zone to include reference to the Eastern Economic Corridor and the North District	<p>Zone B3 Commercial Core 1 Objectives of zone</p> <ul style="list-style-type: none"><li>• To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.</li><li>• To encourage employment opportunities to strengthen the Eastern Economic Corridor.</li><li>• To encourage appropriate employment opportunities in accessible locations.</li><li>• To maximise public transport patronage and encourage walking and cycling.</li></ul>

Description and Location (Chatswood CBD)	Proposed Change
	<ul style="list-style-type: none"> <li>• To maximise public transport patronage and encourage walking and cycling.</li> <li>• To support the role of St Leonards as a specialised health and education centre providing health, research and education facilities.</li> <li>• To strengthen the role of Chatswood as a major <b>strategic</b> centre for the inner north sub-region North District and to improve its public domain and pedestrian links.</li> <li>• To protect and encourage safe and accessible city blocks by providing active land uses on street and pedestrian frontages. <ul style="list-style-type: none"> <li>• To enhance the visual appearance of the area by ensuring new development achieves high architectural, urban design and landscape standards.</li> </ul> </li> </ul>
A2	
<p>Remove Serviced apartments as a permissible use in the zone and add to prohibited.</p> <p>(This will also apply to B3 land in St Leonards).</p>	<p>4 Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Service stations; <b>Serviced apartments</b>; Sewage treatment plants; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies</p>

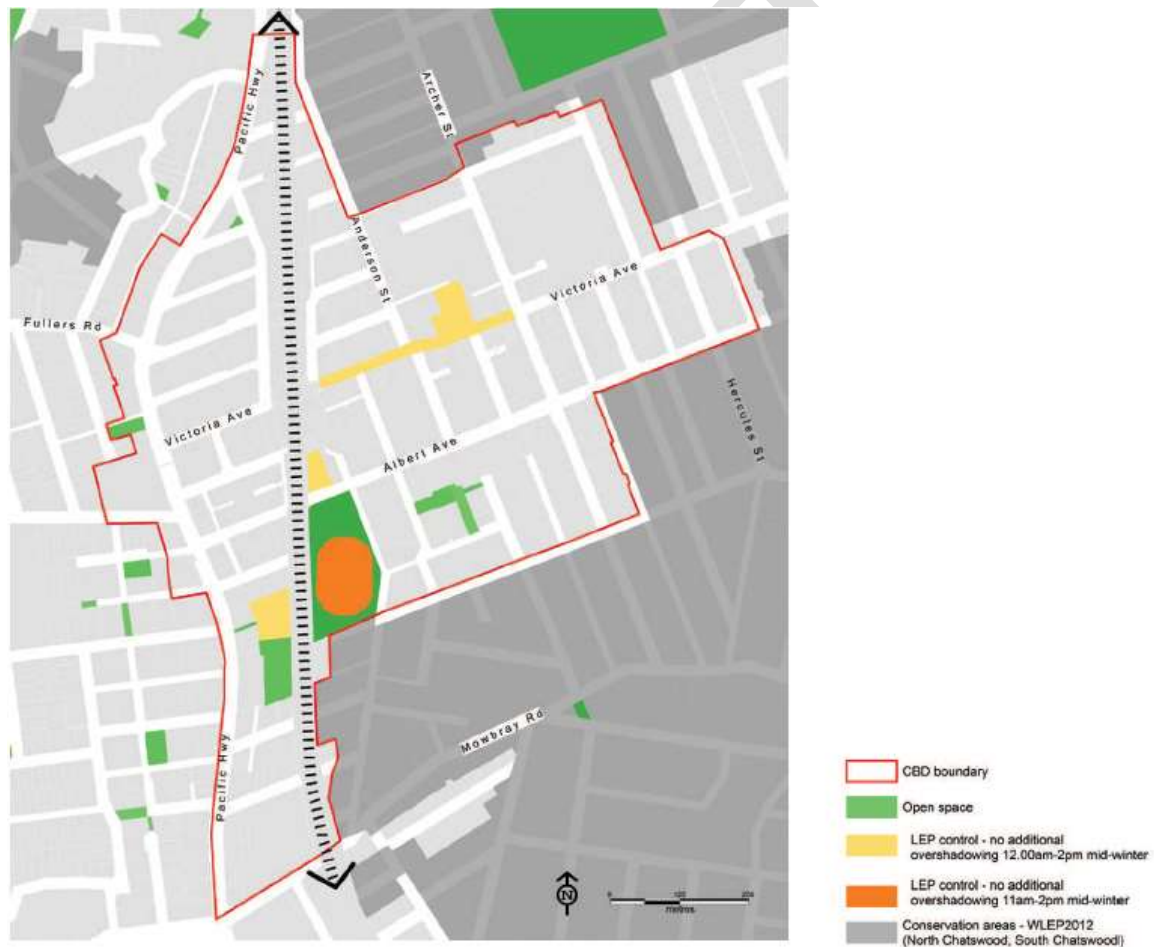
Description and Location (Chatswood CBD)	Proposed Change
A3	
<p>Clause 5.6 Architectural roof features clause</p> <p>The clause enables a building in Chatswood CBD to exceed its height limit to include an architectural roof feature.</p> <p>With the new uplift in heights now proposed for the CBD, all structures located at roof top level, including lift over runs and any other architectural features are to be within the maximum height and integrated into the overall building form.</p>	Delete clause
<p><b>5.6 Architectural roof features</b></p> <p><del>(1) The objectives of this clause are as follows —</del></p> <p class="padding-left: 40px;"><del>(a) to encourage innovative and high quality architectural design for buildings with a height of 60 metres or more,</del></p> <p class="padding-left: 40px;"><del>(b) to reinforce the distinctive skyline profile of the city centre of Chatswood when viewed from other parts of Sydney.</del></p> <p><del>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.</del></p> <p><del>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that —</del></p> <p class="padding-left: 40px;"><del>(e) the architectural roof feature —</del></p> <p class="padding-left: 80px;"><del>(i) comprises a decorative element on the uppermost portion of a building, and</del></p> <p class="padding-left: 80px;"><del>(ii) is not an advertising structure, and</del></p> <p class="padding-left: 80px;"><del>(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and</del></p> <p class="padding-left: 80px;"><del>(iv) will cause minimal overshadowing, and</del></p> <p class="padding-left: 40px;"><del>(d) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</del></p>	
A4	
Active Street Frontages Clause	Add the zones referred to below into the Active Street Frontages Map.
<p><b>6.7 Active street frontages</b></p> <p>(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B2 Local Centre, Zone B3 Commercial Core and Zone B4 Mixed Use.</p>	

Description and Location (Chatswood CBD)	Proposed Change
<p>(2) This clause applies to land identified as “Active Street Frontages” on the Active Street Frontages Map.</p> <p>(3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.</p> <p>(4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following—</p> <p>(a) entrances and lobbies (including as part of mixed use development),</p> <p>(b) access for fire services,</p> <p>(c) vehicular access.</p> <p>(5) In this clause, a building has an <b>active street frontage</b> if <del>all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.</del></p> <p>a) In the Zone B3 Commercial Core, all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.</p> <p>b) In the Zone B1 Neighbourhood Business, B2 Local Centre, B4 Mixed Use, B5 Business Development and B7 Business Park, all premises on the ground floor of the building facing the street are used for the purposes of non residential premises.</p>	
<p>A5</p> <p>Clause 6.12 Size of shops in Zone B3 and Zone B4 in Chatswood.</p> <p>This clause is superseded by the provisions in the CBD Strategy</p>	<p>6.12</p> <p>Size of shops in Zone B3 and Zone B4 in Chatswood</p> <p>(1) <del>This clause applies to land in Zone B3 Commercial Core and Zone B4 Mixed Use on the western side of the North Shore Rail Line in Chatswood.</del></p> <p>(2) <del>The maximum gross floor area of a shop on land to which this clause applies must not exceed 100 square metres.</del></p>
<p>A6</p> <p>6.13</p> <p>Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway and Thomas Street, Chatswood</p> <p>This clause is superseded by the provisions in the CBD Strategy</p>	<p>6.13</p> <p>Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway and Thomas Street, Chatswood</p> <p>(3) <del>This clause applies to the land at 763–781 Pacific Highway and 20–24 Thomas Street, Chatswood that is identified as “Area 4” on the Special Provisions Area Map.</del></p> <p>(4) <del>Despite clauses 4.3 and 4.4, if the site area</del></p>

Description and Location (Chatswood CBD)	Proposed Change
	<p>for development on land to which this clause applies is greater than 1,500 square metres, development consent may be granted to development that will have—</p> <p>(a) a height of any building on the land not exceeding 60 metres above the highest point of ground level (existing) on the land, and</p> <p>(b) a floor space ratio of the development not exceeding 8:1.</p> <p>Delete Area 4 of the Special Provisions Area Map.</p>
<p>The following zoning changes are proposed for Chatswood CBD</p>	
	
<p>A7</p>	
<p><b>New sun access protection clause</b></p> <p>Maximum height of buildings in Chatswood CBD will be Subject to a new clause in order to protect public spaces.</p>	<p><b>Sun access</b></p> <p>(1) The objective of this clause is to</p> <p>(a) protect certain public space in Chatswood CBD from excessive overshadowing.</p> <p>(b) Protect properties in South Chatswood Conservation Area from a reduction in solar access</p> <p>(2) The consent authority must not grant consent to development on land zoned B3 or B4 if the consent authority is satisfied that :</p> <p>(a) the development will result in additional overshadowing in mid winter</p>

Description and Location (Chatswood CBD)	Proposed Change
	<p>between 12 noon and 2pm, on:</p> <ul style="list-style-type: none"> <li>• Victoria Avenue between the interchange and Archer Street</li> <li>• Concourse Open Space</li> <li>• Garden of Remembrance</li> <li>• Tennis and croquet club</li> </ul> <p>(b) the development will reduce solar access to any individual property within the South Chatswood Conservation Area to less than 3 hours between 9.00am and 3.00pm mid winter.</p>

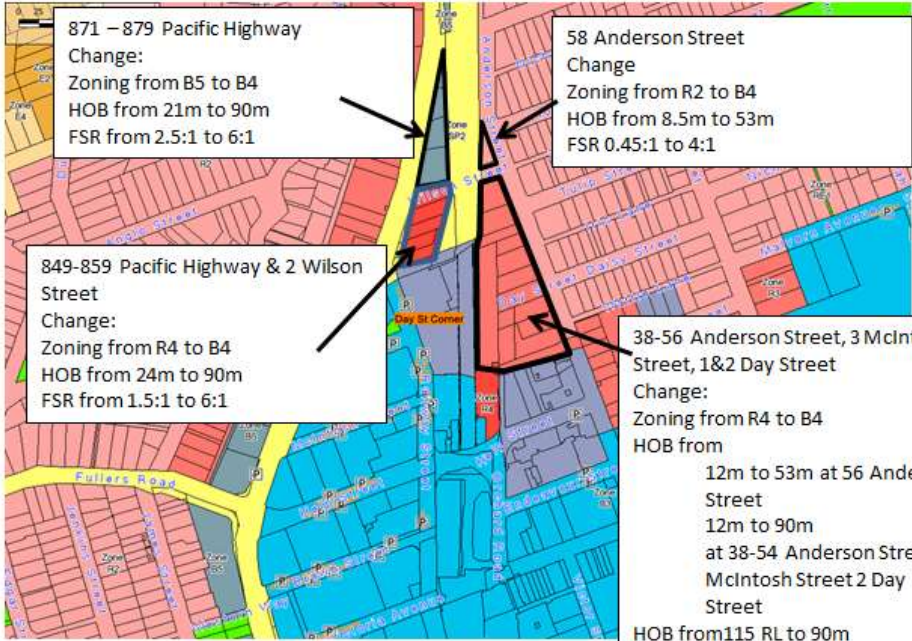
The following map shows the public areas the Sun Access Clause aims to protect:



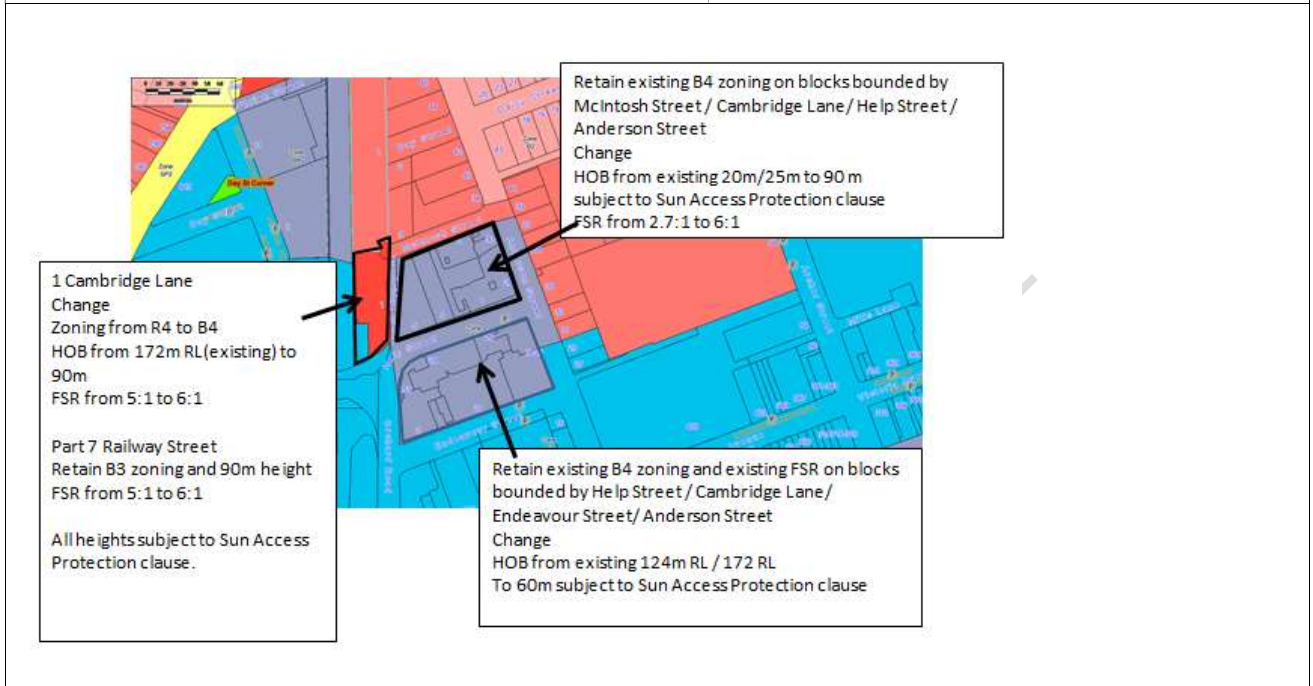
A8	
<p>Site amalgamation clause for sites in Chatswood CBD</p> <p>Insert into part 6</p> <p>Clause 6.X</p> <p>Minimum lot sizes for commercial and mixed use development in Chatswood CBD.</p>	



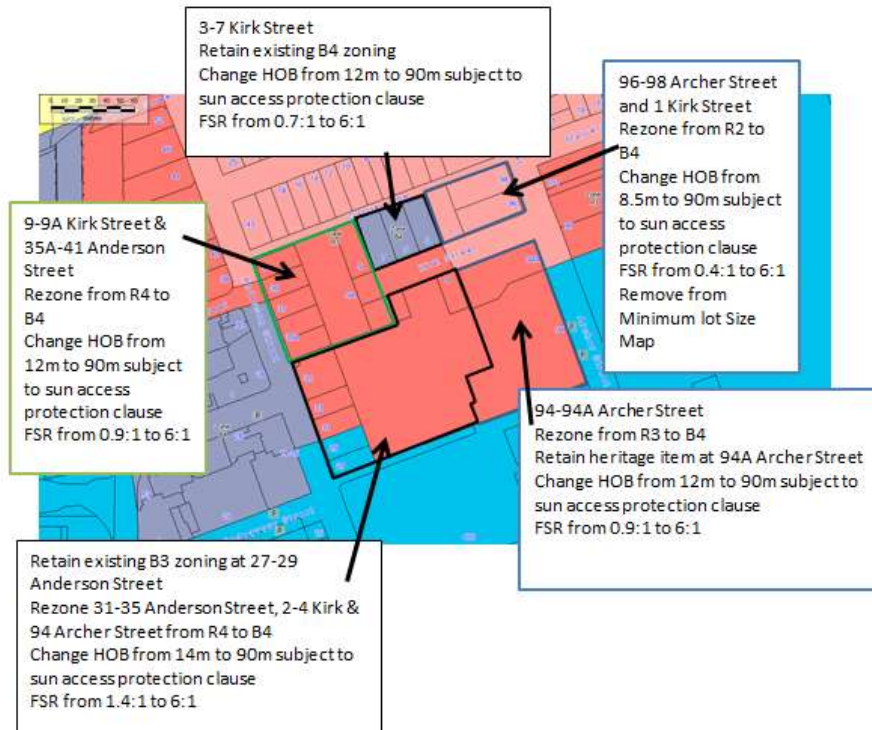
Description and Location (Chatswood CBD)		Proposed Change
<p>1) The objectives of this clause are –</p> <p>(a) To achieve planned commercial and mixed use development in the Chatswood CBD by –</p> <p>(i) Enabling the development site to be of sufficient size to provide for adequate drainage, landscaping and separation between buildings and</p> <p>(ii) ensuring that adequate provision is made for privacy and solar access and</p> <p>(ii) Reducing the instances of isolated lots being left with reduced development potential</p> <p>2) Development consent may be granted for a purpose shown in Column 1 of the Table to this subclause on a lot in a zone shown in Column 2 of that Table opposite that purpose, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of that Table.</p>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
Commercial development	B3 Commercial Core	1,800 square metres
Mixed use development	B4 Mixed Use	1,200 square metres
A9		<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 849-859 Pacific Highway &amp; 2 Wilson Street</li> <li>• 871-879 Pacific Highway</li> <li>• 58 Anderson Street</li> <li>• 38-56 Anderson Street, 3 McIntosh Street and 1&amp;2 Day Street, Chatswood</li> </ul>

Description and Location (Chatswood CBD)	Proposed Change
 <p>871 – 879 Pacific Highway Change: Zoning from B5 to B4 HOB from 21m to 90m FSR from 2.5:1 to 6:1</p> <p>58 Anderson Street Change Zoning from R2 to B4 HOB from 8.5m to 53m FSR 0.45:1 to 4:1</p> <p>849-859 Pacific Highway &amp; 2 Wilson Street Change: Zoning from R4 to B4 HOB from 24m to 90m FSR from 1.5:1 to 6:1</p> <p>38-56 Anderson Street, 3 McIntosh Street, 1&amp;2 Day Street Change: Zoning from R4 to B4 HOB from 12m to 53m at 56 Anderson Street 12m to 90m at 38-54 Anderson Street, 3 McIntosh Street 2 Day Street HOB from 115 RL to 90m at 1 Day Street FSR from 0.9:1 to 5:1 at 54-56 Anderson Street to 6:1 for the remainder of the site</p> <p>All Heights subject to Sun access protection clause</p>	

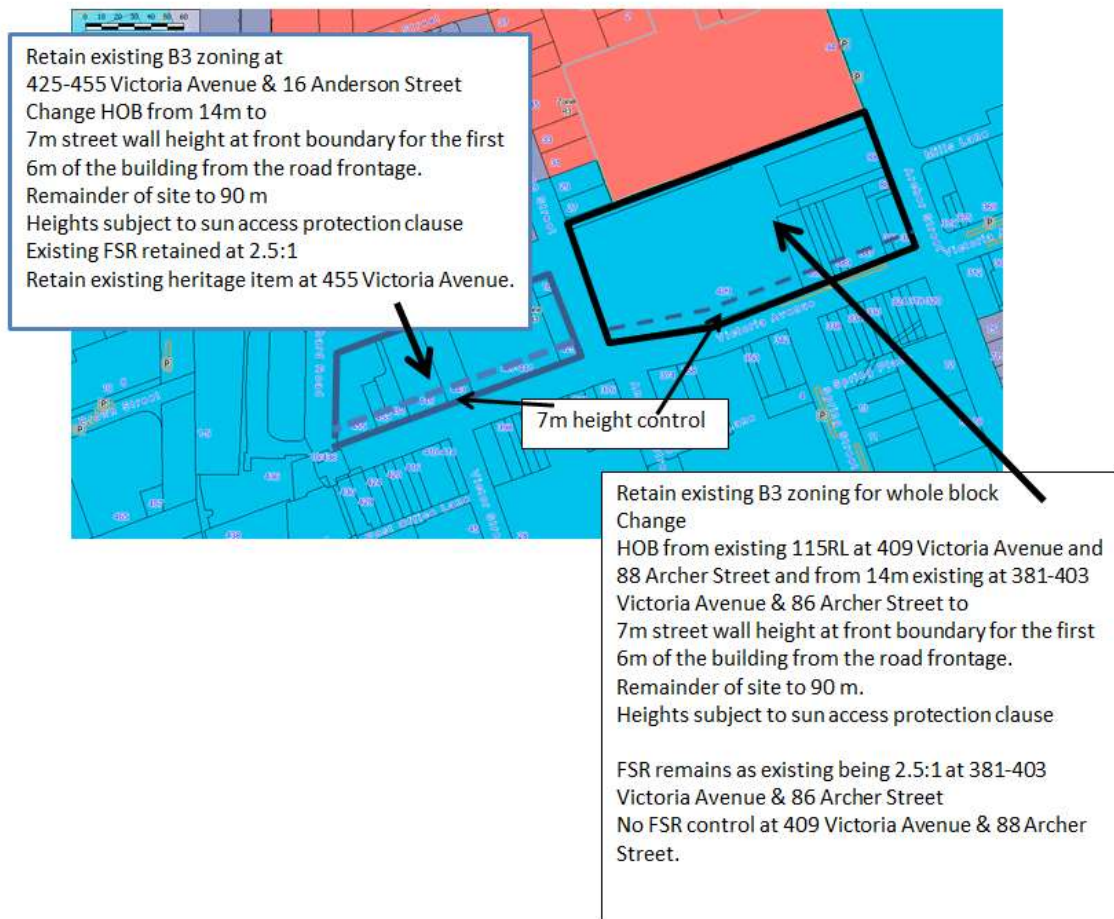
Description and Location (Chatswood CBD)	Proposed Change
A10	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 1 Cambridge Lane, Part 7 Railway Street</li> <li>• blocks bounded by McIntosh Street / Cambridge Lane/ Help Street / Anderson Street</li> <li>• blocks bounded by Help Street / Cambridge Lane/ Endeavour Street/ Anderson Street</li> </ul>



Description and Location (Chatswood CBD)	Proposed Change
A11	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 3-7 Kirk Street</li> <li>• 9-9A Kirk Street &amp; 35A-41 Anderson Street</li> <li>• 96-98 Archer Street and 1 Kirk Street</li> <li>• 94-94A Archer Street</li> <li>• 27-29 Anderson Street</li> <li>• 31-35 Anderson Street, 2-4 Kirk &amp; 94 Archer Street</li> </ul>



Description and Location (Chatswood CBD)	Proposed Change
A12	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 425-455 Victoria Avenue &amp; 16 Anderson Street</li> <li>• 409 Victoria Avenue and 88 Archer Street</li> <li>• 381-403 Victoria Avenue &amp; 86 Archer Street</li> </ul>





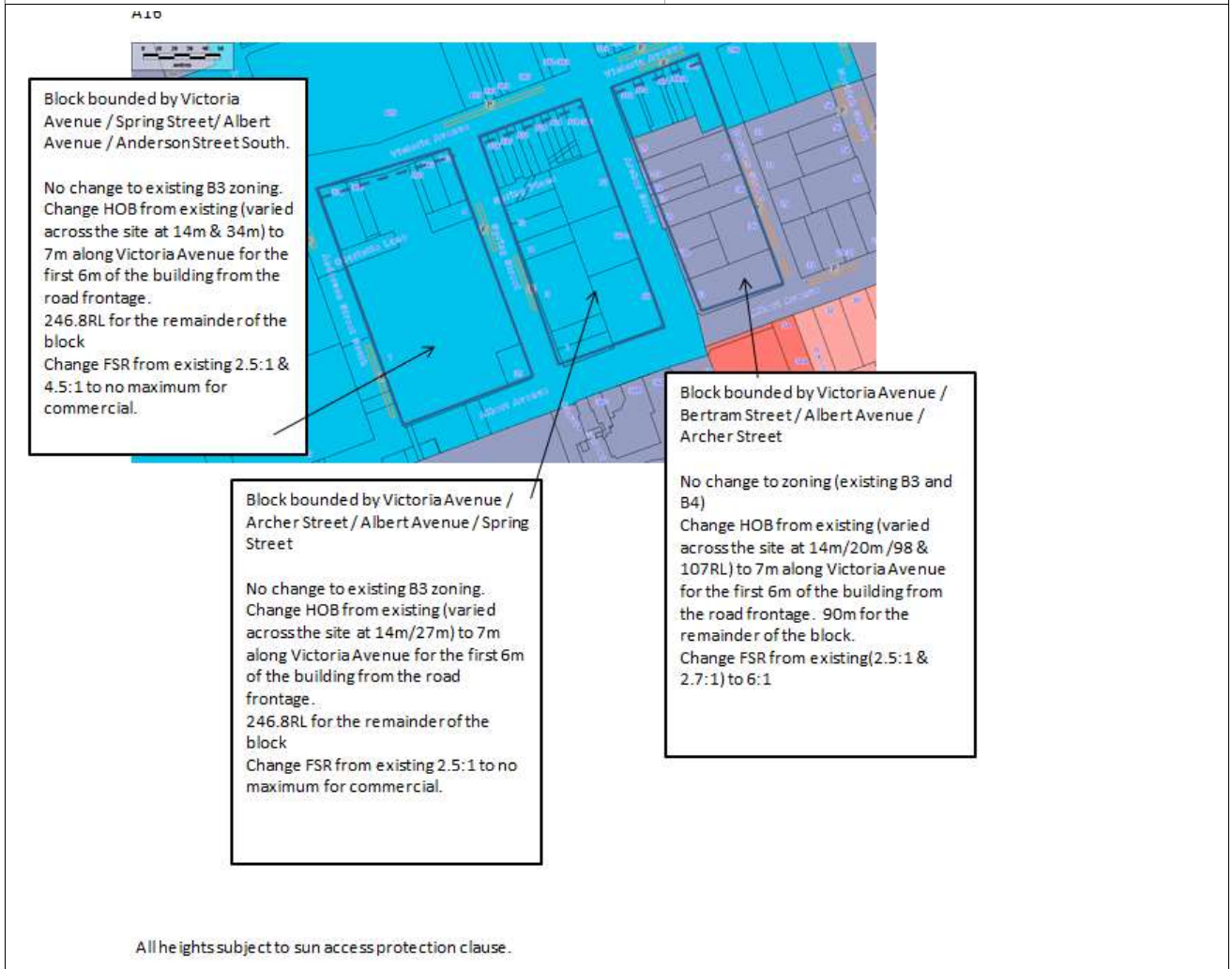
Description and Location (Chatswood CBD)	Proposed Change
A13	Zoning, height and FSR controls for: <ul style="list-style-type: none"> <li>• 99-101 Archer Street</li> <li>• 345 Victoria Avenue</li> <li>• 365-379 Victoria Avenue</li> <li>• 339-341 Victoria Avenue</li> <li>• 1-3 &amp; 5 Havilah Street</li> </ul>
<div data-bbox="289 491 597 697"> <p>Rezone 99-101 Archer Street from R3 to B4 Change HOB from 14m to 90m subject to sun access protection clause Change FSR from 1.7:1 to 6:1</p> </div> <div data-bbox="971 525 1286 793"> <p>Retain B3 zoning at 345 Victoria Avenue Change HOB from 34m to 90m (for the section of the lot highlighted in green) subject to sun access protection clause Change FSR from 4.5:1 to 6:1</p> </div> <div data-bbox="292 915 672 1381"> <p>Retain B3 zoning for this section of 345 Victoria Avenue and at 365-379 Victoria Avenue Change HOB from 34m at this section of 345 Victoria Ave and from 14m at 365-379 Victoria Avenue to 7m street wall height at front boundary for the first 6m of the building from the road frontage. Remainder of the site change to 30m. All heights subject to sun access protection clause. FSR remains as existing being 4.5:1 across this section of 345 Victoria Avenue and at 365-379 Victoria Avenue.</p> </div> <div data-bbox="672 575 1289 1104"> <p>7m height control</p> </div> <div data-bbox="945 911 1396 1507"> <p>Rezone 339-341 Victoria Avenue, 1-3 &amp; 5 Havilah Street from B4 to B3 Change HOB from existing 14m at 339-341 Victoria Avenue to 7m street wall height at front boundary for the first 6m of the building from the road frontage. Remainder of the site change to 30m Change HOB at 1-3 Havilah Street from 14m to 90m Change HOB at 5 Havilah Street from 34m to 90 m Heights subject to sun access protection clause. FSR at 339-341 Victoria Avenue to remain existing 1.7:1 Change FSR at 1-3 Havilah Street from 1.7:1 to 6:1 Change FSR at 5 Havilah Street from 4.5:1 to 6:1</p> </div>	

Description and Location (Chatswood CBD)	Proposed Change
A14	Zoning, height and FSR controls for: Block bounded by Victoria Avenue / Olga Street/ Albert Avenue/ Hercules Street
<div data-bbox="284 415 747 945"> <p>Block bounded by Victoria Avenue / Olga Street / Albert Avenue / Hercules Street</p> <p>Rezone whole block from R3 to B4.</p> <p>Change HOB from existing 9m and 12m to 7m along Victoria Avenue for the first 6m of the building from the Victoria Avenue frontage. Remainder of the site change to 26m.</p> <p>Boundary outlined in green change to 11m</p> <p>Boundary outlined in blue change to 26 m.</p> <p>Heights subject to sun access protection clause.</p> <p>Change FSR from existing 0.7:1 and 0.9:1 to 2.7:1 across whole block.</p> </div> <div data-bbox="370 447 1318 989"> </div>	

Description and Location (Chatswood CBD)	Proposed Change
A15	<p>Zoning, height and FSR controls for:</p> <p>3 Blocks bounded by Victoria Avenue / Hercules Street / Albert Avenue and Bertram Street</p>
<div data-bbox="251 630 711 1157"> <p>Change HOB from existing 14m and 20m and existing FSR of 2.5:1 to 7m along Victoria Avenue for the first 6m of the building from the road frontage. Remaining section (outlined in blue) to 90m and 6:1 FSR</p> <p>Mid-section of the site of the site (outlined in red) change from 20m to 57m height and 5:1 FSR.</p> <p>South section of the site (outlined in black) Change height from 9m to 23m. Change FSR to 2.7:1</p> </div> <div data-bbox="391 642 1333 1173"> </div>	<div data-bbox="966 407 1360 644"> <p>3 Blocks bounded by Victoria Avenue / Hercules Street / Albert Avenue and Bertram Street</p> <p>No change to zoning No change to existing heritage item at 156 Victoria Avenue</p> </div> <p>All heights subject to sun access protection clause</p>



Description and Location (Chatswood CBD)	Proposed Change
A16	Zoning, height and FSR controls for: Blocks bounded by Victoria Avenue / Bertram Street / Albert Avenue / Anderson Street South

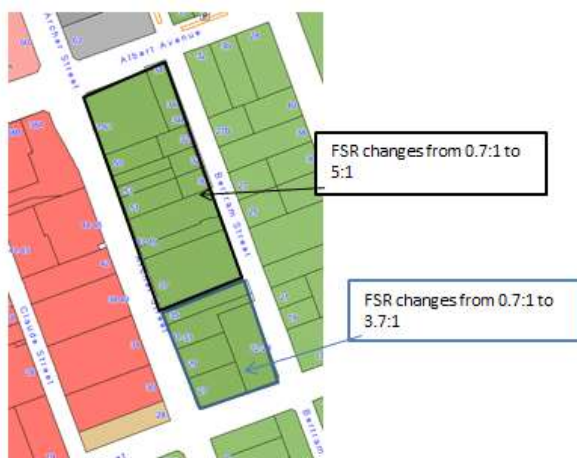


Description and Location (Chatswood CBD)	Proposed Change
A17	Zoning, height and FSR controls for: Blocks bounded by Victoria Avenue / Anderson Street South / Albert Avenue / Railway Line
 <p>Block bounded by Victoria Avenue / Victor Street / Albert Avenue / Garden of remembrance / Railway line. No change to the existing B3 zoning.</p> <p>HOB change from existing varied across the area (14m/27m/80m &amp; 110RL) to 7m along Victoria Avenue for the first 6m of the building from the road frontage &amp; 246.8RL subject to sun access protection clause.</p> <p>FSR from existing 2.5:1 &amp; 8:1 to No FSR maximum for commercial.</p>	<p>Block bounded by Victoria Avenue / Anderson Street South / Albert Avenue / Victor Street</p> <p>No change to existing B3 zoning.</p> <p>HOB</p> <p>Change from existing 14m/34 m to 7m along Victoria Avenue for the first 6m of the building from the road frontage &amp; 246.8RL subject to sun access protection clause.</p> <p>FSR from existing 2.5:1 and 4.5:1 to No maximum for commercial.</p>

Description and Location (Chatswood CBD)	Proposed Change
A18	Zoning, height and FSR controls for: Block bounded by Albert Avenue / Bertram Street / Johnson Street / Archer Street.



All heights subject to sun access protection clause





Description and Location (Chatswood CBD)	Proposed Change
A19	Zoning, height and FSR controls for: Block bounded by Albert Avenue / Archer Street / Johnson Street / Claude Street.



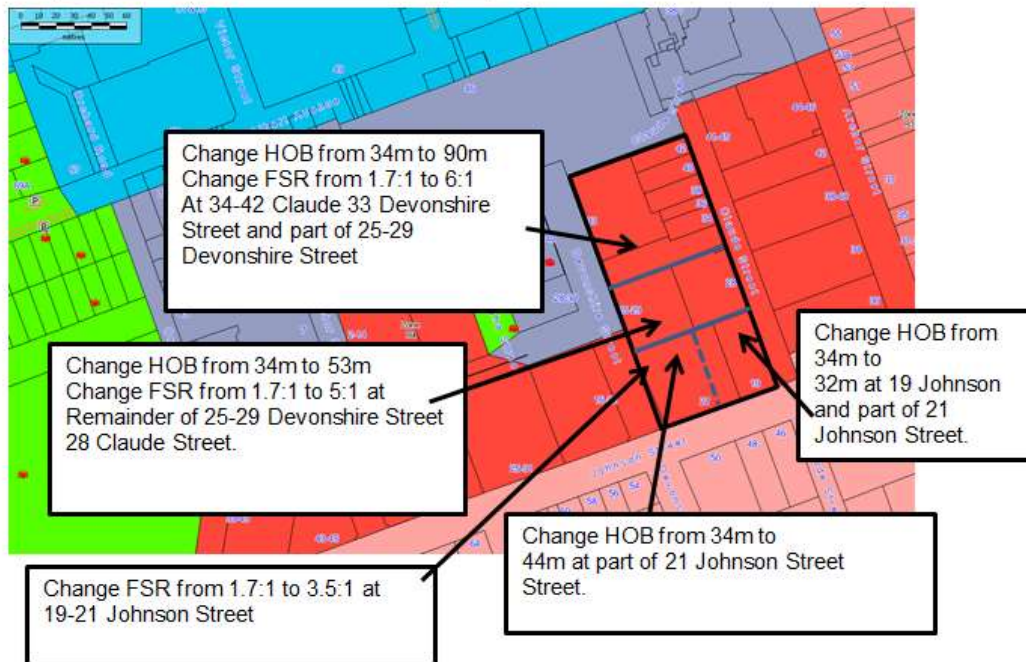
All heights subject to sun access protection clause



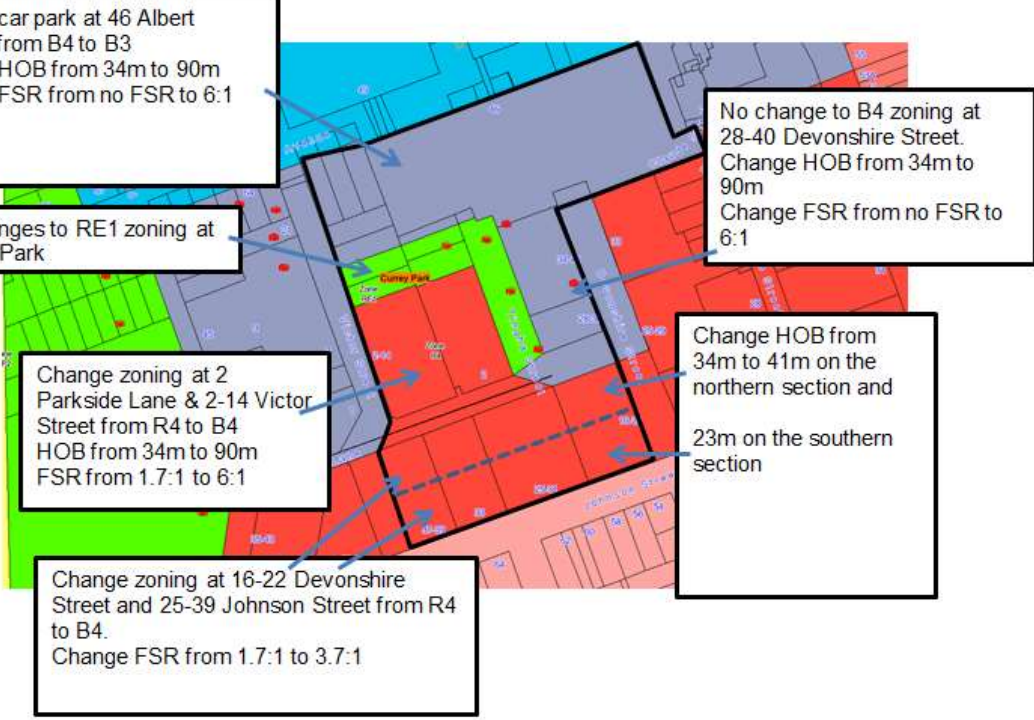
Description and Location (Chatswood CBD)	Proposed Change
A20	Zoning, height and FSR controls for: Block bounded by Claude Street / Johnson Street and Devonshire Street

Block bounded by Claude Street /  
Johnson Street and Devonshire Street


Rezone from R4 to B4



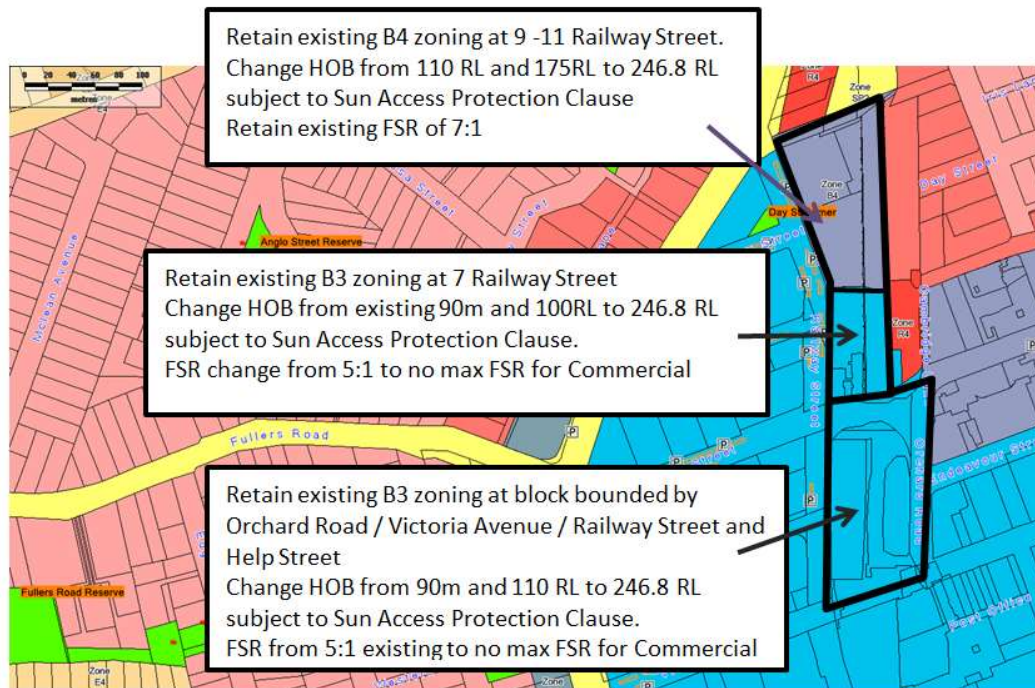
All heights subject to the sun access protection clause

Description and Location (Chatswood CBD)	Proposed Change
A21	Zoning, height and FSR controls for: 46 Albert Avenue / 28-40 Devonshire Street / 2 Parkside Lane & 2-14 Victor Street / 16-22 Devonshire Street and 25-39 Johnson Street
 <p>Rezone car park at 46 Albert Avenue from B4 to B3 Change HOB from 34m to 90m Change FSR from no FSR to 6:1</p> <p>No changes to RE1 zoning at Currey Park</p> <p>No change to B4 zoning at 28-40 Devonshire Street. Change HOB from 34m to 90m Change FSR from no FSR to 6:1</p> <p>Change zoning at 2 Parkside Lane &amp; 2-14 Victor Street from R4 to B4 HOB from 34m to 90m FSR from 1.7:1 to 6:1</p> <p>Change zoning at 16-22 Devonshire Street and 25-39 Johnson Street from R4 to B4. Change FSR from 1.7:1 to 3.7:1</p> <p>Change HOB from 34m to 41m on the northern section and 23m on the southern section</p> <p>All heights subject to the Sun Access Protection clause</p>	



Description and Location (Chatswood CBD)	Proposed Change
A22	Zoning, height and FSR controls for: Blocks Bounded by Albert Avenue / Victor Street / Johnson Street / Orchard Road
<div data-bbox="280 359 704 554"> <p>Change zoning at 21 Victor Street / 64 - 70 Albert Avenue from B4 to B3 Change HOB from 14m &amp; 34m to 90m subject to Sun Access Protection Clause Change FSR from no FSR at 21 Victor Street &amp; 64 Albert Avenue and 1:1 at</p> </div> <div data-bbox="326 669 721 835"> <p>Retain B4 zoning at 1-9 Victor Street Change HOB from 34m to 90m subject to Sun Access Protection Clause Change FSR from no FSR to 6:1</p> </div> <div data-bbox="339 863 738 1165"> <p>Rezone 35-45 Johnson Street from R4 to B4 Change HOB from 34m to 41m on the northern section of the site. 23m on the southern section of the site Subject to the Sun Access Protection Clause. Change FSR from 1.7:1 to 3.6:1 across the whole site.</p> </div> 	

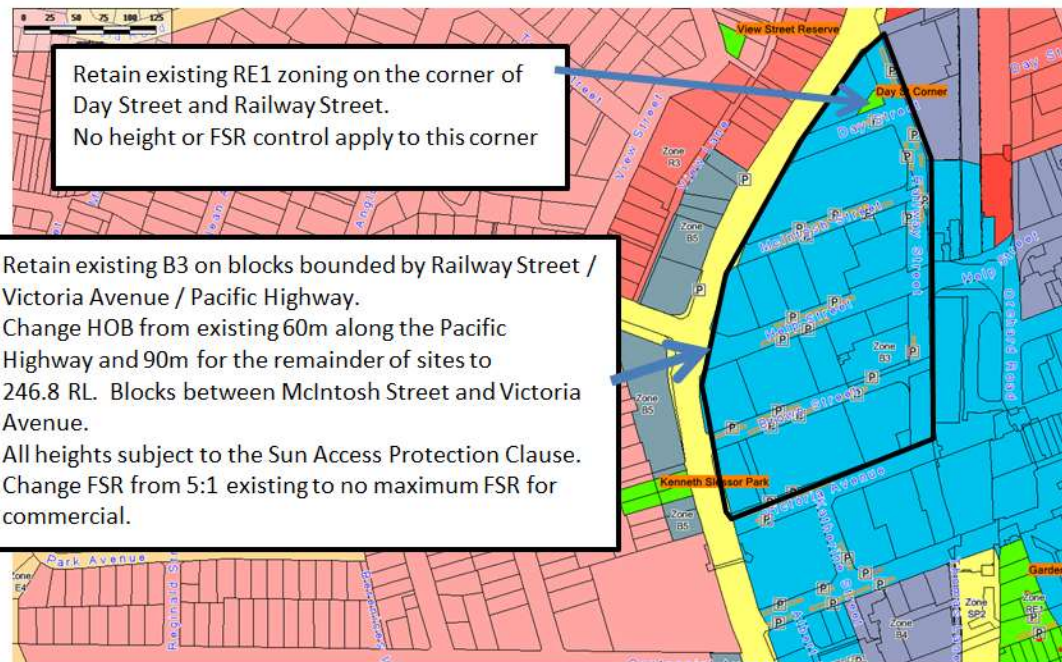
Description and Location (Chatswood CBD)	Proposed Change
A23	Zoning, height and FSR controls for: Land bounded by O'Brien Street / railway line / Orchard Road / Victoria Avenue / Railway Street



Description and Location (Chatswood CBD)	Proposed Change
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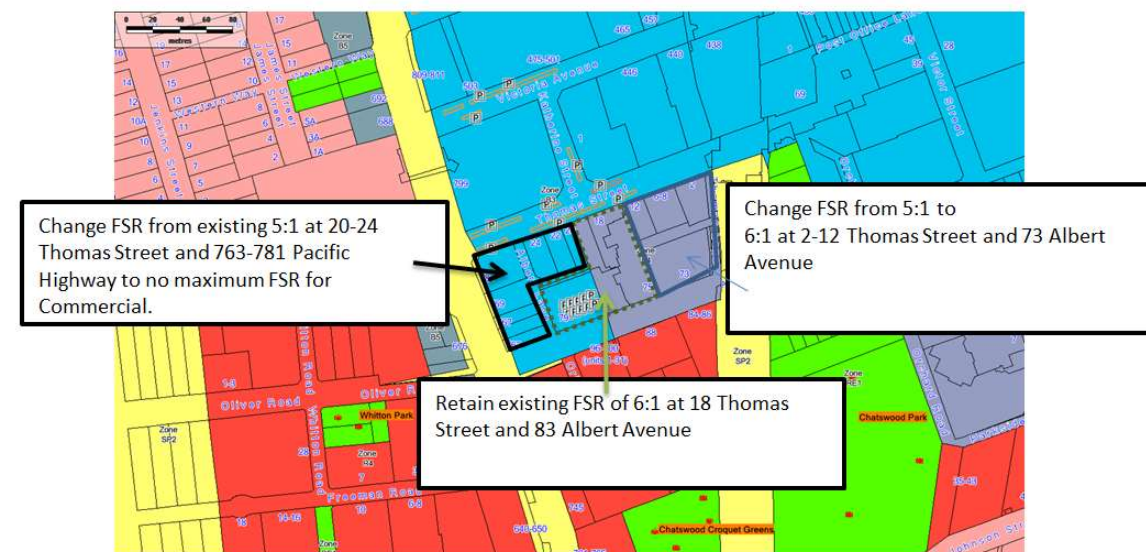
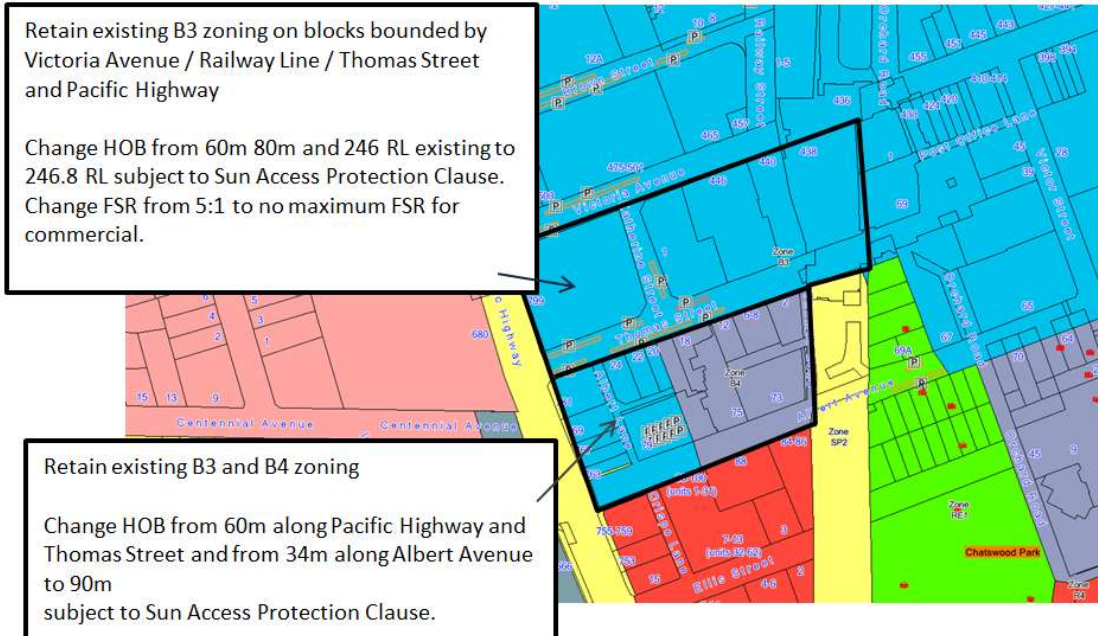


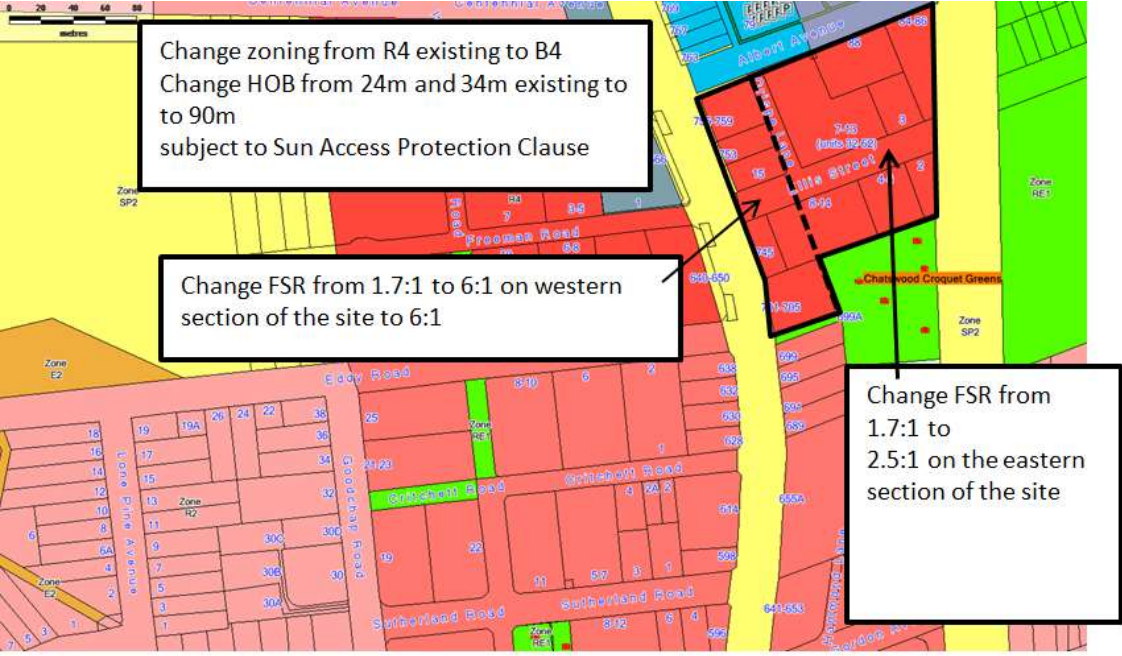
Description and Location (Chatswood CBD)	Proposed Change
A24	Zoning, height and FSR controls for: Blocks bounded by Railway Street / Victoria Avenue / Pacific Highway (including Day Street, McIntosh Street, Help Street and Brown Street)



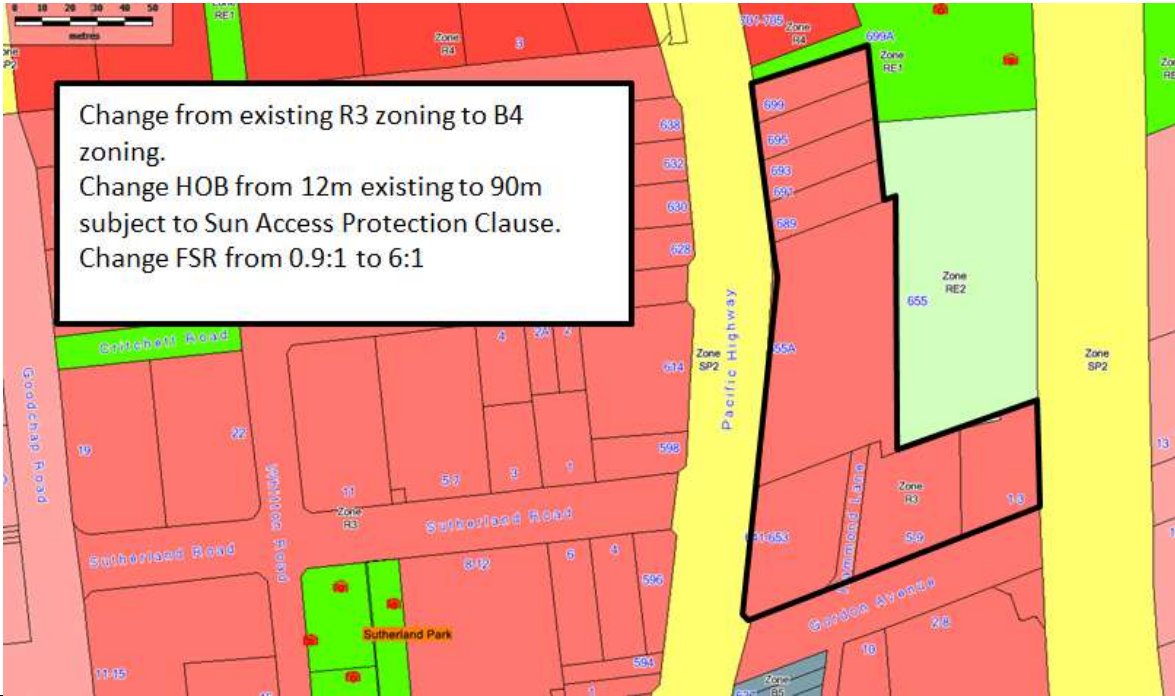
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Description and Location (Chatswood CBD)	Proposed Change
A25	Zoning, height and FSR controls for: Blocks bounded by Railway Line / Albert Avenue / Pacific Highway / Victoria Avenue.

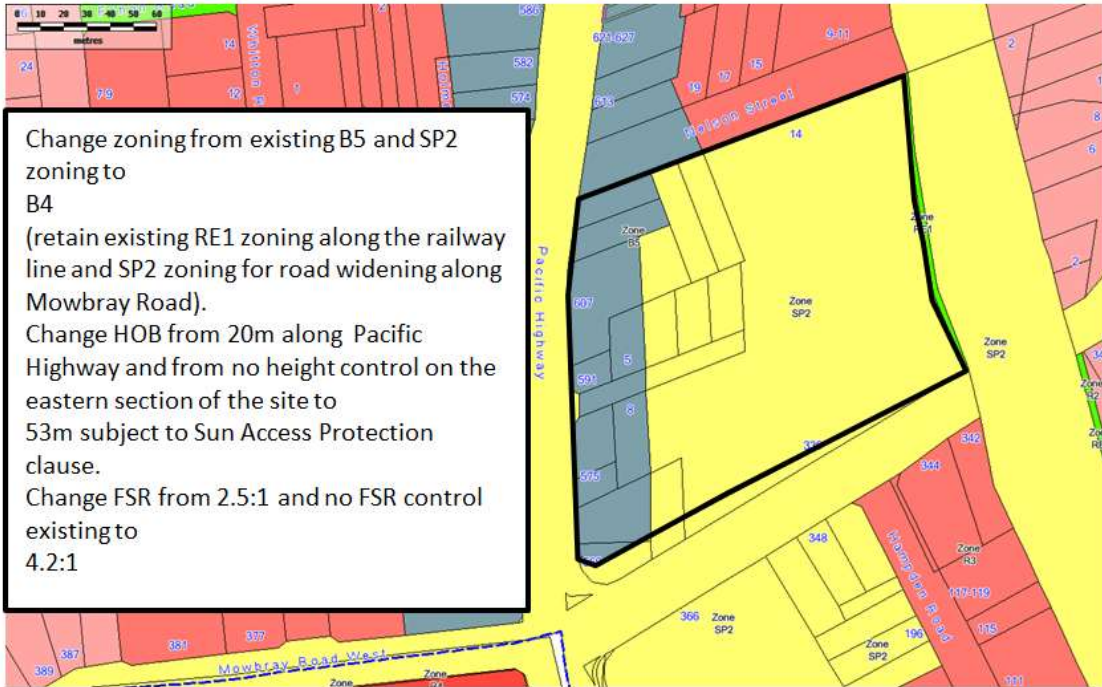


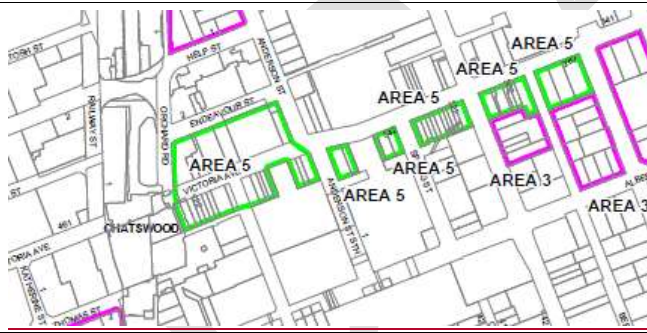
Description and Location (Chatswood CBD)	Proposed Change
A26	Zoning, height and FSR controls for: Blocks bounded by Albert Avenue / Railway Line / Ellis Street / Pacific Highway (including 701-705 Pacific Highway)
	



Description and Location (Chatswood CBD)	Proposed Change
A27	Zoning, height and FSR controls for: Land at 641-699 Pacific Highway and 1-9 Gordon Avenue
	
A28	Zoning, height and FSR controls for: Blocks bounded by Gordon Avenue / Railway Line / Nelson Street / Pacific Highway



Description and Location (Chatswood CBD)	Proposed Change
A29	Zoning, height and FSR controls for: Block bounded by Nelson Street / Railway line / Mowbray Road / Pacific Highway
 <p>Change zoning from existing B5 and SP2 zoning to B4 (retain existing RE1 zoning along the railway line and SP2 zoning for road widening along Mowbray Road). Change HOB from 20m along Pacific Highway and from no height control on the eastern section of the site to 53m subject to Sun Access Protection clause. Change FSR from 2.5:1 and no FSR control existing to 4.2:1</p>	
A30	Update Area 1 of the Lot Size Map to include new B3 areas.
<p>Area 1 of the Lot Size Map limits the strata subdivision of land in the B3 zone.</p> <p>This map is proposed to be amended to include the sites which have been rezoned to B3.</p> <p><b>Schedule 1 Amendments</b></p> <p>A number of clauses for additional permitted uses in Schedule 1 will be deleted due to the uplift in controls in Chatswood</p>	
<p>Currently zoned R2 land at 28 Archer Street has a site specific clause that enables attached dwellings and multi unit dwellings.</p> <p>The site is proposed to be rezoned to B4</p>	<p><b><del>17A Use of certain land at 28 Archer Street, Chatswood</del></b></p> <p>(1) <del>This clause applies to land at 28 Archer Street, Chatswood, being Lot 1, DP 900390.</del></p> <p>(2) <del>Development for the purposes of attached dwellings and multi dwelling housing is permitted with development consent.</del></p>

Description and Location (Chatswood CBD)	Proposed Change
<p>1 Cambridge Lane is currently zoned R4. The R4 zoning does not permit business or office premises.</p> <p>It is proposed to rezone the site the B4 which does permit these uses. Therefore the Schedule 1 clause will no longer be required.</p>	<p><b>19. Use of certain land at Shops 1 and 2, 1 Cambridge Lane, Chatswood</b></p> <p>(1) <del>This clause applies to land at Shops 1 and 2, 1 Cambridge Lane, Chatswood, being Lots 134 and 135, SP 79233.</del></p> <p>(2) <del>Development for the purposes of office premises and business premises is permitted with development consent.</del></p>
<p>Currently certain B3 land along Victoria Avenue has an added permissible use for shop top housing.</p> <p>The CBD Strategy concluded to maintain B3 land for employment purposes. Additional dwelling provision will be achieved by the CBD edge areas which are proposed to be rezoned to B4.</p> <p>It is proposed to delete the additional provision for Victoria Avenue.</p>	<p><b>31 Use of certain land at Victoria Avenue, Chatswood</b></p> <p>(3) <del>This clause applies to land at Victoria Avenue, Chatswood, being "Area 5" on the <a href="#">Special Provisions Area Map</a>.</del></p> <p><del>Development for the purpose of shop top housing is permitted with development consent if the ground level and first level of the development are used for the purpose of retail premises or business premises.</del></p>
	<p>Delete Area 5 from the Special Provisions Area Map</p>
<p>A31</p> <p>A new exception to the FSR clause is proposed for the B4 zone. The clause relates to buildings used for shop top housing and requires a minimum percentage of FSR to be used for non residential purposes.</p>	<p>Add the following clause to 4.4 Exceptions to Floor Space Ratio.</p> <p><b>4.4X Minimum non-residential floor space in the Mixed Use Zone</b></p> <p>Land zoned B4 Mixed Use is to contain a minimum non-residential floor space component. This is calculated at 17% of FSR as indicated on the Floor Space Ratio Map.</p>
<p>A32</p>	

Description and Location (Chatswood CBD)	Proposed Change
<p>A new clause is also proposed to enable certain types of residential flat buildings in the B4 zone. This is proposed to be included in Schedule 1 and limit the use only if the ground floor is used for non residential purposes.</p> <p>Currently the definition for shop top housing limits the ground floor component to retail or business premises. The intention of this clause is to still enable shop top housing but with a more flexible approach to the permitted uses on the ground floor.</p>	<p>Add to Schedule 1</p> <p><b>XX Use of certain B4 land in, Chatswood</b></p> <ol style="list-style-type: none"> <li>(1) This clause applies to land zoned B4 in the Chatswood CBD.</li> <li>(2) Development for the purpose of residential flat building is permitted with development consent if the consent authority is satisfied that: <ol style="list-style-type: none"> <li>(a) the ground level is used for non residential purposes and</li> <li>(b) A minimum of 17% of the total FSR is provided for non residential purposes and</li> <li>(c) No residential dwelling is located at the ground floor.</li> </ol> </li> </ol>
A33	
<p>The new Sun Access clause supersedes the following existing clauses and should be deleted:</p> <p>4.3A (3)</p> <p>4.3A (4)</p>	<p>4.3A(3)</p> <p><del>Subject to subclause (4), the height of a building on land in Victoria Avenue, Chatswood that is identified as “Area 3” on the <a href="#">Height of Buildings Map</a> must not exceed, for the first 1 metre of the building back from the road frontage, 7 metres above ground level (existing) at the centre point of the lot boundary where it adjoins the road frontage</del></p> <p>4.3A(4)</p> <p><del>If the building is on the northern side of Victoria Avenue, Chatswood on land that is identified as “Area 3” on the <a href="#">Height of Buildings Map</a>, any part of the building that is more than 1 metre back from the road frontage and higher than 7 metres above ground level (existing) at the centre point of the lot boundary where it adjoins the road frontage must be set back to conform to the sun plane angle at mid-winter between 12.00 pm and 2.00 pm</del></p> <p>Delete Area 3 from the HOB Map</p>
<p>A34</p> <p>Clause 4.3A (8)</p> <p>The new Sun Access Clause includes overshadowing of the public spaces currently included in Clause 4.3(8). Reference to these should be deleted.</p>	<p>4.3A(8)</p> <p><del>Development consent must not be granted to the erection of a building within 50 metres of The Concourse, Garden of Remembrance, Chatswood Park and Oval, Chatswood Mall and the <i>Angophora costata</i> on the Chatswood Police Station site if the development would cause increased overshadowing impacts on the space used by the public, or the tree canopy in the case of the <i>Angophora costata</i>, at</del></p>



Description and Location (Chatswood CBD)	Proposed Change
	<p><del>mid-winter between 12.00 pm and 2.00 pm.</del></p> <p>Reworded to:</p> <p>Development consent must not be granted if the development would cause increased overshadowing to the tree canopy of the <i>Angophora costata</i> on the Chatswood Police Station at mid-winter between 12.00 pm and 2.00 pm.</p>
A34	
<p>Floor Space area clauses now superseded by the new Chatswood CBD controls.</p> <p>A number of areas are currently defined in the Chatswood CBD to have FSR exceptions subject to certain criteria.</p> <p>As there are new Height and FSR controls for these areas, the existing clauses and Map references should be deleted.</p>	<p>Delete the following Clauses:</p> <p>Clause 4.4A (12)</p> <p><del>The total floor space ratio for all buildings on land identified as “Area 8” on the Floor Space Ratio Map may exceed 5:1 if—</del></p> <ul style="list-style-type: none"> <li><del>(a) the site area exceeds 2,500 square metres, and</del></li> <li><del>(b) the floor space ratio will not exceed 10.5:1, and</del></li> <li><del>(c) a minimum of 40% of the site is available for landscaping, publicly accessible space and through site links, and</del></li> </ul> <p><del>site coverage does not exceed 60%</del></p> <p>Delete Area 8 From the Floor Space Ratio Map</p>
	<p>Clause 4.4A(13)</p> <p><del>The maximum floor space ratio for a building on land identified as “Area 9” on the Floor Space Ratio Map may exceed 2.5:1 if—</del></p> <ul style="list-style-type: none"> <li><del>(a) the site area exceeds 3,000 square metres, and</del></li> <li><del>(b) the floor space ratio will not exceed 4:1.</del></li> </ul> <p>Delete Area 9 from the Floor Space Ratio Map</p>

Description and Location (Chatswood CBD)	Proposed Change
	<p>Clause 4.4A (14)</p> <p><del>Development consent must not be granted for shop top housing on land in Zone B4 Mixed Use if —</del></p> <p style="padding-left: 40px;"> <del>(a) for land bounded by Victoria Avenue, Hercules Street, Oscar Street and Albert Avenue, Chatswood — the floor space ratio for the housing will exceed 1.25:1; or</del>  <del>(b) for all other land in that zone — the floor space ratio for the housing will exceed 1:1.</del> </p>
	<p>Clause 4.4A(16)</p> <p><del>Development consent may be granted for the purpose of erecting a building on land that is identified as “Area 11” on the <a href="#">Floor Space Ratio Map</a>, known as 2–12 Thomas Street, 73–77 Albert Avenue and Fleet Lane, Chatswood, that would result in the floor space ratio not exceeding 7:1 if —</del></p> <p style="padding-left: 40px;"> <del>(a) the site area exceeds 4,000 square metres, and</del>  <del>(b) the floor space ratio of any shop top housing will not exceed 3.5:1.</del> </p> <p>Delete Area 11 from the Floor Space Ratio Map</p>
	<p>Clause 4.4A (19)</p> <p><del>The maximum floor space ratio for a building on land identified as “Area 14” on the <a href="#">Floor Space Ratio Map</a> may exceed 2.7:1 if —</del></p> <p style="padding-left: 40px;"> <del>(a) the site area exceeds 2,200 square metres, and</del>  <del>(b) the floor space ratio will not exceed 4:1, and</del>  <del>(c) the floor space ratio of any shop top housing will not exceed 2:1.</del> </p>

Description and Location (Chatswood CBD)	Proposed Change
	Delete Area 14 from the Floor Space Ratio Map
<p>A35</p> <p>Schedule 1</p> <p>Subclause 32 of Schedule 1 permits shop top housing for certain sites in the B3 zone .</p> <p>All of these sites are developed for that use.</p> <p>As this is not in line with the future vision of the B3 zone and as the sites are already developed, it is proposed to remove this provision.</p>	<p>32     <del>Use of certain land at Chatswood in Zone B3</del></p> <p><del>(1) — This clause applies to the following land in Zone B3 Commercial Core —</del></p> <p><del>(a) — Chelsea, 8 Brown Street, Chatswood, being Lot 1, DP 1006341,</del></p> <p><del>(b) — High Tower, 14 Brown Street, Chatswood, being Lot 10, DP 1028406,</del></p> <p><del>(c) — Bentleigh, 1 Katherine Street, Chatswood, being Lot 100, DP 1009672,</del></p> <p><del>(d) — Leura, 809 Pacific Highway, Chatswood, being Lot 100, DP 1040224,</del></p> <p><del>(e) — Sebel, 37 Victor Street, Chatswood, being Lot 23, DP 868835,</del></p> <p><del>(f) — 39 Victor Street, Chatswood, being Lot 10, DP 1068549,</del></p> <p><del>(g) — Chatswood Transport Precinct Project, 436 Victoria Avenue, Chatswood, being Lots 106–108, DP 1094273.</del></p> <p><del>(2) — Development for the purpose of shop top housing is permitted with development consent.</del></p>
<p>As a result of this deletion allowing shop top housing in the B3 zone, Clause 4.1B which allows strata subdivision of shop top housing will no longer be applicable.</p>	<p>4.1     <del>B Minimum subdivision lot size for shop top housing</del></p> <p><del>(1) — Despite clause 4.1, development consent may be granted for the subdivision of shop top housing on a lot —</del></p> <p><del>(a) — on which development for the purpose of shop top housing is permitted under Schedule 1, and</del></p> <p><del>(b) — that comprises land identified as “Area 1” on the Lot Size Map,</del></p> <p><del>even if the size of any or all lots resulting from the subdivision is less than the minimum size shown on the Lot Size Map in relation to that land.</del></p> <p><del>(2) — For the avoidance of doubt, the minimum size shown on the Lot Size Map in relation to that lot continues to apply to the subdivision of the premises on the ground floor and any other floor that does not contain shop top housing on that lot.</del></p>

DRAFT

## Section B: Willoughby Local Centres Strategy

The Local Centres Strategy is founded in the aim to enhance the community role played by our local centres, to enhance their distinctive character, promote local employment and services, use of active transport and the quality of the public domain.

The Local Centre Strategy proposed a number of planning changes for various centres. The following section explains what the new controls will be for each centre. The Local Centres Strategy can be viewed at the [Attached Link](#).

DCP controls for the local centres will also be exhibited along with this planning proposal

**Table 2 Local Centres Amendments**

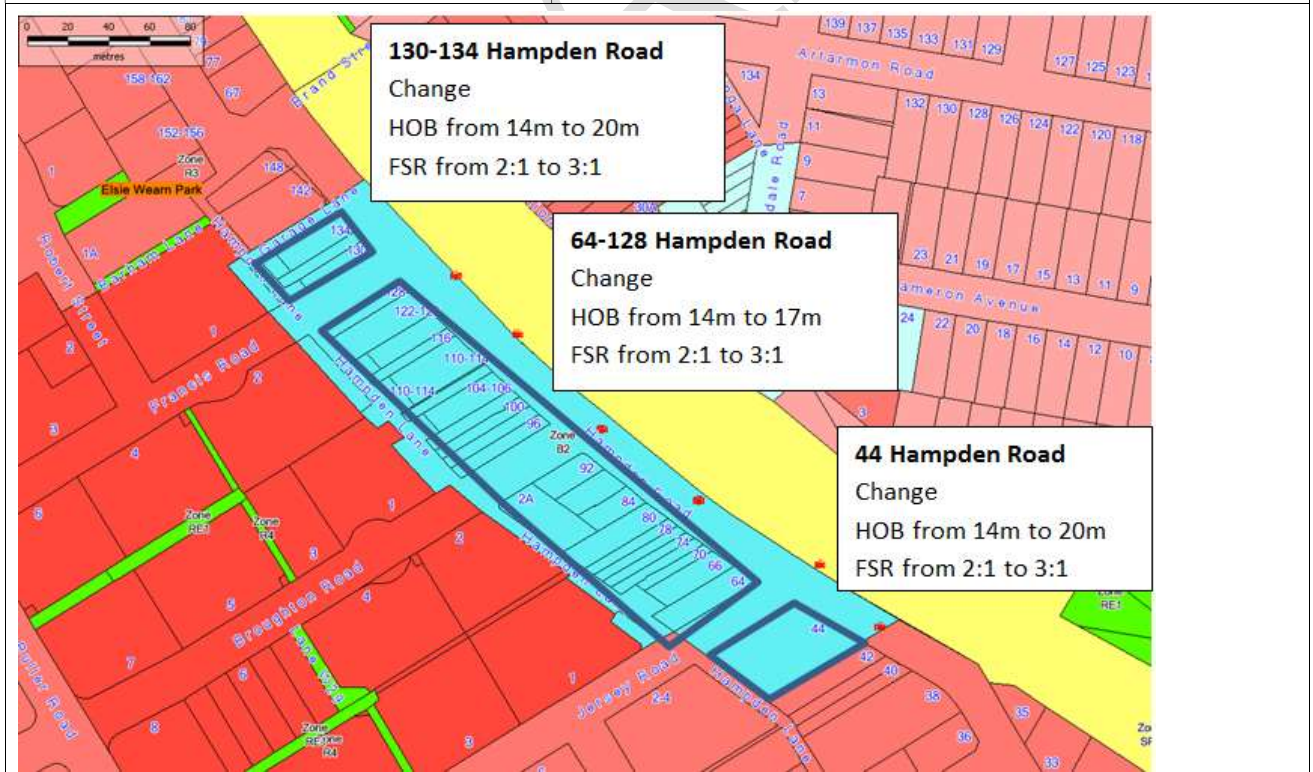
Note

- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.
- Controls will be supplemented by new controls in Willoughby Development Control Plan.

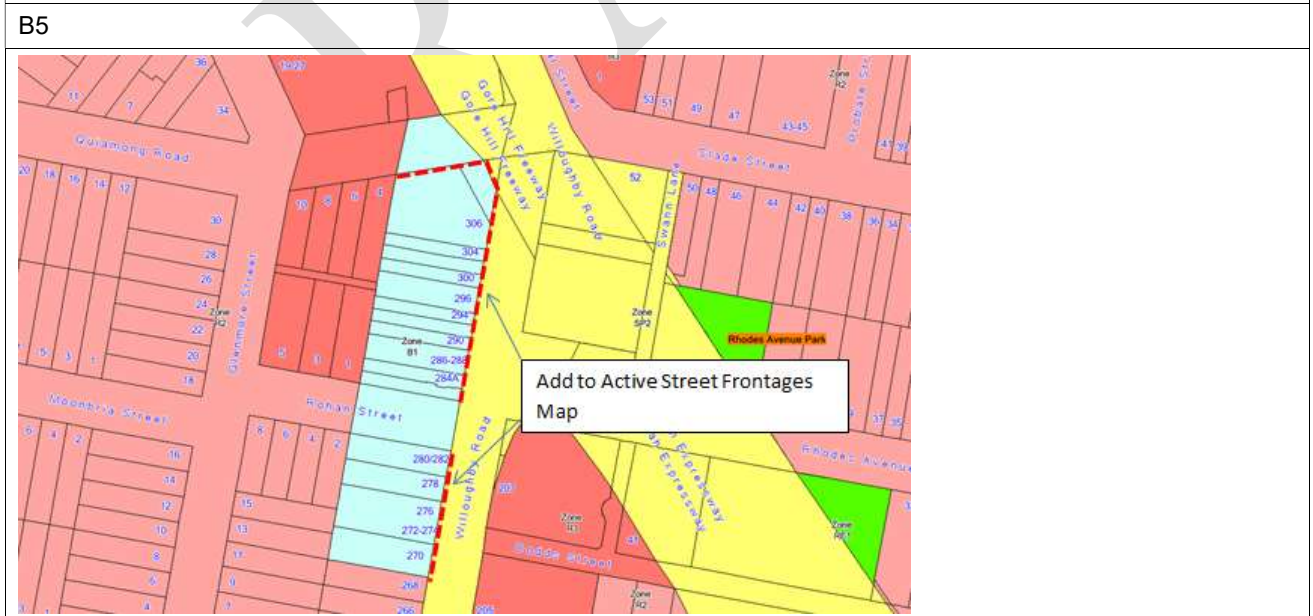
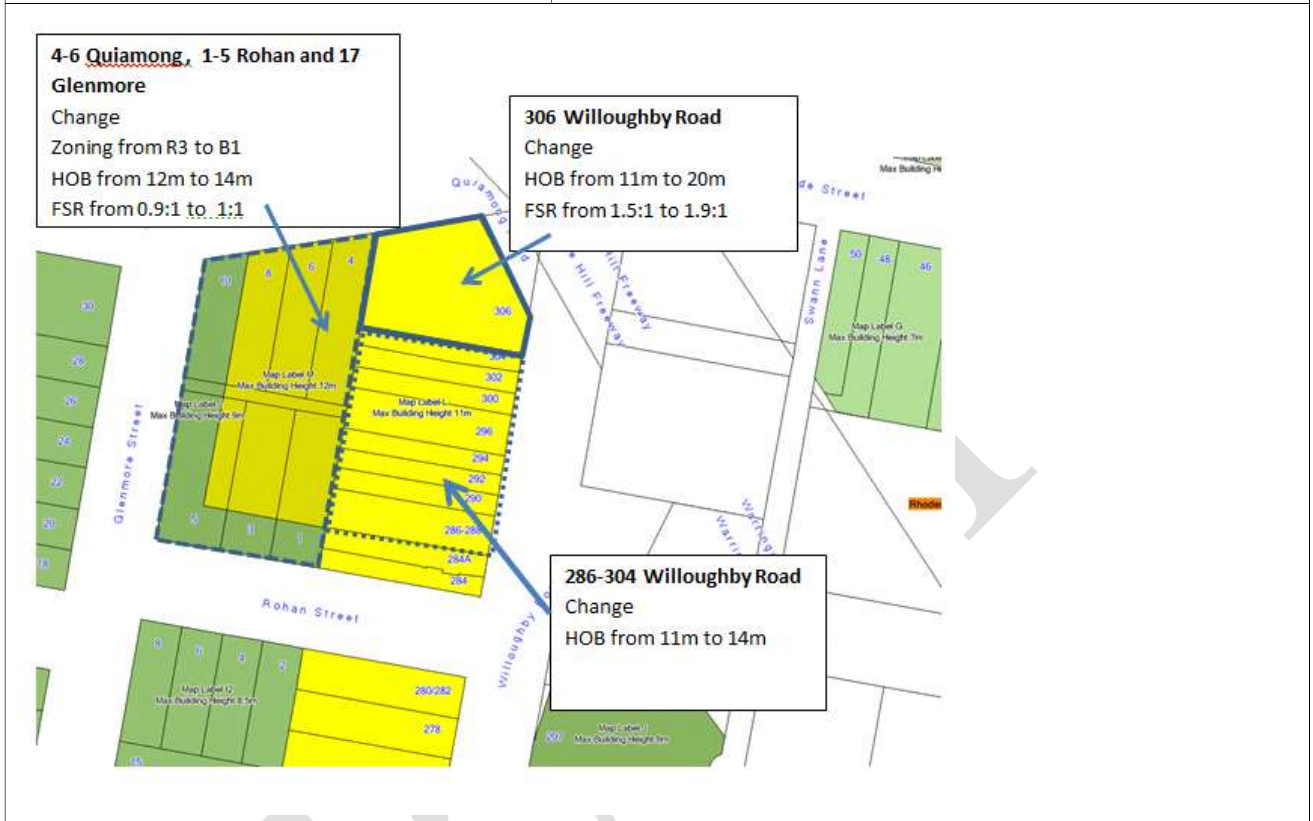
Description and Location	Proposed Change
B1	
Add objectives to the Land Use Table for the B1 and B2 zones to reflect the objectives of the Local Centres Strategy.	<p>Zone B1 Neighbourhood Centre 1 Objectives of zone</p> <ul style="list-style-type: none"> <li>• To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.</li> <li>• To minimise the effect of business uses on the amenity of adjacent areas having regard to building design, operation and activities, traffic generation and the car parking capacity of local roads.</li> </ul> <p>• To provide for services and employment within walking distance of residences</p> <p>• To allow residential accommodation while maintaining active retail, business or non-residential land uses at street level.</p> <p>• To generally conserve and enhance the unique sense of place of local centres by ensuring that new development displays architectural and urban design quality and integrates with the desired character and cultural heritage of these places.</p>
B2	
	<p>Zone B2 Local Centre 1 Objectives of zone</p>

Description and Location	Proposed Change
	<ul style="list-style-type: none"> <li>To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</li> <li>To encourage employment opportunities in accessible locations.</li> <li>To provide for services and employment within walking distance of residences</li> <li>To allow residential accommodation while maintaining active retail, business or non-residential land uses at street level.</li> <li>To generally conserve and enhance the unique sense of place of local centres by ensuring that new development displays architectural and urban design quality and integrates with the desired character and cultural heritage of these places.</li> <li>To maximise public transport patronage and encourage walking and cycling.</li> <li>To enhance the viability, vitality and amenity of local centres.</li> </ul>

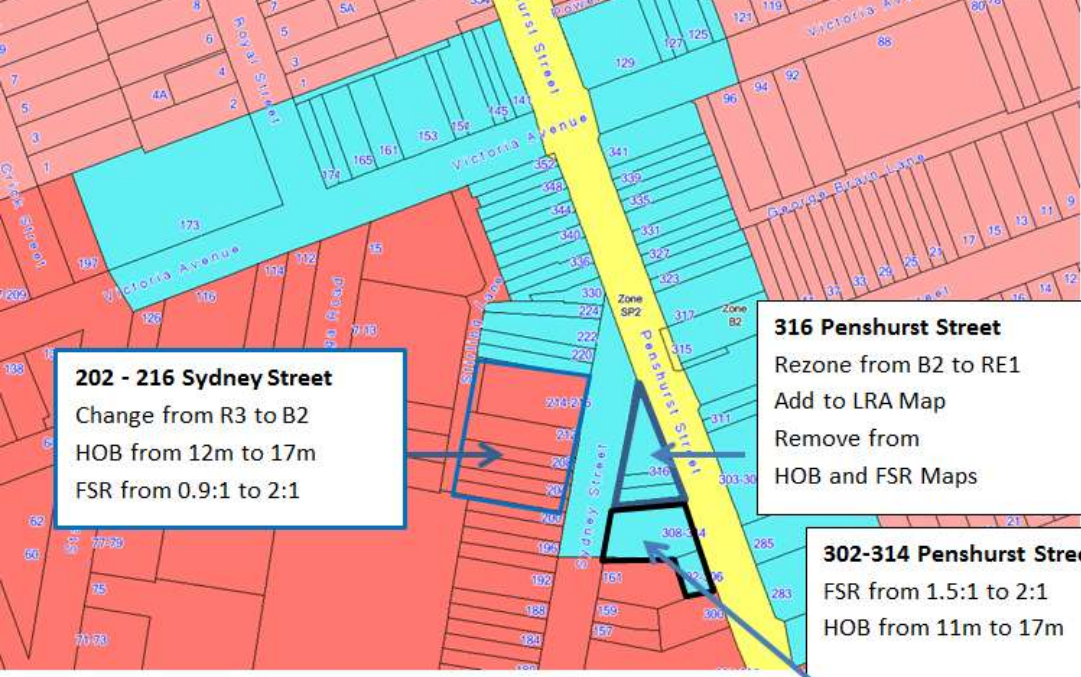
Description and Location	Proposed Change
B3	
Artarmon Local Centre	Change FSR and HOB Maps as follows




Description and Location	Proposed Change
B4	
Naremburn Local Centre	Change FSR and Height maps as follows





Description and Location	Proposed Change
B6	
North Willoughby Local Centre	Change map as follows
	
B7	
Amend the Active Street Frontages Map as follows	<p>The red dashed line shows what has to be added to the ASF map.</p> <p>The ASF line alongside 316 Pacific should be removed (shown in blue).</p> <p>Amend along 173-197 Victoria Avenue by replacing in accordance with red dashed line.</p>

Description and Location	Proposed Change
	

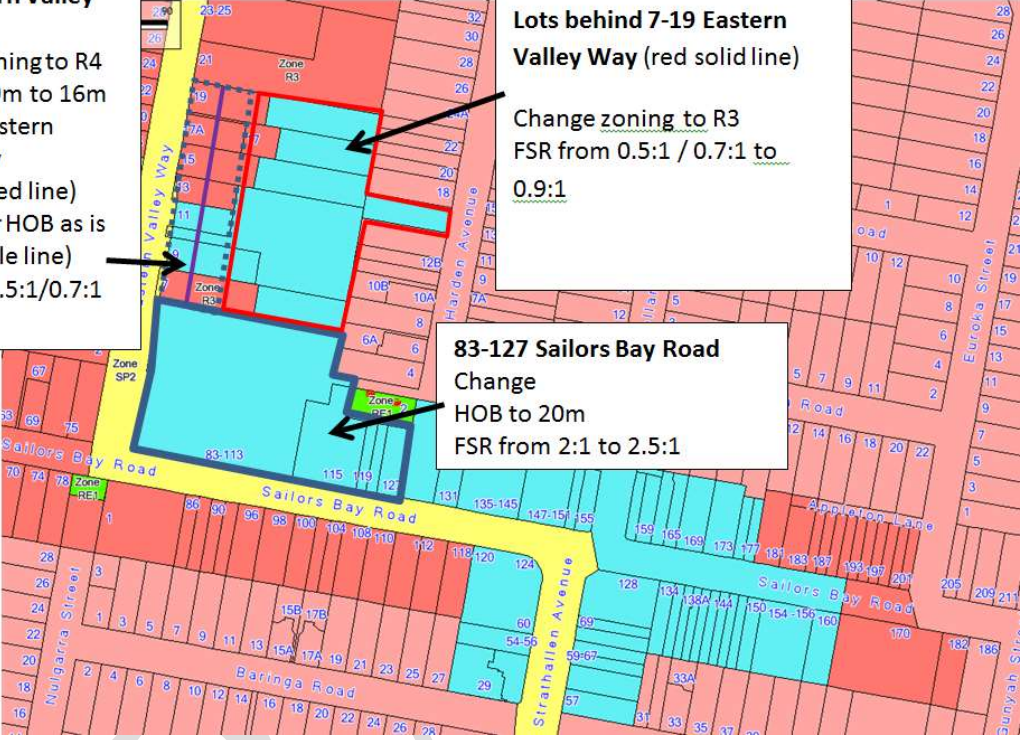
B8

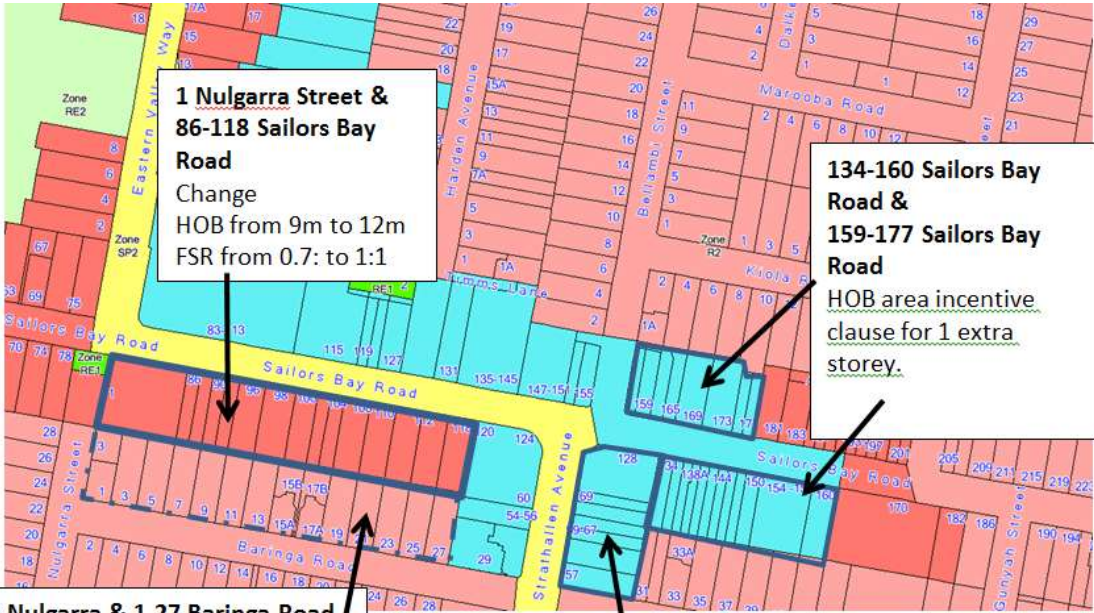
Change the maps as follows

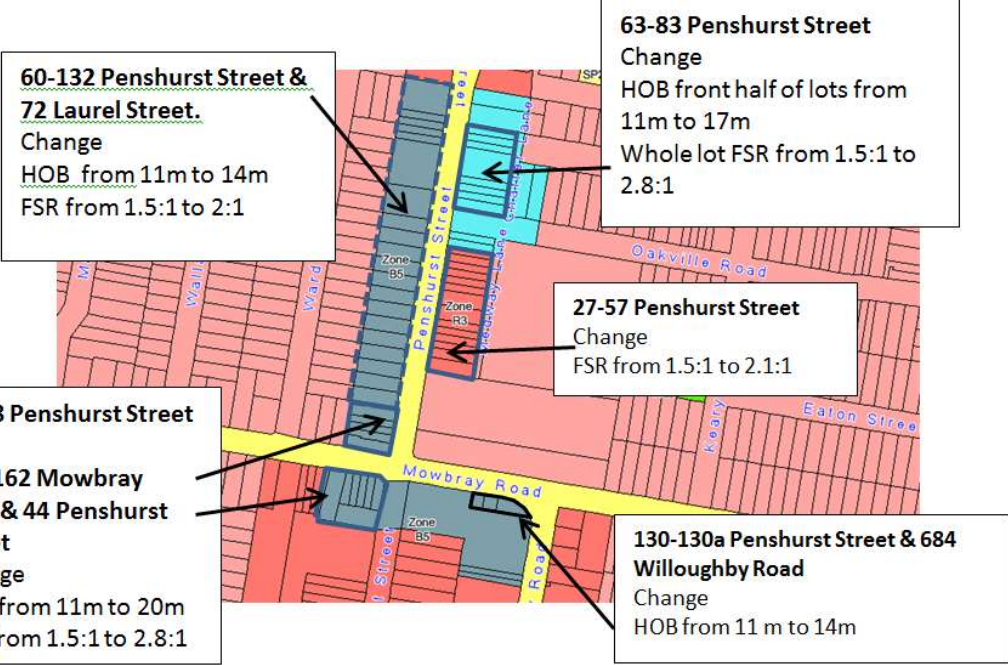
<p><b>141-145 Victoria Avenue</b>          Corner section          Within solid line - corner section of lot, Change          HOB from 15.5m to 20m          Within dashed line HOB as is          FSR from 2:1 to 2.8:1</p>	<p><b>129 Victoria Avenue</b>          Corner section          Within solid line - corner section of lot-change          HOB from 15.5m to 20m          Within dashed line HOB as is          FSR from 2:1 to 2.8:1</p>	<p><b>125- 127 Victoria Avenue</b>          change          HOB from 14m to 17m</p>
<p><b>342-352 Penshurst Street</b>          Change          Front half of the lots change HOB from 14m /15.5m to 20m          Rear half of lots (in dash line) retain existing height control.          FSR from 1.5:1 / 2:1 to 2.8:1</p>	<p><b>218-340 Penshurst Street</b>          Change HOB to 17metres          FSR 2:1</p>	<p><b>335-341 Penshurst Street</b>          Change          Front half of the lots change HOB from 14m /15.5m to 20m. Rear half of lots (in dash line) retain existing height control.          FSR from 2:1 to 2.8:1</p>
	<p><b>283-285 Penshurst Street</b>          Change          Front half of the lots change HOB from 14m to 20m. Rear half of lots (in dash line) retain existing height control.          FSR from 2:1 to 2.8:1</p>	

Description and Location	Proposed Change
<div data-bbox="233 222 1534 268">B9</div> <div data-bbox="284 304 1388 1144"> <div data-bbox="284 304 641 567"> <p><b>165-171 Victoria Avenue</b>  Within solid line  Change HOB from 14m to 20m. Within dashed line HOB as is  FSR change from 2:1 to 2.8:1</p> </div> <div data-bbox="917 451 1226 598"> <p><b>151-161 Victoria Avenue</b>  (Red solid line)  Change FSR to 2.8:1</p> </div> <div data-bbox="414 808 755 1018"> <p><b>173-197 Victoria Avenue</b>  Change  HOB from 12m/14m to 25m  FSR – from 0.9:1 / 2:1 to 2.1:1</p> </div> </div>	




Description and Location	Proposed Change
B10	
Northbridge Local Centre	Change maps as follows:
<div data-bbox="264 352 540 730"> <p><b>7-19 Eastern Valley Way</b>            Change zoning to R4            HOB from 9m to 16m            – facing Eastern Valley Way            (Blue dashed line)            Remainder HOB as is            (solid purple line)            FSR from 0.5:1/0.7:1 to 2.5:1</p> </div>	<div data-bbox="898 373 1247 667"> <p><b>Lots behind 7-19 Eastern Valley Way (red solid line)</b>            Change zoning to R3            FSR from 0.5:1 / 0.7:1 to 0.9:1</p> </div> <div data-bbox="841 709 1190 856"> <p><b>83-127 Sailors Bay Road</b>            Change HOB to 20m            FSR from 2:1 to 2.5:1</p> </div> 
B11	

Description and Location	Proposed Change
 <p><b>1 Nulgarra Street &amp; 86-118 Sallors Bay Road</b> Change HOB from 9m to 12m FSR from 0.7: to 1:1</p> <p><b>134-160 Sallors Bay Road &amp; 159-177 Sallors Bay Road</b> HOB area incentive clause for 1 extra storey.</p> <p><b>3 Nulgarra &amp; 1-27 Baringa Road</b> Change Zoning from R2 to R3 HOB from 8.5m to 9m FSR to 1:1 Remove from FSR Area 1 Remove from Minimum Lot Size Map</p> <p><b>57-69 Strathallen Avenue &amp; 128 Sallors Bay Road</b> Change HOB from 14m to 17m</p>	
B12	
<p>New Height incentive clause relating to 134-160 Sallors Bay Road and 159-177 Sallors Bay Road</p>	<p>Add to Clause 4.3A:</p> <p>(XX) The maximum Height of a building on land identified as “Area X” (being 57-69 Strathallen Avenue &amp; 128 Sallors Bay Road and 159-177 Sallors Bay Road, Northbridge) on the Height of Buildings Map may exceed 14m if —</p> <p>(a) the first 2 storeys are wholly commercial, and</p> <p>(b) the Height will not exceed 17m.</p>
B13	
<p>Existing Clause 4.4A(9) applies to 79-113 Sallors Bay Road Northbridge which is the Northbridge Plaza site. This clause has been superseded by the planning controls proposed by the Local Centres Strategy.</p>	<p><b>4.4A (9)</b></p> <p>The total floor space ratio for all shops on land in Zone B2 Local Centre, known as Lot 1, DP 1013682, 79–113 Sallors Bay Road, Northbridge, must not exceed 1:1.</p>
Reclassification of Council land	Include in Schedule 4 Part 2:

Description and Location	Proposed Change
<p>Part of the car park to the rear of Northbridge Plaza Council is Council owned land.</p> <p>It includes a statutory trust which limits the land to the public purpose of parking and baby health centre. If the recommendations from the Local Centres Strategy are to proceed, the land will need to be reclassified from community to operational with the intended removal of the statutory trust.</p> <p>Council's land is proposed to be rezoned from B2 to part R3 Medium Density Residential and part R4 High Density Residential. (see section below).</p>	<p>Eastern Valley Way, Northbridge  Lot 2 DP200094  Lot 4 DP200099  Lot 6 DP200096  Lot 8 DP200098  Lot 15 DP4409  Lot B DP323172</p>
B14	
<b>Penshurst Street Local Centre</b>	Make the following map changes
 <p><b>60-132 Penshurst Street &amp; 72 Laurel Street.</b>  Change  HOB from 11m to 14m  FSR from 1.5:1 to 2:1</p> <p><b>63-83 Penshurst Street</b>  Change  HOB front half of lots from 11m to 17m  Whole lot FSR from 1.5:1 to 2.8:1</p> <p><b>27-57 Penshurst Street</b>  Change  FSR from 1.5:1 to 2.1:1</p> <p><b>48-58 Penshurst Street &amp; 152-162 Mowbray Road &amp; 44 Penshurst Street</b>  Change  HOB from 11m to 20m  FSR from 1.5:1 to 2.8:1</p> <p><b>130-130a Penshurst Street &amp; 684 Willoughby Road</b>  Change  HOB from 11 m to 14m</p>	



Description and Location	Proposed Change
<b>Willoughby South Local Centre</b>	
B15	Make the following map changes:
 <p><b>525-567 Willoughby Road</b> Change FSR from 1.5:1 to 2:1 HOB from 11m to 17m</p> <p><b>562-616 Willoughby Road</b> Change HOB from 14m to 17m</p> <p><b>48-58 Frenchs Road</b> Change HOB from 11m to 14m</p> <p><b>481-515 Willoughby Road, 60 Frenchs Road &amp; 1 Prentice Lane</b> Change Front half of lots facing Willoughby Road HOB from 11m to 17m Remainder of site HOB to 14m FSR from 1.5:1 to 2:1 FSR area clause (whole site)</p>	
B16	
<p>FSR Incentive clause relating to 481-515 Willoughby Road, 60 Frenchs Road &amp; 1 Prentice Lane</p>	<p>Add to Clause 4.4A and define the area on the FSR Map.</p> <p>(XX) The maximum Floor Space Ratio on land identified as “Area X” (being 481-515 Willoughby Road, 60 Frenchs Road &amp; 1 Prentice Lane) on the Floor Space Ratio Map may exceed 2:1 if —</p> <ul style="list-style-type: none"> <li>(a) the site area exceeds 1,500m<sup>2</sup> and</li> <li>(b) the FSR will not exceed 3:1 with a minimum non residential floorspace of 1.5:1.</li> <li>(c) a public plaza is provided on the site.</li> </ul>

Description and Location		Proposed Change			
B17					
Castlecrag Local Centre		Make the following map changes:			
<p><b>73-91 Edinburgh Road</b> Change FSR from 1.3:1 to 1.6:1</p> <p><b>100 Edinburgh Road</b> Change HOB north of dotted line from 9m to 11m HOB South of dotted line to 14m FSR from 1:1 to 1.6:1 Incentive clause for 1.8:1</p> <p><b>120 Edinburgh Road</b> Include on heritage map as an item of local significance</p> <p><b>Car Park on roadway corner of Edinburgh Road and the Postern</b> Change the zoning to RE1 following the boundary of the current car park</p> <p>Change to minimum lot size clause.</p>					
B18					
FSR area clause for 100 Edinburgh Road and define the area on the FSR Map		<p>(XX) The maximum Floor Space Ratio on land identified as “Area X” (being 100 Edinburgh Road, Castlecrag) on the Floor Space Ratio Map may exceed 1.6:1 if —</p> <p>(a) additional floorspace is located below the Edinburgh Road Frontage and</p> <p>(b) the FSR will not exceed 1.8:1 and the building does not exceed the height on the Height of Building Map.</p>			
B19					
Heritage item at 120 Edinburgh Road. During the exhibition phase of the Local Centres Strategy, a submission proposed that the Griffin Centre at 120 Edinburgh Road be made heritage item of local significance. This has been incorporated into the planning proposal and the heritage nomination can be viewed at Attachment 1		Include into Schedule 5 the following and include on the Heritage Map:			
Suburb	Item name	Address	Property description		Significance Item no
Castlecrag	Griffin Centre	120 Edinburgh Road	Lot 1, DP 591269	Local	IX

## Section C: St Leonards and Crows Nest 2036

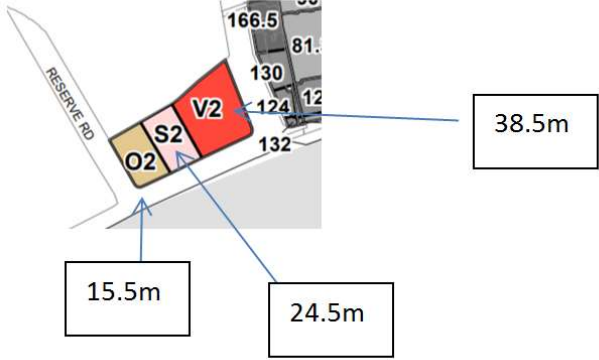
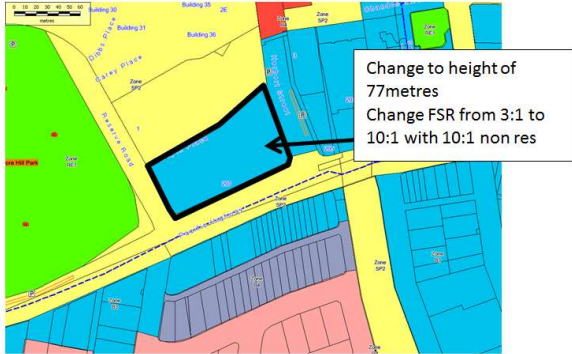
The following changes are incorporated as prescribed in the St Leonards and Crows Nest 2036 Plan. Height and floorspace changes are included for the following sites:

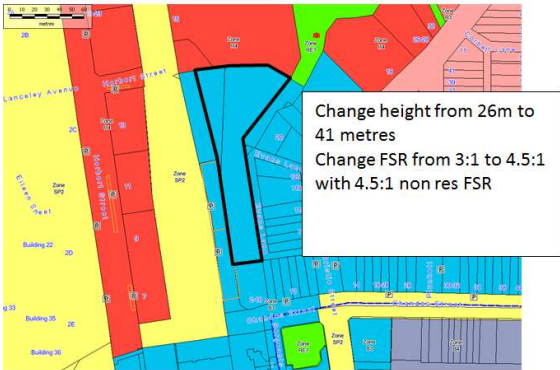
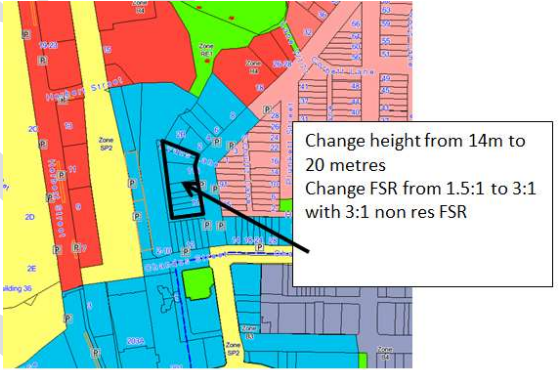
DCP controls for St Leonards will also be exhibited along with this planning proposal

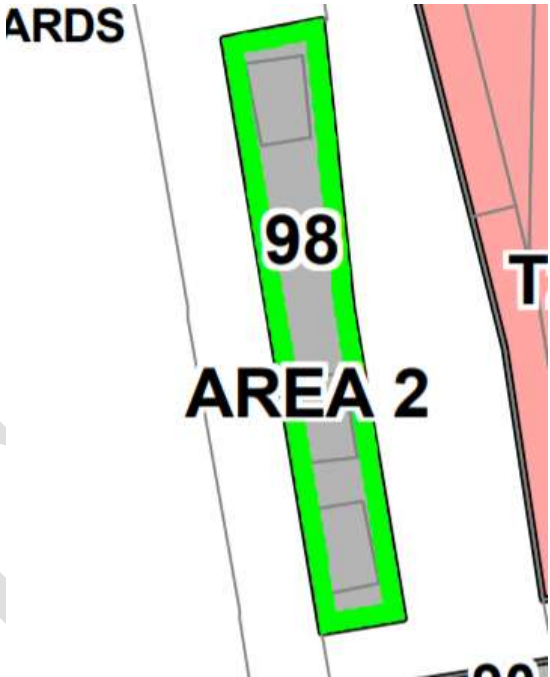
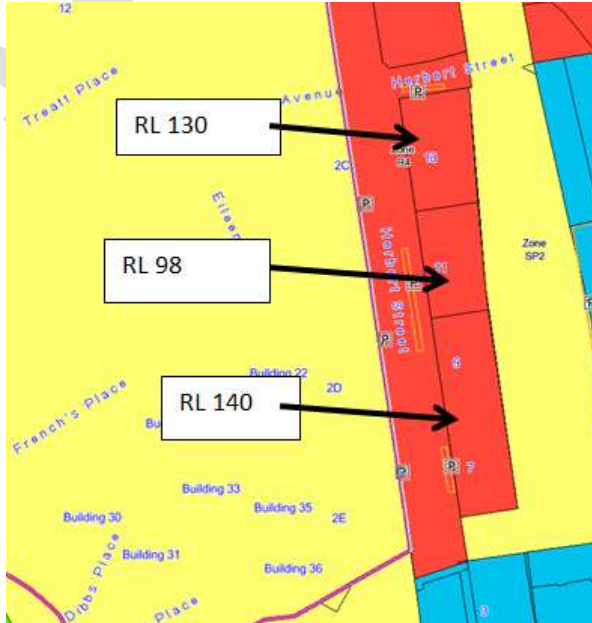
**Table 3 St Leonards Amendments**

Note

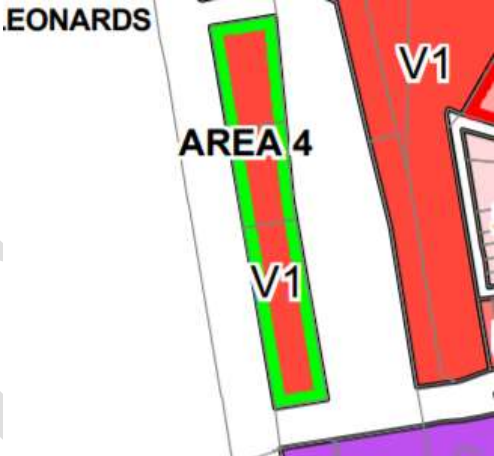
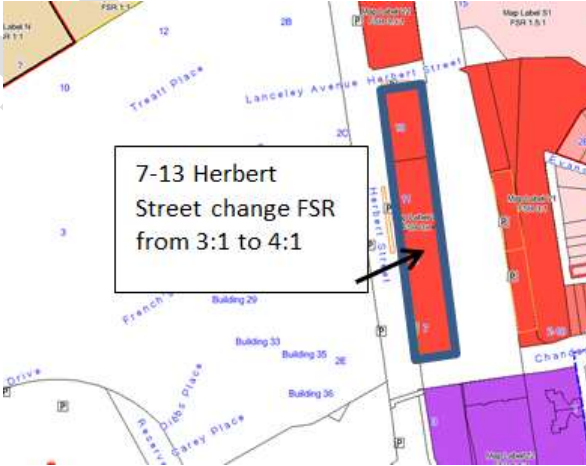
- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.
- Controls will be supplemented by new controls in Willoughby Development Control Plan.

Description and Location	Proposed Change
<p>C1</p> <p>207 Pacific Highway St Leonards.</p> <p>The existing height of this site varies across the site.</p>  <p>The St Leonards 2036 Plan proposes 25 storeys across the site. (This equates to 77m).</p> <p>Currently the FSR of this site is 3:1 across the entire site.</p> <p>The St Leonards 2036 Plan proposes 10:1 with a 10:1 non res FSR.</p> <p>As the St Leonards 2036 Plan proposes a non res FSR, the site should be removed from Schedule 1 Additional Permitted Uses which currently allows shop top housing on the site.</p>	 <p>Delete from Schedule 1:</p> <p><b><del>53. Use of certain land at 207 Pacific Highway, St Leonards</del></b></p> <p>(1) <del>This clause applies to land at 207 Pacific Highway, St Leonards, being Lot 11, DP 1013030.</del></p> <p>(2) <del>Development for the purpose of shop top housing is permitted with development consent.</del></p>

Description and Location	Proposed Change
<p><b>C2</b></p> <p>2-10 Chandos Street St Leonards</p> <p>The St Leonards 2036 Plan proposes height and FSR changes.</p> <p>Height of 13 storeys (41m)</p> <p>FSR of 4.5: 1 with a 4.5:1 non res FSR.</p>	
<p><b>C3</b></p> <p>110-120 Christie Street St Leonards.</p> <p>The St Leonards 2036 Plan proposes height and FSR changes.</p> <p>Height of 6 storeys (20m)</p> <p>FSR of 4.5:1 with 4.5:1 non FSR.</p>	
<p><b>C4</b></p> <p>4.3A Exceptions to height of buildings</p> <p>Generally the sites listed in the subclauses of 4.3A allow additional height than that stated in the Height of Building Map.</p> <p><b>4.3(a) (2) A Exceptions to height of buildings</b></p> <p>Subclause (2) prescribes heights to a development at 7-13 Herbert Street, St Leonards that has now occurred. The subclause should be deleted with all the applicable heights included in the HOB Map.</p> <p>Delete Area 2 in the HOB Map</p>	<p><b>4.3(a) (2) A Exceptions to height of buildings</b></p> <p><del>(2) The height of a building on land in Herbert Street, St Leonards that is identified as "Area 2" on the Height of Buildings Map must not exceed RL 105 Australian Height Datum, except for the following—</del></p> <p><del>(a) if the building is on the area that is, or was, occupied by the former substation brick building—the height of the building must not exceed RL 98 Australian Height Datum,</del></p> <p><del>(b) if the former substation brick building is retained for adaptation—the height of the building on land at 13 Herbert Street, St Leonards, being the land containing building 3 as identified on SP 66951, must not exceed RL 130 Australian Height Datum,</del></p> <p><del>(c) if the former substation brick building is retained for adaptation—the height of the building on land at 7 or 9 Herbert Street, St Leonards, being the land containing buildings 1 and 2 as identified</del></p>

Description and Location	Proposed Change
	<p>on SP 69609, must not exceed RL 140 Australian Height Datum.</p> 
	
<p>C5</p> <p>Subclause 4.4A prescribes FSR to a development at 7-13 Herbert Street, St Leonards that has now occurred. The subclause should be deleted with all the applicable FSR included in the FSR Map.</p> <p>Delete Area 4 of the FSR Map</p>	<p><b>4.4A (4)</b></p> <p><del>The maximum floor space ratio for a building on land identified as “Area 4” on the Floor Space Ratio Map may exceed 3:1 if—</del></p> <p><del>(a) the former substation brick</del></p>



Description and Location	Proposed Change
	<p>building is retained for adaptation, and</p> <p>(b) the floor space ratio does not exceed 4:1.</p>
Delete Area 4	
	 <p>A map of a residential area in St Leonards. A green rectangular area is labeled 'AREA 4'. To its right is a red area labeled 'V1'. The map also shows 'LEONARDS' at the top and 'V1' in two locations.</p>
C6	
<p>Change FSR Map</p> <p>Change to 4:1 for 7-13 Herbert Street</p>	 <p>A map showing a street layout. A blue rectangular area is labeled '7-13 Herbert Street change FSR from 3:1 to 4:1'. The map includes labels for 'Treant Place', 'Lanceley Avenue', 'Herbert Street', 'Building 29', 'Building 33', 'Building 35', 'Building 36', 'French', 'Drive', 'Sally Place', 'Reserve', 'Chandos', and 'Map Label 51 FSR 1:1'.</p>
C7	
<p>Clause 4.4A(10) applies to 201-205 Pacific Highway which is the Forum site. This clause is superseded by current development on the site along with the new controls from the St Leonards Crows Nest 2036 Plan.</p> <p>Delete</p>	<p><b>4.4A (10)</b></p> <p>The total floor space ratio for all shops on land in Zone B3 Commercial Core, known as Lots 2, 3 and 5, DP 879307, 201-205 Pacific Highway, St Leonards, being land bounded by Herbert Street, Pacific Highway, Sergeants Lane and Chandos Street, must not exceed 0.4:1.</p>



Description and Location	Proposed Change
C8	
<p>This clause is superseded by the controls in the St Leonards Crows Nest 2036 Plan and should be deleted.</p>	<p><b>4.4A (11)</b></p> <p>The maximum floor space ratio for all shops on land in Zone B3 Commercial Core, known as 2–10 Chandos Street, St Leonards and 2–14 Northcote Street, Naremburn, must not exceed 0.2:1.</p>
C9	
<p>Clause 4.4A(10) applies to 201-205 Pacific Highway which is the Forum site. This clause is superseded by current development on the site along with the new controls from the St Leonards Crows Nest 2036 Plan.</p>	<p><b>4.4A (10)</b></p> <p>The total floor space ratio for all shops on land in Zone B3 Commercial Core, known as Lots 2, 3 and 5, DP 879307, 201–205 Pacific Highway, St Leonards, being land bounded by Herbert Street, Pacific Highway, Sergeants Lane and Chandos Street, must not exceed 0.4:1.</p>
C10	
<p>This clause is superseded by the controls in the St Leonards Crows Nest 2036 Plan and should be deleted.</p>	<p><b>4.4A (11)</b></p> <p>The maximum floor space ratio for all shops on land in Zone B3 Commercial Core, known as 2–10 Chandos Street, St Leonards and 2–14 Northcote Street, Naremburn, must not exceed 0.2:1.</p>

## Section D: Willoughby Industrial Lands Strategy

The main aim of the *Industrial Lands Strategy* is to retain existing industrial zonings but create the best settings for growth and innovation.

The changes proposed to WLEP 2012 are to facilitate controls to promote industrial uses of all types and embrace new technologies.

Changes arising from the Industrial Study incorporate the following changes:

- Increasing the FSR from 1.5:1 to 2:1 in all Light Industrial IN2 sites greater than 1,000m<sup>2</sup>.
- Prohibit non industrial uses such as child care centres.
- Allow “pet day care” in East Chatswood Industrial area without impacting amenity if located away from the residential areas.
- Partial rezoning at Lane Cove North to Environmental Conservation along the Lane Cove River.

DCP controls for industrial areas will also be exhibited along with this planning proposal

**Table 4 Industrial Amendments**

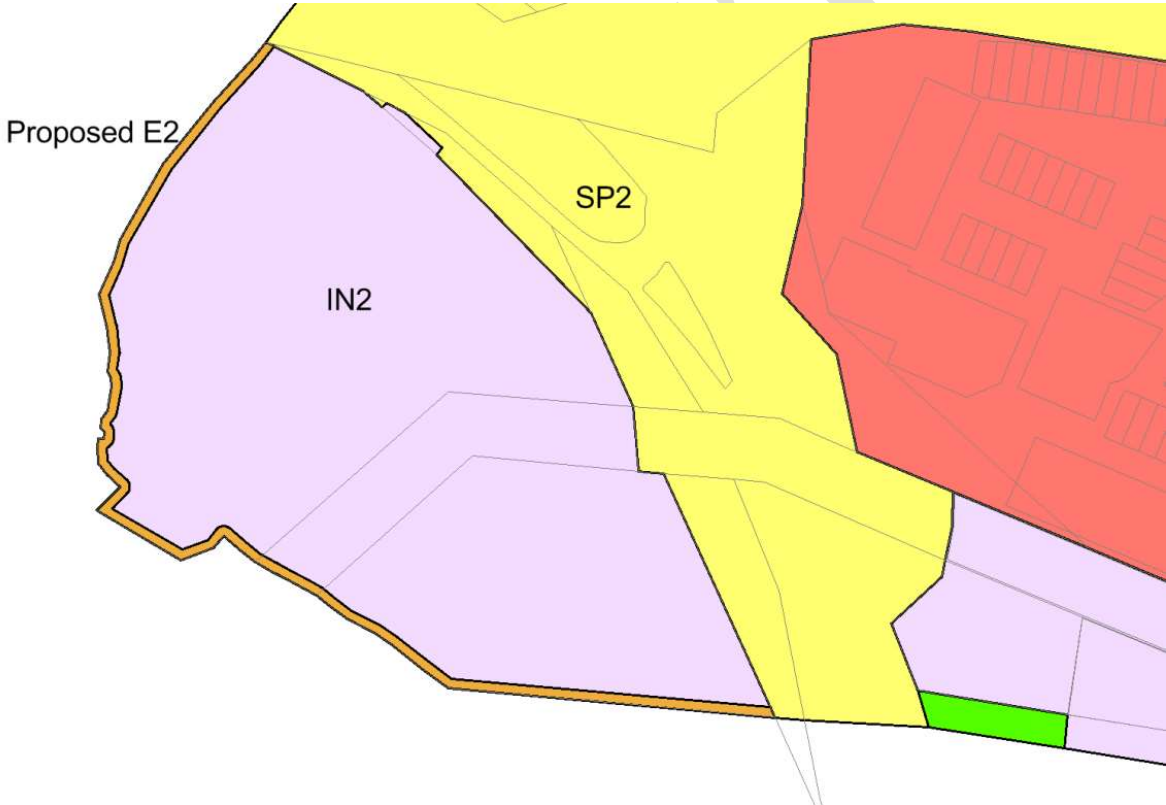
Note

- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.
- Controls will be supplemented by new controls in Willoughby Development Control Plan.

Description and Location	Proposed Change
D1	
To reinforce the main objective of the Industrial Strategy, to retain and manage, should be added as an aim of the Plan	Add to 1.2 Aims of Plan, part (g) for economic sustainability:  (iii) to retain and manage industrial land.
D2	
To clarify the role of Industrial areas as part of the North District Plan, reference should be made to the Eastern Economic corridor.	In the Land Use Tables for IN1 and IN2 Objectives of the Zone add  To encourage employment opportunities as part of the Eastern Economic Corridor.
D3	
Floor space ratio area clause Current Clause 4.4(5) states (2) The maximum floor space ratio for a building on land identified as “Area 5” or	Clause 4.4(X) states (1) The maximum floor space ratio for a building on land identified as “Area 5” or “Area 6” on the

Description and Location	Proposed Change
<p>“Area 6” on the Floor Space Ratio Map may exceed 1:1 if—</p> <ul style="list-style-type: none"> <li>(a) the site area is greater than 1,000 square metres, and</li> <li>(b) the floor space ratio will not exceed 1.5:1, and</li> <li>(c) if the building is on land in Area 6—the site coverage will not exceed 45% of the site area.</li> </ul> <p>Area 5 covers all industrial land in Willoughby – Artarmon, East Chatswood and Lane Cove North. The FSR Map generally provides a 1:1 FSR. Area 5 provides that if a site is over 1,000 square metres, the FSR can be 1.5:1. The clause will change under the new LEP to 2:1. Area 6 applies to specified IN2 land in Artarmon Industrial area.</p> <p>(The sub clause number and the area number is likely to change as a result of general renumbering).</p>	<p>Floor Space Ratio Map may exceed 1:1 if—</p> <ul style="list-style-type: none"> <li>(a) the site area is greater than 1,000 square metres, and</li> <li>(b) the floor space ratio will not exceed <b>2:1</b>, and</li> <li>(c) if the building is on land in Area 6—the site coverage will not exceed 45% of the site area.</li> </ul>
D4	
<p><b>Centre based child care centres in the IN1 and IN2 zones</b></p> <p>Currently, IN1 and IN2 zones allow centres based child care facilities.</p> <p>The <i>Industrial Strategy</i> concluded that Industrial areas are not ideal locations for childcare centres because of the potential hazards associated with industrial activities such as excessive noise, pollution and the operation of heavy machinery / vehicles in the area. It was encouraged that childcare centres to locate in locations which would provide a healthier, more appropriate environment for the wellbeing of children. Existing child care centres will continue with existing use rights.</p>	<p>In the IN1 Land Use Table the prohibited section will be amended as follows:</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; <b>Centre-based child care facilities</b>; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Information and education facilities; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Sewage treatment plants; Signage; Tourist and visitor accommodation; Veterinary hospitals; Water recycling facilities; Water supply systems; Wharf or</p>

Description and Location	Proposed Change
	<p>boating facilities; Wholesale supplies</p> <p>In the IN2 Land Use Table the prohibited section will be amended as follows:</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; <del>Centre-based child care facilities</del>; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Educational</p>
D5	
<p><b>Additional permitted uses in the East Chatswood IN2 zone.</b></p> <p>The Industrial Strategy concluded that East Chatswood IN2 zone could accommodate animal day care without impacting amenity if located away from the residential areas.</p> <p>The IN2 zone within East Chatswood currently includes certain additional uses located away from residential areas under Schedule 1. Pet day care is proposed to be added.</p> <p>As an administrative update, garden centres, hardware and building supplies will be removed from this Schedule. Since the inception of WLEP 2012, these uses have been added to the Standard Instrument and therefore permissible in the zone. They are no longer required to be included in Schedule 1.</p>	<p><b>34 Use of certain land at East Chatswood and Roseville</b></p> <p>(1) This clause applies to land in East Chatswood and Roseville that is in Zone IN2 Light Industrial, unless the land has direct frontage to or adjoins any residential area (other than land along Eastern Valley Way).</p> <p>(2) Development for the purposes of specialised retail premises, <del>garden centres, hardware and building supplies, pet day care</del> and landscaping material supplies is permitted with development consent.</p> <p>(3) Development consent under subclause (2) must not be granted unless the consent authority is satisfied that—</p> <p>(a) suitable land is not available for the development in any nearby business centre, and</p> <p>(b) the development will not detrimentally affect the range of services offered by existing shops located in any nearby business centre, and</p> <p>(c) giving consent would not, because of the number of retail outlets that exist or are proposed in Zone IN1 General Industrial or Zone IN2 Light Industrial, change the predominantly industrial nature of the area or detrimentally affect existing or future industrial development in the zone.</p> <p>For the purposes of this clause, <b>pet day care</b></p>

Description and Location	Proposed Change
	means a building or place used for the breeding, boarding, training, keeping or caring of dogs and cats for commercial purposes.
D6	
<p>Land at Lane Cove North Industrial Area</p> <p>The Industrial land Strategy made reference to the provision of a foreshore link at 168-170 Epping Road. This is intended to assist revegetation and foreshore rehabilitation along parts of the river frontage.</p> <p>To assist this, it is proposed to rezone a the section of the land at 168-170 Epping Road from IN2 to E2 Environmental Conservation.</p>	Change the Zoning map as follows:
	

## Section D: LEP Efficiency Improvements

In an effort to improve readability and navigation in the new LEP, a comprehensive examination was made of the existing LEP. In addition it is aimed to improve consistency with new State controls in the *Codes SEPP* to offer equity of opportunity for residential development in Willoughby.

Broadly, these changes include:

- A comprehensive change to FSR controls in the R2 low rise density zone for dwelling houses and dual occupancies to provide equity with the *Codes SEPP*.
- Change to the affordable housing clause from a 4% to 10% requirement.
- New clause recommended by Sydney Airport.
- Removal of obsolete clauses. This mainly applies to clauses which are site specific regarding height and floor space ratio. These sites are proposed to be deleted in situations where the site has been developed.
- Removal of properties identified for land acquisition which have now been acquired by the identified relevant acquisition authority;
- Additional properties identified for land acquisition as well as boundary amendment;
- Rezone land owned and used by schools for infrastructure purposes to reflect their primary use, consistent with current zoning practices adopted by Council;
- A new Design Excellence clause aims to improve the quality of the building design in Willoughby
- A new Urban Heat Clause to promote the reduction of urban heating and protection of community wellbeing.

### Clarification

#### FSR controls in the R2 zone

Ways to improve efficiency and fairness for residents with regard to floor space controls have been investigated. Currently, for a new dwelling house in the R2 Low Density zone, residents are able to either follow the controls under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or rely on the controls within WLEP 2012 and WDCP. The result is that on a same street, home owners can achieve a slightly higher floor space for a new dwelling if it is approved by private certification than if they had submitted by DA to Council.

It is proposed to remove the FSR controls for the R2 zoned properties (not located in a conservation area) and replace them with the gross floor area controls as defined in the *Codes SEPP*. This is to bring about consistent controls for residents in the R2 zone. No change is proposed for R2 properties located in conservation areas or properties in the E4 Environmental Living zone as these cannot undertake complying development.

It is proposed to complement this change by continuing with Council's existing controls for landscaping and not incorporating the *Codes SEPP* landscaping controls. The *Codes SEPP* controls result in a smaller landscaped outcome. Council's current DCP controls for dwellings in the R2 and E4 zones will be included as a new clause in the LEP. These landscape requirements will also apply to dual occupancy development.

#### Changes to Dual occupancy controls



In July 2020, the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* took effect in Willoughby for dual occupancy provisions. With this change, dual occupancies can be approved by a private certifier. The minimum lot sizes to enable a dual occupancy under the SEPP are as is currently in *WLEP 2012*. This is 700m<sup>2</sup> for an attached and 900m<sup>2</sup> for detached dual occupancy. Under *WLEP 2012*, some dual occupancies are achieved through a “battle axe” style of development. However, under the *Codes SEPP*, the attached dual occupancies need to be side by side and detached can only be permitted on a corner block. Battle axe dual occupancies cannot be achieved under the *Codes SEPP*. *WLEP 2012* only allows subdivision of dual occupancies 5 years after occupation certificate, whereas the Code enables a dual occupancy subdivision without any time delay. It is proposed to amend the current controls within *WLEP 2012* to align with the type of dual occupancy development permissible under the Code. This means that dwellings with an attached dual occupancy will need to both have street frontages. Detached will only occur on corner lots. With these changes the 5 year interval for subdivision after occupancy will be removed.

#### Introduction of a minimum lot size for Manor Houses (a new land use).

Manor houses is a new land use that was introduced for Willoughby by the commencement of the Low Rise Housing Diversity Code in July 2020. As Council does not currently include manor houses in *WLEP 2012*, the minimum lot size for manor houses within the *Codes SEPP* prevails, being 600m<sup>2</sup>. As manor houses are a form of residential flat building, it is proposed that the use be included in the existing minimum lot size clause for residential flat building, being 1100m<sup>2</sup>.

#### New Urban heat clause

Western Sydney Regional Organisation of Councils (WSROC) have carried out research in how to reduce the Urban heat island effect.

*Urban heat island effect is a scientific term that describes the **tendency of cities to be much hotter than surrounding rural areas**. As a city develops trees and vegetation make way for roads, roofs and footpaths. These hard, man-made surfaces are very good at absorbing and holding on to heat, raising the temperature in our towns.* (Source: WSROC).

The objective is to ensure new development incorporates effective design and ongoing operation to reduce and remove urban heating from the environment and protects community health and wellbeing.

Council's LSPS includes an action to encourage the use of cool building materials in any new development to reduce the urban heat island effect, and where appropriate integrate water features both natural and man-made into urban design. A new Clause is proposed to be introduced into the LEP to address this issue.

#### Updated Airspace clause

Notification was received from Sydney Airport to update the Airspace protection clause. This is to ensure aircraft clearance and safety from tall buildings.

#### New design excellence clause

On 9 December 2019, Council adopted a *Design Excellence Policy and Guidelines for Design Excellence Review and Competitions*. This followed a public consultation of the proposed policy and guidelines. The new LEP clause will require specific projects to achieve design excellence and outcomes. The projects to which the clause applies will be defined in a Design Excellence Map. The Map will comprise of:

- Chatswood CBD
- St Leonards priority precinct land
- Centres included the Willoughby Local Centres Strategy
- B5 Business Development zone
- R4 High Density Residential zone

The clause will require buildings over 35 metres in height to be subject to an Architectural Design Competition. Buildings between 12 and 35 metres will be subject to a Design Excellence Review Panel.

#### Change to the affordable housing clause from 4% to 10%.

Consistent with the directions of the *North District Plan*, Council's *Local Strategic Planning Statement* has a priority of increasing the supply of affordable housing in line with Council's Community Strategic Plan (CSP) *Our Future Willoughby 2028*. The aim, as expressed in the CSP is to increase the affordable housing component from the current 4% of gross floor area (GFA) to 7% by 2021 and 10% by 2026 subject to the required feasibility testing.

Given the timing, it is likely that the finalisation of the comprehensive LEP may go beyond 2021 and as such it is proposed to implement the 10% requirement for affordable housing rather than apply the interim 7%.

The clause will apply to existing sites affected by the clause as well as new sites subject to "upzoning" as part of this planning proposal.

It is also proposed to amend the floor space calculation for affordable housing. Currently, the affordable housing floor space is calculated as additional to the Floor Space Ratio (FSR) permitted by the LEP. This planning proposal proposes to amend what is effectively the creation of "bonus floor space" and require that the affordable floor space be fully contained within the nominated FSR. FSRs are set to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality. Enabling a bonus can result in a building which detracts from local character.

#### Rezoning of School sites to SP2

Currently all school sites are zoned as per the adjacent zoning (often residential). It is considered that this should be changed in light of the importance of local special infrastructure such as schools in a growing city. Henceforth, it is proposed that the education use of the land will be safeguarded by the SP2 Zoning.

Other changes are explained in the following Tables

DCP controls will also be exhibited along with this planning proposal

**Table 5 LEP Efficiency Amendments**

Note

- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.
- Controls will be supplemented by new controls in Willoughby Development Control Plan.

Description and Location	Proposed Change
<b>D1</b>	
<b>1.2 Aims of the Plan</b> replace reference in (2) (a) (ii) from the Willoughby City Strategy (now superseded) to the Community Strategic plan	(2) The particular aims of this Plan are as follows— (a) for planning framework— (i) to establish a broad planning framework for Willoughby, and (ii) to enable the achievement of the goals and outcomes of the <del>Community Strategic Plan the Willoughby City Strategy</del> through planning controls,
<b>D2</b>	
Include references to resilience and urban heat throughout the aims of the Plan in the context of climate change	
<b>D3</b>	
	<p>(a) for sustainability—</p> <p>(i) to conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of Willoughby, and</p> <p>(ii) to promote an appropriate balance between development and management of the environment, that will be ecologically sustainable, <u>resilient</u>, socially equitable and economically viable, and</p> <p><u>(iii) to better manage the risks associated with climate change through mitigation and adaptation, and</u></p> <p><u>(iii) to manage and where possible minimize urban heat impacts on people and the environment, both indoors and outdoors, through innovative, effective and sustainable urban design and use of green infrastructure</u></p> <p>(iv) to reduce resource consumption through the planning and control of land use and development, and</p> <p>to reduce potential energy and water consumption and waste materials during the construction, occupation, utilisation and lifecycle of buildings,</p> <p>(b) for environmental protection—</p>

Description and Location	Proposed Change
	<p>(i) to identify, protect and enhance environmentally sensitive areas such as native vegetation and fauna, foreshore areas, open space and areas of high scenic landscape value, and</p> <p>(ii) to allow development at a scale that is sensitive to environmental constraints, and</p> <p><del>(iii)</del> to control and manage any adverse environmental impacts of development, and</p> <p><del>(iii)</del><del>(iv)</del> <u>to minimise carbon emissions from buildings, transport, commerce and other activities.</u></p> <p><del>(iv)</del><del>(v)</del> to prevent loss of life and property by bush fires <u>and other natural disasters</u>, by discouraging the establishment of incompatible uses in <u>vulnerable areas</u> <del>bush fire-prone areas</del> and incorporating as part of compatible developments protective measures that minimise <del>bush fire risk without disaster impacts on people and the environment whilst avoiding</del> unacceptable environmental degradation, including—</p> <p>(A) construction techniques and materials to <u>minimise impacts on people, property and the environment</u> <del>maximise their resistance to bush fire</del>, and</p> <p>(B) adequate measures to enable the safe evacuation of people from <u>areas impacted by natural disasters</u> <del>the land</del> and <u>ensure</u> <del>enable</del> access to that land by emergency services <del>during a bush fire</del>,</p> <p>(c) for urban design—</p> <p>(i) to ensure development embraces the principles of quality urban design, and encourages innovative, high quality architectural design <del>with long-term which delivers measurable</del> durability, <u>resilience</u> and environmental sustainability <u>outcomes over the long term</u>, and</p> <p>(ii) to promote development that is designed and constructed—</p> <p>(A) to enhance or integrate into the natural landform and the existing character of distinctive locations, neighbourhoods and streetscapes, and</p> <p>(B) to contribute to the desired future character of the locality concerned, and</p> <p>(iii) to ensure development design contributes positively to, and <del>wherever possible</del> facilitates improvements to, the public domain, and</p> <p><del>(iv)</del> to preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark locations, including significant gateways, views and vistas, and</p> <p><del>(v)</del> <u>to identify and implement measures to fulfill the objectives of the Green Grid, including establishment of multi-purpose green corridors to link existing open space areas and enhance access to and enjoyment of their qualities</u></p> <p><del>(iv)</del><del>(vi)</del></p> <p><del>(v)</del><del>(vii)</del> to ensure that development design takes into consideration crime prevention principles,</p> <p>(d) for amenity, <u>health and safety</u>—</p> <p>(i) to maintain and enhance the existing amenity, <u>health and safety</u> of the local community,</p>

Description and Location	Proposed Change														
<p>and</p> <p>(ii) to facilitate the provision of adaptable and affordable housing,</p> <p>(iii) <u>to support housing which maximizes thermal comfort (indoors and outdoors) and minimises urban heat impacts</u></p> <p><del>(ii)(iv)</del></p> <p>(e) for economic sustainability—</p> <p>(i) to provide opportunities for a range of employment opportunities in Willoughby, and</p> <p>(ii) to strengthen the viability, <u>resilience, vitality</u> and role of the city centres of Willoughby as places for commercial and cultural activities and services, and</p> <p><del>(iii) to maintain and encourage a diversity of industry and services in Willoughby,</del></p> <p><del>(iii) to retain and manage industrial land.</del></p>															
D4															
<p><b>Changes to the R2 zone floor space ratio controls</b></p> <p>The following clause and map changes will change the building controls for R2 zoned properties not located in a conservation area.</p> <p>The controls will remove the current FSR controls and replace them with Gross Floor area controls</p> <p>(The existing FSR controls for conservation areas remains as is).</p>	<p>Delete the existing Clause 4.4A (1) and (3) which relates to FSR requirements for R2 zoned land:</p>														
<p><b>4.4A Exceptions to floor space ratio</b></p> <p><del>(1)The maximum floor space ratio for all buildings on a lot in Zone R2 Low Density Residential in the area identified as “Area 1” on the Floor Space Ratio Map, the total area of which is specified in Column 1 of the Table to this subclause, is the floor space ratio specified opposite that area in Column 2 of that Table.</del></p> <p><del>Maximum floor space ratio for Zone R2 in Area 1</del></p> <table border="1"> <thead> <tr> <th>Column 1</th><th>Column 2</th></tr> </thead> <tbody> <tr> <td><del>Site area (square metres)</del></td><td><del>Floor space ratio (:1)</del></td></tr> <tr> <td><del>Under 200</del></td><td><del>0.65</del></td></tr> <tr> <td><del>200–300</del></td><td><del>0.55</del></td></tr> <tr> <td><del>301–400</del></td><td><del>0.50</del></td></tr> <tr> <td><del>401–500</del></td><td><del>0.47</del></td></tr> <tr> <td><del>501–600</del></td><td><del>0.45</del></td></tr> </tbody> </table>		Column 1	Column 2	<del>Site area (square metres)</del>	<del>Floor space ratio (:1)</del>	<del>Under 200</del>	<del>0.65</del>	<del>200–300</del>	<del>0.55</del>	<del>301–400</del>	<del>0.50</del>	<del>401–500</del>	<del>0.47</del>	<del>501–600</del>	<del>0.45</del>
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<del>301–400</del>	<del>0.50</del>														
<del>401–500</del>	<del>0.47</del>														
<del>501–600</del>	<del>0.45</del>														

Description and Location		Proposed Change
601–700	0.43	
701–800	0.41	
Over 800	0.40	

(3)~~The maximum floor space ratio for all buildings on a lot in Zone R2 Low Density Residential in the area identified as “Area 3” on the Floor Space Ratio Map, the total area of which is specified in Column 1 of the Table to this subclause, is the floor space ratio specified opposite that area in Column 2 of that Table.~~

Maximum floor space ratio for Zone R2 in Area 3

Column 1	Column 2
Site area (square metres)	Floor space ratio (:1)
Under 200	0.65
200–300	0.55
301–400	0.50
401–500	0.47
Over 500	0.47

D5

These 3 FSR subclauses are replaced with the following GFA clause:

**4.4A(1) REPLACED BY NEW CLAUSE – EITHER 4.7 OR IN PART 6**

FSR Areas 1 and 3 are combined.

**4.7 Gross Floor Area for certain R2 zoned land**

(1) The maximum gross floor area of all buildings on a lot on a lot in Zone R2 Low Density Residential which is not located in a Heritage Conservation area is shown in the following table—

<b>Lot area</b>	<b>Maximum GFA</b>
Under 200m <sup>2</sup>	65%
200m <sup>2</sup> –250m <sup>2</sup>	78% of lot area
>250m <sup>2</sup> –300m <sup>2</sup>	75% of lot area
>300m <sup>2</sup> –350m <sup>2</sup>	235m <sup>2</sup>
>350m <sup>2</sup> –450m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>
>450m <sup>2</sup> –560m <sup>2</sup>	290m <sup>2</sup>
>560m <sup>2</sup> –600m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>
>600m <sup>2</sup> –740m <sup>2</sup>	335m <sup>2</sup>
>740m <sup>2</sup> –900m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>



Description and Location	Proposed Change														
<div> <div>&gt;900m<sup>2</sup>–920m<sup>2</sup></div> <div>380m<sup>2</sup></div> </div> <div> <div>&gt;920m<sup>2</sup>–1,000m<sup>2</sup></div> <div>25% of lot area + 150m<sup>2</sup></div> </div> <div> <div>&gt;1,000m<sup>2</sup></div> <div>400m<sup>2</sup></div> </div> <div>           (the GFA includes all attached and detached buildings but excludes the area of one car space (18m<sup>2</sup>) within a garage)         </div>															
The existing FSR map should remove Areas 1 and 3 with a notation that refers to the new GFA clause.															
The following landscaping clause will also be introduced to the LEP to complement the new GFA clause															
D6															
<p><b>New Clause relating to landscaping requirements</b></p> <p>This Clause has been introduced as a result of the changes to the Floor space ratio clauses for the R2 zone. Whilst this is to provide a consistency with the Codes SEPP, it is considered that Council's current landscaping controls provide a better outcome for the local landscaping character of the area.</p> <p>The transfer of R2 land to a gross floor area clause in line with the Codes SEPP will result in these properties having slightly more floor space than currently under WLEP 2012. Allowing for this increase in FSR it is considered important to reduce the outcomes in the urban heat island effect. To achieve this, it will be necessary to maintain Council's existing WDCP landscaping controls</p> <p>Whilst the FSR controls for E4 Environmental Living zone are not changing, it is proposed to also transfer the landscaping requirements from the DCP to the LEP.</p> <p>This control will apply to new dwellings and dual occupancy development.</p>	<p><b>Clause 6.X Landscaped areas</b></p> <p>The objectives of this clause are as follows-</p> <ul style="list-style-type: none"> <li>To have the landscape character of Willoughby's residential areas maintained and enhanced by requiring landscaping of sites in conjunction with other development,</li> <li>To have a general visual dominance of landscape over buildings maintained,</li> <li>To have adequate and usable ground level open space for recreation, landscaping and containing urban run-off</li> </ul> <p>This clause applies to land in Zone R2 Low Density Residential and Zone E4 Environmental Living.</p> <p>The consent authority may refuse to grant development consent to development involving the erection of a building unless at least the following minimum landscaped area of a site (as a percentage of the site area) is provided for the development -</p> <p>i) Residential R2 Low Density Residential Zone Areas</p> <table> <tr> <th>Site Area(m<sup>2</sup>)</th><th>Soft landscaping (m<sup>2</sup>) required minimum</th></tr> <tr> <td>Under 200</td><td>025 x site area</td></tr> <tr> <td>200-400</td><td>(0.35 x site area)-20m<sup>2</sup></td></tr> <tr> <td>401-600</td><td>(0.6 x site area) -120m<sup>2</sup></td></tr> <tr> <td>601-1000</td><td>(0.525 x site area) - 75m<sup>2</sup></td></tr> <tr> <td>1001-1500</td><td>(0.6 x site area) - 150m<sup>2</sup></td></tr> <tr> <td>Over 1500</td><td>(0.5 x site area)</td></tr> </table> <p>ii) Residential E4 Environmental Living Zone Areas</p>	Site Area(m <sup>2</sup> )	Soft landscaping (m <sup>2</sup> ) required minimum	Under 200	025 x site area	200-400	(0.35 x site area)-20m <sup>2</sup>	401-600	(0.6 x site area) -120m <sup>2</sup>	601-1000	(0.525 x site area) - 75m <sup>2</sup>	1001-1500	(0.6 x site area) - 150m <sup>2</sup>	Over 1500	(0.5 x site area)
Site Area(m <sup>2</sup> )	Soft landscaping (m <sup>2</sup> ) required minimum														
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Over 1500	(0.5 x site area)														

Description and Location	Proposed Change												
	<table> <tr> <th data-bbox="941 258 1128 327">Site Area(m<sup>2</sup>)</th><th data-bbox="1128 258 1520 327">Soft landscaping (m<sup>2</sup>) required minimum</th></tr> <tr> <td data-bbox="941 363 1128 390">Under 400</td><td data-bbox="1128 363 1520 390">0.35 x site area</td></tr> <tr> <td data-bbox="941 390 1128 417">400-600</td><td data-bbox="1128 390 1520 420">(0.5 x site area) - 60m<sup>2</sup></td></tr> <tr> <td data-bbox="941 417 1128 445">601-1000</td><td data-bbox="1128 417 1520 447">(0.65 x site area) - 150m<sup>2</sup></td></tr> <tr> <td data-bbox="941 445 1128 472">1001-1500</td><td data-bbox="1128 445 1520 474">(0.65 x site area) - 150m<sup>2</sup></td></tr> <tr> <td data-bbox="941 472 1128 499">Over 1500</td><td data-bbox="1128 472 1520 501">(0.55 x site area)</td></tr> </table> <p data-bbox="941 573 1520 905">For this clause soft landscaped area means a component of recreational open space, and means that part of a site which is not occupied by any <u>building</u>, structure or <u>work</u> (such as swimming pools, tennis courts, driveways etc.) and which is vegetated with gardens, lawns, shrubs or trees, but does not include any paved areas</p>	Site Area(m <sup>2</sup> )	Soft landscaping (m <sup>2</sup> ) required minimum	Under 400	0.35 x site area	400-600	(0.5 x site area) - 60m <sup>2</sup>	601-1000	(0.65 x site area) - 150m <sup>2</sup>	1001-1500	(0.65 x site area) - 150m <sup>2</sup>	Over 1500	(0.55 x site area)
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1001-1500	(0.65 x site area) - 150m <sup>2</sup>												
Over 1500	(0.55 x site area)												
D7													
<p data-bbox="245 993 440 1020"><b>Dual occupancy</b></p> <p data-bbox="245 1031 919 1171">The requirements for Dual occupancy in accordance with moving the controls to align with what is permissible in the Exempt and Complying SEPP. This clause will only apply to R2 zoned land. E4 zoned land will continue to use the existing FSR controls.</p> <p data-bbox="245 1182 919 1236">The new clauses are based on Clauses 3B.10 and 3B.23 of the <i>Codes SEPP</i>.</p>													
<p data-bbox="245 1360 1520 1457"><b>Minimum gross floor area for attached and detached dual occupancies in the R2 Zone, (in the case of attached dual occupancy where no part of a dwelling is located above any part of another dwelling).</b></p> <p data-bbox="245 1503 748 1533">Maximum gross floor area of all buildings</p> <p data-bbox="245 1543 1297 1572">The maximum gross floor area of all buildings on a lot is shown in the following table—</p> <table data-bbox="245 1612 1084 1738"> <tr> <th data-bbox="253 1619 526 1646">Lot area of parent lot</th><th data-bbox="789 1619 984 1646">Maximum GFA</th></tr> <tr> <td data-bbox="253 1661 448 1690">700m<sup>2</sup>–2,000m<sup>2</sup></td><td data-bbox="789 1661 1084 1690">25% of lot area + 300m<sup>2</sup></td></tr> <tr> <td data-bbox="253 1707 370 1736">&gt;2,000m<sup>2</sup></td><td data-bbox="789 1707 870 1736">800m<sup>2</sup></td></tr> </table> <p data-bbox="245 1759 1479 1814"><b>Minimum gross floor area for dual occupancies in the R2 zone where part of a dwelling is located above part of another dwelling.</b></p> <p data-bbox="245 1860 699 1890">Maximum gross floor area of all buildings</p>		Lot area of parent lot	Maximum GFA	700m <sup>2</sup> –2,000m <sup>2</sup>	25% of lot area + 300m <sup>2</sup>	>2,000m <sup>2</sup>	800m <sup>2</sup>						
Lot area of parent lot	Maximum GFA												
700m <sup>2</sup> –2,000m <sup>2</sup>	25% of lot area + 300m <sup>2</sup>												
>2,000m <sup>2</sup>	800m <sup>2</sup>												

Description and Location	Proposed Change
The maximum gross floor area of all buildings on a lot is 25% of the lot area plus 150m <sup>2</sup> , to a maximum of 400m <sup>2</sup> .	
<p>D8</p> <p>Clauses 4.4A(7) and (8) provide controls for existing Dual occupancy that are now superseded by the new controls</p>	<p><b>4.4A (7)</b></p> <p><del>Development consent must not be granted to the erection of a dual occupancy on land in Zone R2 Low Density Residential if the floor space ratio of the dual occupancy would exceed 0.4:1.</del></p> <p><b>4.4A (8)</b></p> <p><del>Development consent may be granted to the alteration of a dwelling house to create a dual occupancy if the floor space ratio of the 2 buildings, as altered, will not exceed the floor space ratio of the dwelling house before the alteration.</del></p>
<p>D9</p> <p>As the new provisions for dual occupancy only allows development to occur at a street frontage this clause is now superseded and should be deleted.</p>	<p><del>4.3(5) The height of a dual occupancy (detached) must not exceed 5.7 metres if—</del></p> <p><del>(a) there is an existing dwelling house on the lot, or</del></p> <p><del>(b) the dual occupancy is the furthest from the street frontage, or</del></p> <p><del>(c) in relation to a corner lot— the dual occupancy is the furthest from the junction of the two streets.</del></p>
<p>D10</p> <p><b>Dwelling configuration on lot for Dual occupancy</b></p> <p>WLEP 2012 currently permits a “battle axe” style of dual occupancy where one dwelling is located behind another dwelling on the same lot.</p> <p>The <i>Codes SEPP</i> does not allow for this type of dual occupancy.</p> <p>To be consistent with the Codes SEPP the following clause clarifies that for attached and detached dual occupancy,</p>	<p><b>Dwelling configuration on lot</b></p> <p>Add 6.10 (3)(1)</p> <p>For dual occupancy development:</p> <p>(1) Each dwelling must face a public road.</p> <p>(2) No dwelling must be located behind another dwelling on the same lot (except on a corner lot or a parallel road lot where each dwelling fronts a different road).</p>

Description and Location	Proposed Change
each dwelling must face a public road.	
<p>D11</p> <p>Subdivision of a dual occupancy.</p> <p>The existing clause relating to subdivision needs to be amended to relate to the GFA clause for the R2 zone and still refer to the FSR for the E4 zone.</p> <p>The requirement to wait for 5 years after occupation certificate is proposed to be deleted. The Codes SEPP allows for subdivision to be enabled at the time of dual occupancy consent.</p>	<p><b>4.1C Minimum subdivision lot size for dual occupancies</b></p> <p><del>(1A) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot on which there is a dual occupancy except in accordance with this clause.</del></p> <p><del>(1B) Development consent may be granted to the subdivision of a lot on which there is a dual occupancy if the size of any lot resulting from the subdivision is not to be less than the minimum size shown on the Lot Size Map in relation to that lot.</del></p> <p>(1) Development consent may <del>also</del> be granted to the subdivision of a lot on which there is a dual occupancy if—</p> <p>(a) the lot is not a lot in the area identified as “Area 1” on the Dual Occupancy Restriction Map, and</p> <p>(b) the area of each lot resulting from the subdivision is at least 350 square metres, and</p> <p>(c) each of the resulting lots will have one of the dwellings on it, and</p> <p>(d) each dwelling does not exceed</p> <p>(i) for R2 zoned land not located in a conservation areas any GFA specified under Clause 4.7XX</p> <p>Or</p> <p>(ii) for E4 zoned land, any floor space ratio specified under clause 4.4A for a building on the lot,</p> <p><del>—(i) 0.4:1, or</del></p> <p><del>(ii) any floor space ratio specified under clause 4.4A for a building on the lot, whichever is the lesser, and</del></p> <p><del>(e) — a final occupation certificate was issued for the dual occupancy at least 5 years before the development consent is granted.</del></p> <p>(2) (Repealed)</p>
<p>D12</p> <p><b>Replacement of Airspace Operations Clause 6.6.</b></p> <p>Currently Clause 6.6 is provides and airspace protection clause to prevent buildings encroaching onto aircraft flight paths. Sydney Airport has provided wording for this clause to be replaced. The replacement clause is considered to be simpler and provides clarity on regulation.</p>	<p><b>6.X Airspace Operations</b></p> <p>(1) The objective of this clause is to protect airspace around airports.</p> <p>(2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the <i>Airports Act 1996</i> of the Commonwealth unless the</p>

Description and Location	Proposed Change						
	<p>applicant has obtained approval for the controlled activity under regulations made for the purpose of that Division.</p> <p>Note</p> <p>Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the <i>Airports Act 1996</i> of the Commonwealth.</p>						
D13							
<p><b>Affordable Housing Clause</b></p> <p>Clause 6.8 Affordable Housing Clause is proposed to be amended to increase the affordable housing requirement from 4% of floorspace to 10% of floorspace.</p> <p>The requirement to provide affordable housing applies currently to sites within Area 3 of the Special Provisions Area Map. This is proposed to be extended to include rezoned areas included in the Chatswood CBD Strategy and the Local Centres Strategy.</p> <p>An amended requirement is to include the affordable housing floor space into the FSR calculation rather than excluding it.</p>							
<p>6.8 Affordable Housing</p> <p>(1) For the purposes of this clause, the Willoughby Affordable Housing Principles are as follows—</p> <p>(a) affordable housing must be provided and managed in Willoughby so that accommodation for a diverse residential population representative of all income groups is available in Willoughby, and</p> <p>(b) affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) according to the Australian Bureau of Statistics—</p> <table data-bbox="245 1541 984 1661"> <tr> <td>Very low income household</td><td>less than 50%</td></tr> <tr> <td>Low income household</td><td>50% or more, but less than 80%</td></tr> <tr> <td>Moderate income household</td><td>80–120%</td></tr> </table> <p>and at rents that do not exceed a benchmark of 30% of their actual household income, and</p> <p>(c) dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing, and</p>		Very low income household	less than 50%	Low income household	50% or more, but less than 80%	Moderate income household	80–120%
Very low income household	less than 50%						
Low income household	50% or more, but less than 80%						
Moderate income household	80–120%						

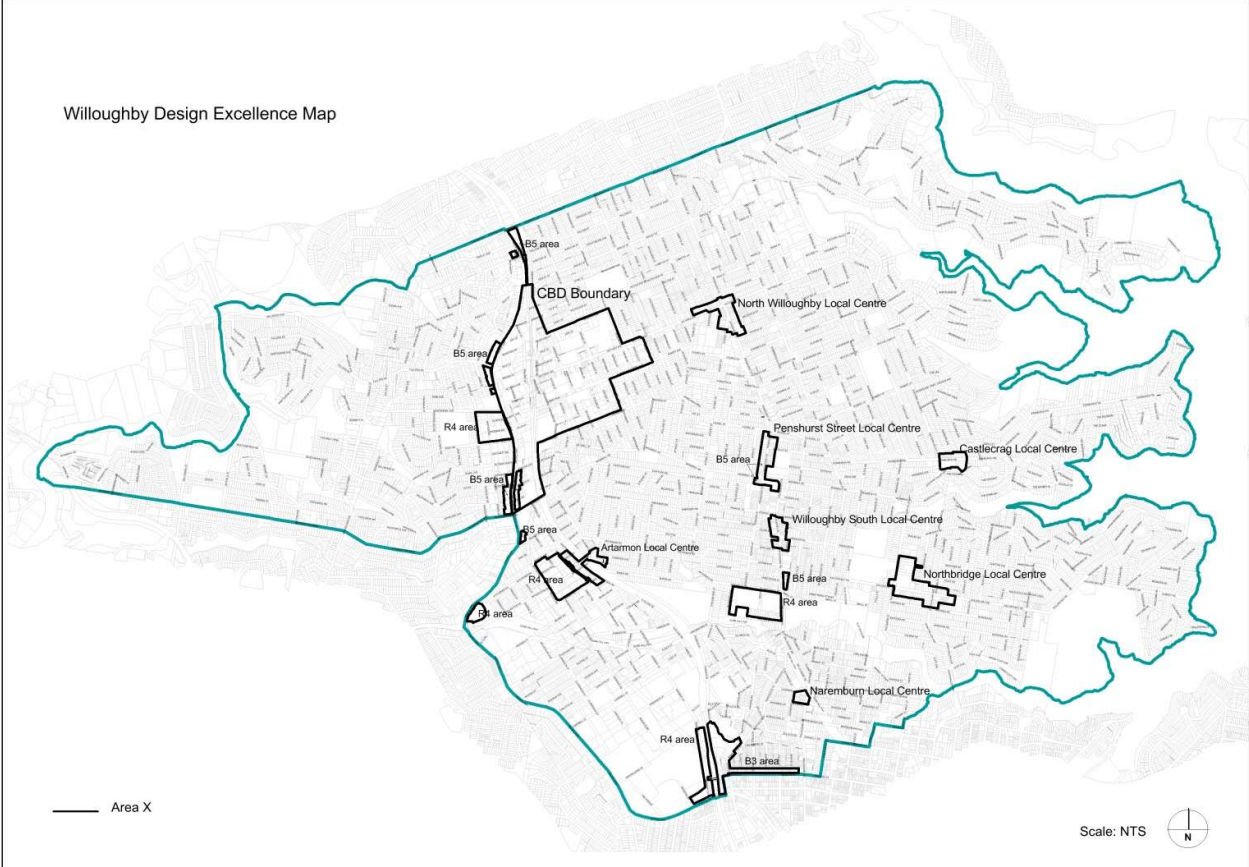


Description and Location	Proposed Change
(d) rental from affordable housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), and money from the disposal of affordable housing received by or on behalf of the Council must be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Willoughby, and	
(e) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with the same type of dwellings within the development to which the development application relates, especially in terms of internal fittings and finishes, solar access and privacy.	
(2) Development consent must not be granted to the erection of residential accommodation on land identified as "Area 3" 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.	
(3) The following are the affordable housing conditions—	
(a) a condition requiring the dedication in favour of the consent authority, free of cost, of land comprised of one or more complete dwellings with a gross floor area of the amount equivalent to 10% 4% of the accountable total floor space, with each dwelling having a gross floor area of at least 50 square metres,	
(b) a condition requiring the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with subclause (4), of 10% 4% of the accountable total floor space,	
(c) a condition requiring—	
(i) the dedication in favour of the consent authority, free of cost, of land comprised of one or more complete dwellings with a gross floor area of less than the amount equivalent to 10% 4% of the accountable total floor space (the dedication amount), with each dwelling having a gross floor area of at least 50 square metres, and	
(ii) the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with subclause (4), of the gross floor area equivalent to the difference between the dedication amount and 10% 4% of the accountable total floor space.	

Description and Location	Proposed Change
<p>(4) The amount of the contribution to be paid under a condition imposed under subclause (2)(c) is the value of the gross floor area concerned calculated by reference to the market value of dwellings of a similar size to those proposed by the development application.</p> <p>Note. Section 7.32 of the Act permits the imposition of such a condition and specifies the circumstances under which such a condition may be imposed. Any condition imposed is subject to section 7.33 of the Act.</p> <p>(5) This clause does not apply to development for the purpose of any of the following—</p> <p>(a) boarding houses,</p> <p>(b) community housing (as defined in section 3 of the Housing Act 2001),</p> <p>(c) group homes,</p> <p>(d) hostels,</p> <p>(e) public housing (as defined in section 3 of the Housing Act 2001).</p> <p>(6) An affordable housing condition must not be imposed in relation to an amount of accountable total floor space if the consent authority is satisfied that such a condition has previously been imposed under this clause in relation to the same or an equivalent amount of accountable total floor space on the site.</p> <p>(7) In this clause—</p> <p><b>accountable total floor space</b> means <del>the gross floor area of the residential component of the development to which the development application relates.</del></p> <p>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, including any residential floor area of the building that is used for affordable housing purposes.</p>	
<p>Amend current Area 3 of the Special Provisions Area Map to include all current sites and additional sites identified in :</p> <p>Chatswood CBD Strategy</p> <p>Willoughby Local Centres Strategy:</p> <ul style="list-style-type: none"> <li>• Artarmon</li> <li>• North Willoughby</li> <li>• Naremburn</li> <li>• Castlecrag</li> <li>• Northbridge (including the reclassification of Council owned land)</li> <li>• Penshurst Street</li> <li>• Willoughby South</li> </ul>	
<p>Amend Clause 4.4(2A) (b) which allows a bonus floor space for affordable housing</p>	



Description and Location	Proposed Change
The amendment will include the floor space for affordable housing purposes to be part of the gross floor area of the building for determining the maximum floor space ratio.	
<p>(1) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <a href="#">Floor Space Ratio Map</a>.</p> <p>(2A) Despite subclause(2)—</p> <p>(a) the maximum floor space ratio for a building on land in Zone R2 Low Density Residential or Zone E4 Environmental Living is to be determined as if the area of the access laneway of a battle-axe lot were not part of the area of the lot, and</p> <p>(b) any part of the floor area of a building that—</p> <p>(i) is to be used for community facilities or <del>affordable housing purposes</del>, or</p> <p>(ii) is a heritage item,</p> <p>is taken not to be part of the gross floor area of the building for determining the maximum floor space ratio of the building.</p>	
D14	
<b>Design excellence clause</b>	A design excellence clause is being introduced to require specific projects to achieve design excellence and outcomes.
<p><b>6.X Design excellence</b></p> <p>(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.</p> <p>(2) This clause applies to development that is the erection of a new building on land shown in Area XX of the Special Provisions Area Map.</p> <p>(3) Development consent, including modification of development consent, must not be granted to development to which this clause applies unless:</p> <p>a) Where a building will be above 35 metres in height</p> <p>i) an architectural design competition that is consistent with the <i>Willoughby Design Excellence Policy and Guidelines for Design Excellence Review and Competitions</i> has been held in relation to the development, and</p> <p>ii) the design of the development is the winner of the architectural design competition, and</p> <p>iii) the consent authority considers and acknowledges that the development exhibits design excellence.</p> <p>b) Where a building is or will be higher than 12 metres but not above 35 metres in height</p> <p>i) The design is subject to review by a Design Excellence Review Panel, that is consistent with the <i>Willoughby Design Excellence Policy and Guidelines for Design Excellence Review and Competitions</i> , who consider that the design exhibits design excellence to a sufficient level to recommend that the project proceed to consideration by the consent authority</p> <p>ii) the consent authority considers and acknowledges that the development exhibits design excellence.</p> <p>(4) An architectural design competition is not required under subclause (3) if the Planning Secretary or their delegate is satisfied that:</p> <p>(a) such a process would be unreasonable or unnecessary in the circumstances,</p> <p>(5) In deciding whether to grant development consent to development to which this clause applies, the consent authority must take into consideration Clause 3)a)iii) and 3)b)ii).</p> <p>(6) In this clause:</p> <p><b>Design Excellence</b> is a process and an outcome which follows a rigorous procedure including</p>	





Description and Location	Proposed Change
<p>evaluation to achieve subclause (1).</p> <p><b>Architectural Design Competition</b> means a competitive process conducted in accordance with the <i>Willoughby Design Excellence Clause</i> and <i>Guidelines for Design Excellence Review and Competitions</i>.</p> <p><b>Design Excellence Review Panel</b> means a Council selected and appointed Panel or a Panel endorsed by the NSW Government Architects Office (Planning Secretary).</p> <p><b>Guidelines for Design Excellence Review and Competitions</b> mean Willoughby City Council Guidelines for Design Excellence Review and Competitions 09/12/2019.</p> <p><b>Design Excellence Policy</b> means the Willoughby City Council Design Excellence Policy 09/12/2019.</p>	
<p><b>Design excellence map?</b></p> <p>Map to include</p> <p>Chatswood CBD</p> <p>St Leonards Priority Precinct area</p> <p>Artarmon</p> <p>North Willoughby</p> <p>Naremburn</p> <p>Castlecrag</p> <p>Northbridge</p> <p>Penshurst Street</p> <p>Willoughby South</p> <p>R4 High Density Residential land</p> <p>B5 Business Development land</p>	




Description and Location	Proposed Change
<p>Willoughby Design Excellence Map</p> 	
<p><b>D15</b></p> <p><b>Manor houses</b></p> <p>Manor houses is a new definition which was introduced by the commencement of the Low Rise Housing Diversity Code in July 2020.</p> <p>The land use of manor houses should be added to the Land Use Table for the R3 zone only.</p> <p>For clarification purposes, manor houses should be added to the prohibited column in the R4 zone. It is only intended that manor houses are only permissible in the R3 zone in concurrence with the Codes SEPP.</p> <p>Manor houses should also be added to Clause 6.10 requiring a minimum lot size of 1100m<sup>2</sup> in line with other residential flat buildings.</p>	<p>Add manor houses as permitted with consent to the R3 land use table.</p> <p>Add Manor houses as Prohibited in the R4 land use table.</p> <p>Add manor houses to Clause 6.10 with a minimum lot size of 1100m<sup>2</sup></p> <p>Add the SEPP definition for manor houses to the dictionary:</p> <p><b>manor house</b> means a residential flat building containing 3 or 4 dwellings, where—</p> <ul style="list-style-type: none"> <li>(a) each dwelling is attached to another dwelling by a common wall or floor, and</li> <li>(b) at least 1 dwelling is partially or wholly located above another dwelling, and</li> <li>(c) the building contains no more than 2 storeys (excluding any basement).</li> </ul>



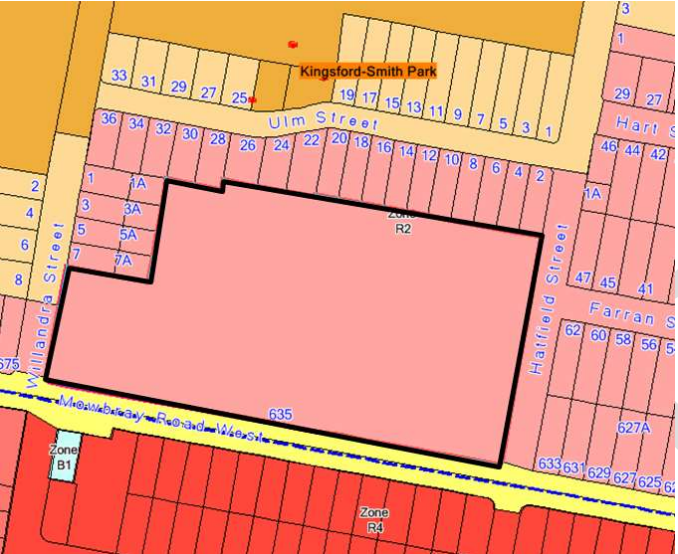


Description and Location	Proposed Change
<p>D16</p> <p>New Clause 6.X on Urban Heat Island Effect.</p> <p>As explained at the beginning of this section, the LSPS includes an Action in finding ways to minimise the effects of the building materials and the urban heat island effect. A clause prepared by WSROC is proposed to be included in the LEP.</p>	<p><b>6.X Urban Heat</b></p> <p>1) The objective of this clause is to ensure new development incorporates effective design and ongoing operation to reduce and remove urban heating from the environment and protects community health and wellbeing.</p> <p>2) This clause applies to all Commercial Premises; Industry and Residential Accommodation developments.</p> <p>3) Development consent must not be granted to any development unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> <li>a. the building roof, paved surfaces and podium have been designed to reflect and re-radiate absorbed solar heat away from urban areas and to maximise user comfort of roofing, paved surfaces and podium areas; and</li> <li>b. the building facades minimise solar heat being reflected downward towards private open space and or the public domain; and</li> <li>c. the awnings and eaves are designed to provide shelter from the sun and improve user comfort at street level; and</li> <li>d. the buildings' heating and cooling systems minimise heat rejection to private open space and the public domain; and</li> <li>e. the buildings maximise the use of green infrastructure; and</li> <li>f. the development is capable of accommodating adequate open space and deep soil zones to achieve urban cooling benefits; and</li> <li>g. the buildings are designed to improve thermal performance eg: insulation, glazing, drought proofing and renovations to apply passive design principles to reduce the need for heating or cooling.</li> </ul> <p>4) In this clause:</p> <p><b>Solar heat</b> means radiant heat contained in the full spectrum of sunlight.</p> <p><b>Urban heat</b> refers to higher ambient temperatures (over 28°C) that pose a risk to our communities and infrastructure.</p> <p><b>Urban heat island effect</b> is the tendency of cities to be much warmer than their rural counterparts.</p> <p><b>Green infrastructure</b> is essential infrastructure that includes the network of designed and natural vegetation found in urban areas including parks, vegetation and urban green technology such as green roofs, deep soil zones, landscaped and open space areas. This may include things such as porous pavements, bioswales, rain gardens, wetlands, biofiltration devices and park areas.</p>

Description and Location	Proposed Change
D17	
<p>School Sites</p> <p>Currently, school sites are zoned to match whatever the adjoining zone is.</p> <p>It is proposed to rezone land owned and used by schools for infrastructure purposes to reflect their primary use, consistent with current zoning practices adopted by Council;</p>	<p>Rezone the following sites to SP2 Education</p>
<p>St Thomas Primary School</p> <p>Rezone from R2 to SP2 Education</p> <p>Remove from Lot Size, Height, FSR and dual occupancy restriction maps</p> 	<p>Naremburn School, 250 Willoughby Rd, Naremburn</p> <p>Rezone from R3 to SP2 Education</p> <p>Remove from HOB and FSR Maps:</p> 

Description and Location	Proposed Change
<p>Willoughby Girls High School, 151 Mowbray Rd, Willoughby Willoughby Public School, Oakville Rd, Willoughby</p> <p>Rezone from R2 to SP2 Education. Retain RE1 zoning within the site.</p> <p>Remove from: Lot size, HOB and FSR maps.</p> 	<p>Artarmon Public School, 1 Abbott Rd, Artarmon</p> <p>Rezone from R3 to SP2 Education. Remove from HOB and FSR maps.</p> 
<p>Chatswood Public School, 5 Centennial Ave, Chatswood</p> <p>Rezone from R2 to SP2 Education Remove from Lot size, HOB and FSR maps.</p> 	<p>Castle Cove Public School, Holly St, Castle Cove</p> <p>Rezone from R2 to SP2 Education. Remove from Lot Size, HOB and FSR Maps.</p> 

Description and Location	Proposed Change
<p>Northbridge Public School, Sailors Bay Road, Northbridge</p> <p>Rezone from R2 to SP2 Education</p> <p>Remove from Lot Size, HOB, FSR and dual occupancy restriction maps.</p> 	<p>Gleneagon Rudolf Steiner School 5a Glenroy Avenue, Middle Cove</p> <p>Rezone from E4 to SP2 Education</p> <p>Remove from Lot size, HOB, FSR and dual occupancy restriction maps. (retain E2 zoning on the site),</p> 
<p>Shore Preparatory School, Sailors Bay Road, Northbridge</p> <p>Rezone from RE2 to SP2 Education</p> <p>Rezoning of this site will no longer require the need for an additional permitted use in Schedule 1.</p> 	<p>Delete clause 42 from Schedule 1:</p> <p><b><del>42 Use of certain land at Sailors Bay Road, Northbridge</del></b></p> <p>(1) This clause applies to land at Sailors Bay Road, Northbridge, being Lot 100, DP 1096773.</p> <p>(2) Development for the purpose of a school is permitted with development consent.</p>



Description and Location	Proposed Change
<p>Mowbray Public School 635 Mowbray Road West, Lane Cove North.</p> <p>Rezone from R2 to SP2</p> <p>Remove from FSR, Lot Size and HOB maps</p> 	<p>St Philip Neri School</p> <p>65-71 Baringa Road Northbridge</p> <p>Rezone from R2 to SP2 Education</p> <p>Remove from Lot size, HOB, FSR, Dual occupancy restriction maps</p> 
<p>Glenaeon Rudolf Steiner school 121 Edinburgh Road Castlecrag</p> <p>Rezone from R2 to SP2 Education</p> <p>Remove from Lot size, HOB, FSR, maps</p> 	
D18	
Schedule 2	
<p>Schedule 2 Exempt Development</p> <p>Schedule 2 allows exempt development to take place in addition to that which is exempt in the SEPP Exempt and Complying development codes.</p> <p>Some of the provision in Schedule 2 eg relating to signage</p>	<p>Delete the following from Schedule 2</p> <p><b>Clothing bins</b></p> <p>(1) <del>Must not be located in Zone R2</del>  <del>Low Density Residential, Zone R3</del>  <del>Medium Density Residential, Zone</del></p>



Description and Location	Proposed Change
<p>pre date similar provisions in the SEPP It is proposed to delete sections of Schedule 2 that are duplicated by the SEPP.</p>	<p><del>R4 High Density Residential or Zone E4 Environmental Living, other than on existing premises occupied as a place of public worship.</del></p> <p><del>(2) Must be associated with a registered charity.</del></p> <p><del>(3) Must not be located on a road reserve.</del></p> <p><del>(4) Must be maintained in a presentable and satisfactory state of repair.</del></p>
<p><b>DRAFT</b></p>	<p><b>Signage—general requirements</b></p> <p><del>(1) Must relate to the land on which the signage is located or to premises on the land and specify one or more of the following particulars—</del></p> <p><del>(a) the purpose for which the land or premises is or are used,</del></p> <p><del>(b) the identification of a person residing or carrying on an occupation or business on the land or premises,</del></p> <p><del>(c) a description of an occupation or business referred to in paragraph (b),</del></p> <p><del>(d) particulars of the goods or services dealt with or provided on the land or premises.</del></p> <p><del>(2) Must not be located in a crown of trees protected under clause 5.9.</del></p> <p><del>(3) Must not be located on a site occupied by a heritage item.</del></p> <p><b>Signage—generally</b></p> <p><b>Must meet the general requirements for signage and be one of the following—</b></p> <p><del>(a) located on a site and not visible from outside the site (such as an internal business identification</del></p>

Description and Location	Proposed Change
	<p>sign or a directional sign);</p> <p>(b) located behind the glass line of commercial premises at street level except for illuminated signage located within 1m of the front of the premises;</p> <p>(c) if a flush wall or painted window sign on commercial or industrial premises (other than the transom of a doorway) and not projecting more than 0.3m from the wall—</p> <p>(i) no larger than 1.5m<sup>2</sup>; and</p> <p>(ii) no higher than 2.7m from the ground level (existing); and</p> <p>(iii) not above 50% of any building facade in area; and</p> <p>(iv) not above an awning and not illuminated; and</p> <p>(v) in the case of a window sign—not exceed 50% of any shop window within the frontage; and</p> <p>(vi) limited to 1 sign per site;</p> <p>(d) signage painted or flush against an existing shop awning that does not exceed the dimensions of the awning fascia or return ends and must not be illuminated;</p> <p>(e) a change in content of existing, approved signage that relates to the site on which it is proposed;</p>
	<p>(g) A temporary real estate sign advertising a property for sale or lease and—</p> <p>i. limited to 1 per site; and</p> <p>ii. with a maximum area of 1.2m × 1.8m in Zone R2 Low Density</p>

Description and Location	Proposed Change
	<p>Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone E4 Environmental Living, or of 5m<sup>2</sup> in all other zones, and</p> <p>iii. — removed within 14 days after sale or lease,</p> <p>(h) a business identification sign in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone E4 Environmental Living that relates to a lawful use, is limited to the name and occupation of the occupant on a single non-illuminated or floodlit advertisement attached to the ground level (existing) of the dwelling or land having maximum dimensions of 1m in length by 0.6m in height.</p> <p>(i) a top hamper sign that is attached to the transom of a doorway or display window of a building and—</p> <p>i. — is not illuminated, and</p> <p>ii. — does not exceed the length or width of the window or door or more than 0.2m beyond any building alignment, and</p> <p>iii. — does not extend below the head of the doorway or window to which it is attached, and</p> <p>iv. — has a maximum height of 0.5m above the top of the window or doorhead,</p>
	<p>(k) — an under-awning sign attached to the</p>

Description and Location	Proposed Change
	<p><del>underside of an awning (other than the fascia or return end) and complying with the following requirements—</del></p> <p><del>(i) 1 sign per premises and at least 3m from a similar sign,</del></p> <p><del>(ii) minimum clearance to underside of sign of 2.6m above footpath level,</del></p> <p><del>(iii) maximum dimensions not exceeding 2.5m length and 0.5m height,</del></p> <p><del>(iv) must not project beyond the awning,</del></p> <p><del>(v) front alignment must be at least 1.5m from the side boundary of the premises,</del></p> <p><del>(f) replacement signage of the same dimensions and material as the Council-approved signage it is replacing.</del></p>
<p>Amend the following clause to be in line with the SEPP but allow a longer lead in and removal date</p>	<p>Signage generally</p> <p>(f) Temporary community event advertising for non-commercial, local, cultural, religious, social or recreational events, including canvas or fabric banners displayed</p> <p>The standards specified for that development are that the development must—</p> <ul style="list-style-type: none"> <li>(a) not result in more than one banner and one other type of temporary sign facing any road frontage, and</li> <li>(b) not have a surface area of more than 6m<sup>2</sup>, and</li> <li>(c) be located wholly within the boundaries of the property or, if attached to a building, fence or wall, not project more than 100mm from the building, fence or wall, and</li> <li>(d) not be higher than 5m above ground level (existing), and</li> <li>(e) not be permanently fixed to a building, fence or wall, and</li> <li>(f) not be illuminated, and</li> <li>(g) not be displayed earlier than 28 days before the event, and</li> </ul>

Description and Location	Proposed Change
	(h) be removed within 14 days after the event.

DRAFT

## Section E: Housekeeping Issues / Anomalies

Council staff list any issues or errors that arise from a number of sources such as development application assessment, owners requests or customer enquiries. The following Table includes such issues that need to be addressed

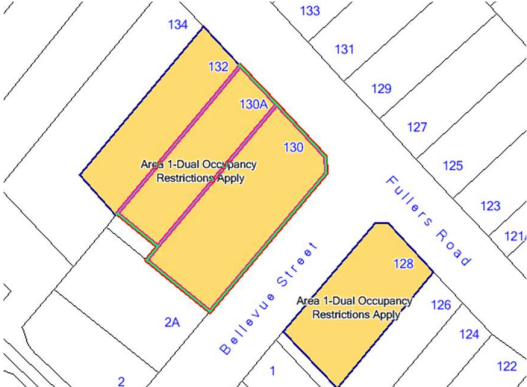
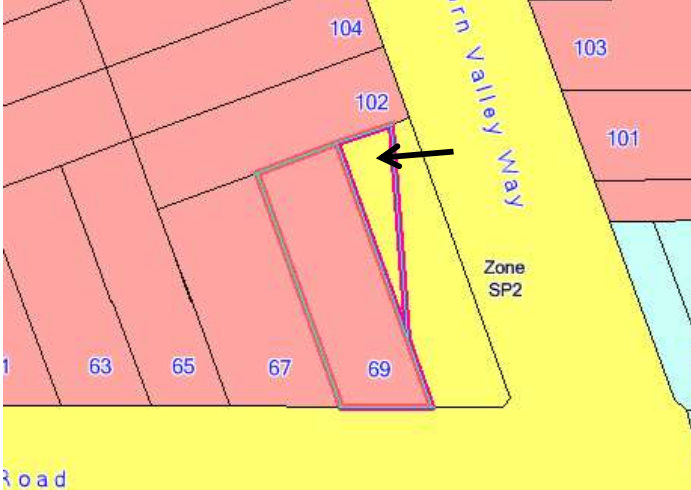
**Table 6 Housekeeping Amendments**


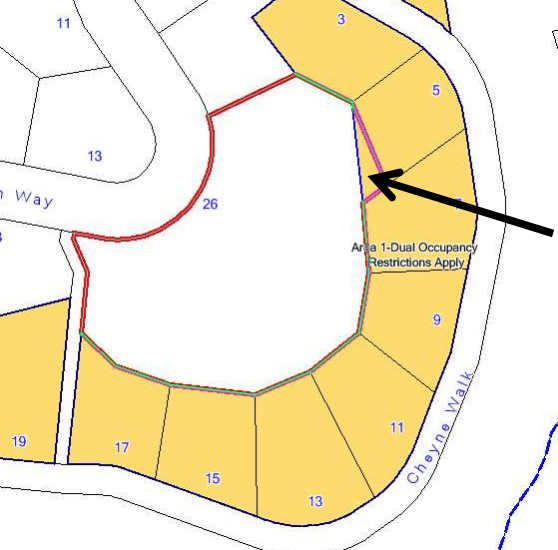
Note


- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.

Description and Location	Proposed Change
E1	
<p><b>Zone R2 Land use Table</b></p> <p>Include secondary dwellings in 3 Permitted with consent.</p> <p>Secondary dwellings are currently permitted in the R2 zone via the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>.</p> <p>This cross referencing to another environmental planning instrument to confirm permissibility is confusing.</p> <p>Adding to the Land Use Table (LUT) will clarify this.</p>	<p><b>3 Permitted with consent</b></p> <p>Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; <b>Secondary dwellings</b>; Tank-based aquaculture</p>
E2	
130A Fullers Road, Chatswood West	<p>Property at 130A Fullers Road is not a heritage item or in a conservation area but appears on the Dual Occupancy Restriction Map. It is located in between 2 heritage items.</p> <p>Remove property at 130A Fullers Road from Dual Occupancy Restriction Map.</p>



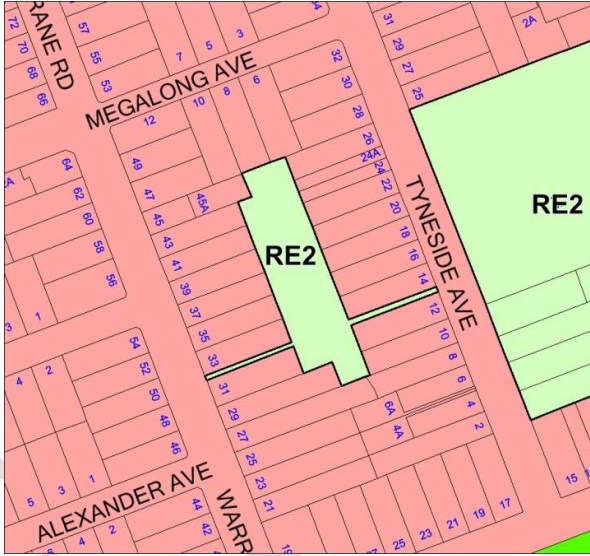
Description and Location	Proposed Change
	
E3	
69 Edinburgh Road	<p>Land acquisition by RMS has been taken up – residual strip needs to be zoned residential R2 and added to HOB, FSR maps</p> <p>Rezone section to R2</p> <p>Include on Lot Size Map as 550m<sup>2</sup></p> <p>Height of Building Map as 8.5m</p> <p>FSR Map at 0.4:1 Area 1 (may change)</p>
	
E4	
<p>Calbina Road and Cliff Avenue</p> <p>West of Strathallen Avenue, Northbridge – shown below in red dashed line.</p>	<p>Floor Space Ratio Map correctly notes this to be Map Area 2 but does not include red line for boundary. Final map should show a red solid line,</p>

Description and Location	Proposed Change
	
E5	
26 Linden Way	Small portion of the property incorrectly appears on the Dual Occupancy Restriction Map and should be removed.
	
E6	
250 Sailors Bay Road Northbridge	<p>Site is zoned R2 and had existing use rights for a hairdresser shop that expired.</p> <p>Owner has requested an additional permitted use to enable a hair dressing salon</p> <p>The request is to add office and business premises as an additional permitted use in Schedule 1.</p> <p><b>70. Use of certain land at 250 Sailors Bay Road, Northbridge</b></p> <p>(d) This clause applies to land at 250 Sailors Bay Road,</p>

Description and Location	Proposed Change
	<p>Northbridge being Lot 16 DP 7749</p> <p>(e) Development for the purposes of office premises and business premises is permitted with development consent.</p>
E7	
233a Edinburgh Road	<p>Heritage Item 125– description in Schedule 5 is correct but map should extend further south to reflect the property which expands over 2 lots. Description should also mention 233 and 233a (picture below)</p>
	
E8	
256 Victoria Avenue	<p>Heritage map should be updated to reflect the location of the heritage item post completion of recent surrounding development.</p>

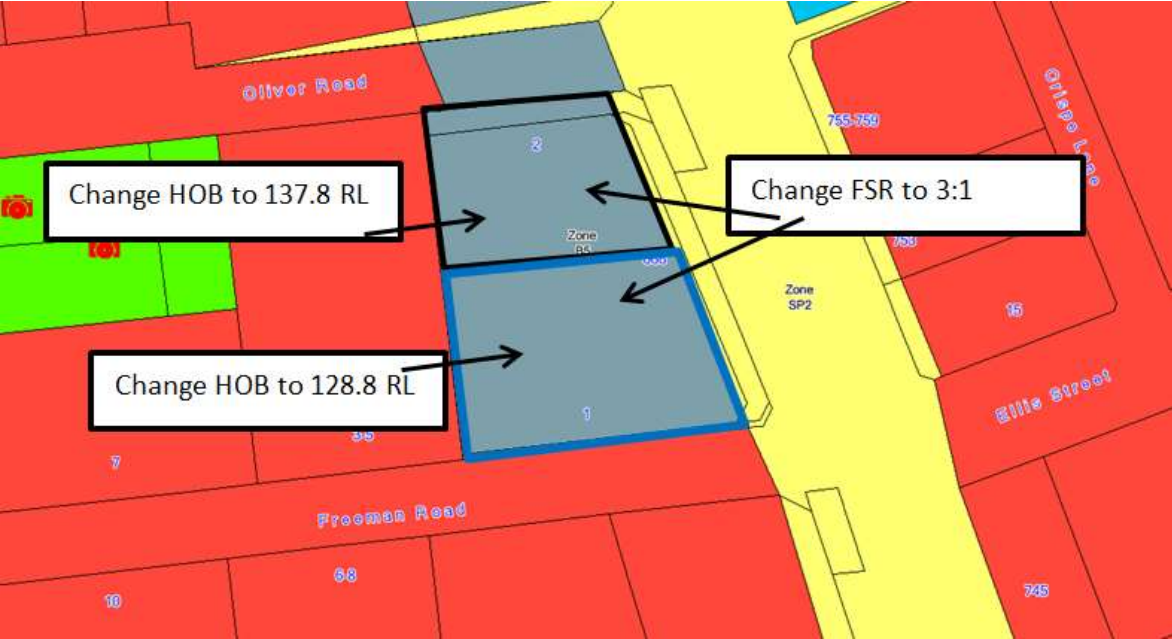


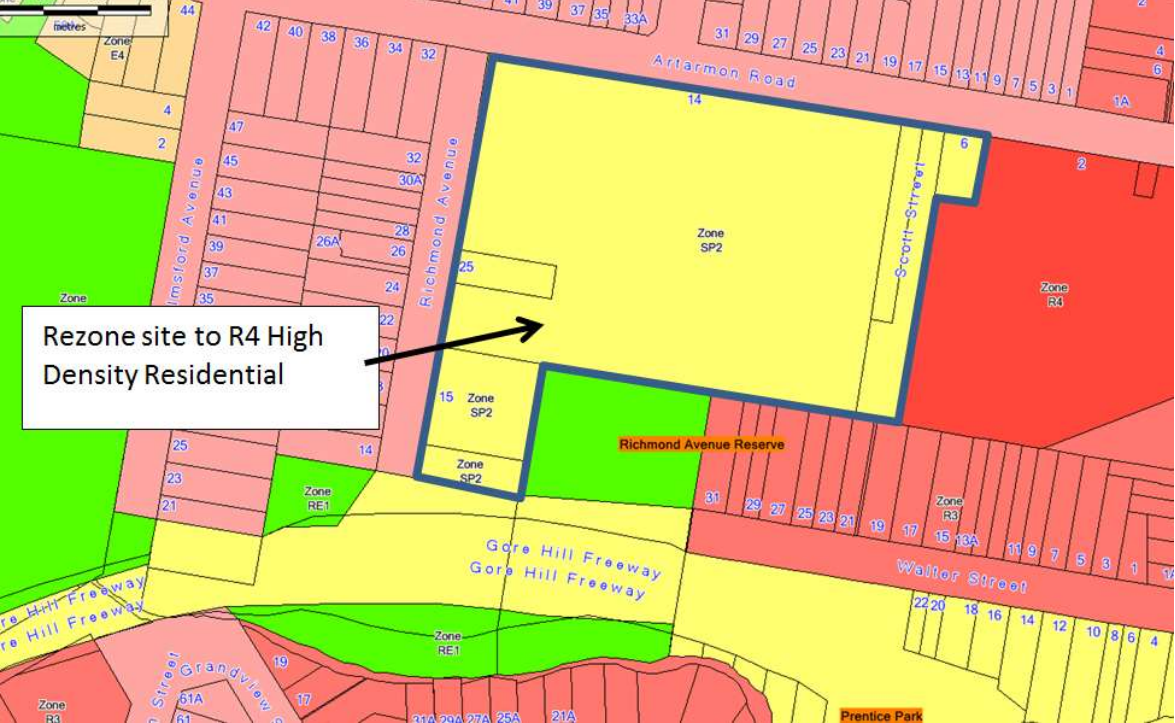


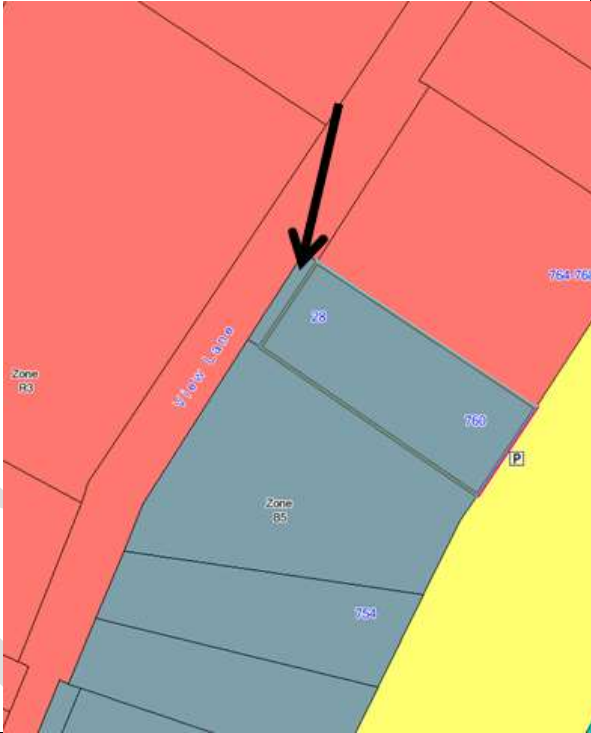

Description and Location	Proposed Change
	<p>Recreation to RE1 Public Recreation</p> 
<p>E12</p> <p>Clause 6.14 was placed prior to the development of the Willoughby Market Gardens site. Now that the site has been completed this should be deleted. However the Schedule 1 clause enabling semi detached dwellings and dwelling houses in the R3 zoning should remain. Area 1 should also remain on the Special Provisions Area Map.</p>	<p>6.14</p> <p>Willoughby Market Gardens</p> <ol style="list-style-type: none"> <li><del>(1) This clause applies to the land that is identified as “Area 1” on the <a href="#">Special Provisions Area Map</a> and known as the Willoughby Market Gardens.</del></li> <li><del>(2) A development control plan for development on the land to which this clause applies must be prepared under section 3.44 of the Act before development consent may be granted to any development on that land.</del></li> <li><del>(3) Development consent must not be granted to any development on the land to which this clause applies unless that consent is granted in accordance with the development control plan made under subclause (2).</del></li> <li><del>(4) Development consent must not be granted to any development on the land to which this clause applies if the granting of that consent would result in the total number of dwellings on that land</del></li> </ol>

Description and Location	Proposed Change
	<p>exceeding 80.</p> <p>Despite clause 4.4(2), the total gross floor area of the dwellings on the land to which this clause applies must not exceed 16,000 square metres</p>
<p>E13</p> <p>Clause 6.21 provides planning controls for a site that is now under construction. The Height and FSR controls provided in this clause should be transferred to the appropriate maps</p> <p>Delete Area 7 of the Special Provisions Area Map.</p>	<p><b>6.21</b></p> <p><b>Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway, Freeman Road and Oliver Road, Chatswood</b></p> <p>This clause applies to the following land at Chatswood—</p> <p>(a) Lot 1, DP 1068007, 654–656 Pacific Highway,</p> <p>(b) Lot 1, DP 121830, 658–666 Pacific Highway,</p> <p>(c) Lot 1, DP 839309, 1 Freeman Road,</p> <p>(d) Lot 2, DP 839309, 2A Oliver Road,</p> <p>identified as “Area 7” on the <a href="#">Special Provisions Area Map</a> (<del>Area 7</del>);</p> <p>(2) ——— Despite clauses 4.3 and 4.4, if the site area for development on land to which this clause applies is greater than 2,400 square metres, development consent may be granted to development that will have—</p> <p>(a) ——— a height of any building on the land not exceeding—</p> <p>(i) ——— for that part of Area 7 that is shown edged black and marked “137.8” on the Special Provisions Area Map—RL 137.8 Australian Height Datum, and</p> <p>(ii) ——— for that part of Area 7 that is shown edged black and marked “128.8” on that Map—RL 128.8 Australian Height Datum, and</p> <p>(b) ——— a floor space ratio—</p> <p>(i) ——— of the development— not exceeding 3.0:1, and</p> <p>(ii) ——— of any shop top housing— not exceeding 2.14:1.</p>
Change FSR and Height Maps and delete Area 7 of the Special Provisions Area Map:	



Description and Location	Proposed Change
	
Schedule 1 amendments	
E14	
<p>Item 35 - Use of certain land at 41–43 Farran Street, Lane Cove North.</p> <p>The property within the R2 zone has a change of use consent for a child care centre and is no longer a place of public worship.</p>	<p><del>35 — Use of certain land at 41–43 Farran Street, Lane Cove North</del></p> <p><del>(1) — This clause applies to land at 41–43 Farran Street, Lane Cove North, being Lots 67 and 68, DP 9985.</del></p> <p><del>(2) — Development for the purpose of a place of public worship is permitted with development consent.</del></p>
E15	
<p>Item 54 Use of certain land at 14 Artarmon Road, Willoughby.</p> <p>This property is the Channel 9 site. It is currently zoned SP2 Telecommunications Facility.</p> <p>The site was given approval by the State Government under the former Part 3A State significant development process. It now has consent for residential purposes. The helipad once part of the Channel 9 business function is no longer required as the entire site will be redeveloped for residential.</p> <p>Given this change to the special uses site, the site should be rezoned to R4 High Density Residential</p>	<p><del>54 — Use of certain land at 14 Artarmon Road, Willoughby</del></p> <p><del>(1) — This clause applies to land at 14 Artarmon Road, Willoughby, being Lot 1, DP 820327 and Lot 4, DP 748215.</del></p> <p><del>(2) — Development for the purpose of a helipad is permitted with development consent.</del></p>

Description and Location	Proposed Change
	
<p><b>E16</b></p> <p>The following clauses provide larger minimum lot sizes for residential development than the normal 1100m<sup>2</sup></p> <p>These sites have been reassessed and it is considered that the lot requirement should be amended to 1100m<sup>2</sup>.</p>	<p>Delete the following from Clause 6.10</p> <p>Clause 6.10 (4)(a): 1,300 square metres for land at 58-78 Sailors Bay Road, etc</p> <p>Clause 6.10 (4)(c): 2,500 square metres for land at 95-103 Edinburgh Road, etc.</p> <p>Clause 6.10 (4)(e): 2,500 square metres for land fronting Borlaise Street, Edward Street, etc.</p>

Description and Location	Proposed Change
<p>E17</p> <p>Section of land at 28 View Lane has been dedicated for lane widening.</p> <p>The zoning should reflect this and be rezoned from B5 to R4 as per the zoning of the laneway. The site should no longer be on the FSR or Height mapping</p>	
<p>E18</p> <p>22 Quinn Lane</p> <p>Road widening has taken place at the corner. The small section should be removed from the FSR, Height, Lot Size and Dual occupancy restriction Maps</p>	
<p>E19</p> <p>Tidy up of boundary shown on the Heritage map to match Cadastre boundary.</p> <p>Griffin Conservation Area</p>	



Description and Location

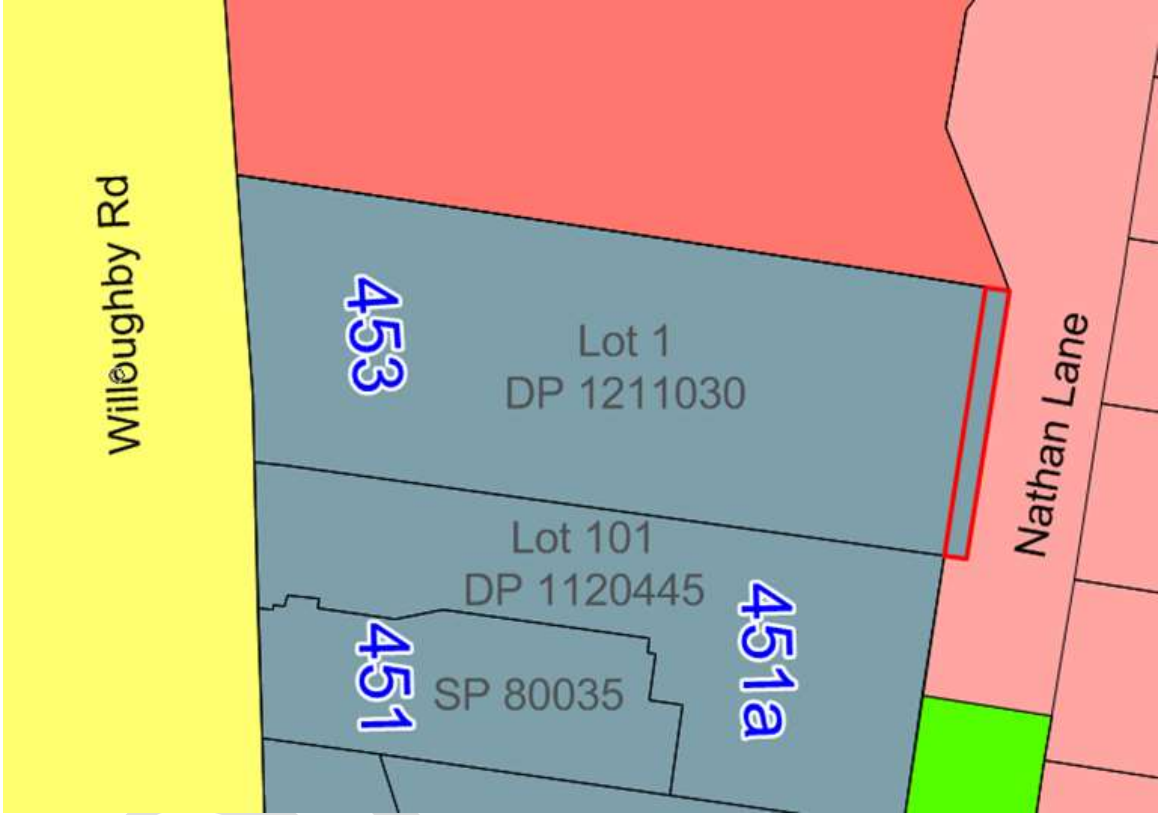
Proposed Change



E20


Realign Heritage map at South Chatswood Conservation are to match property boundaries

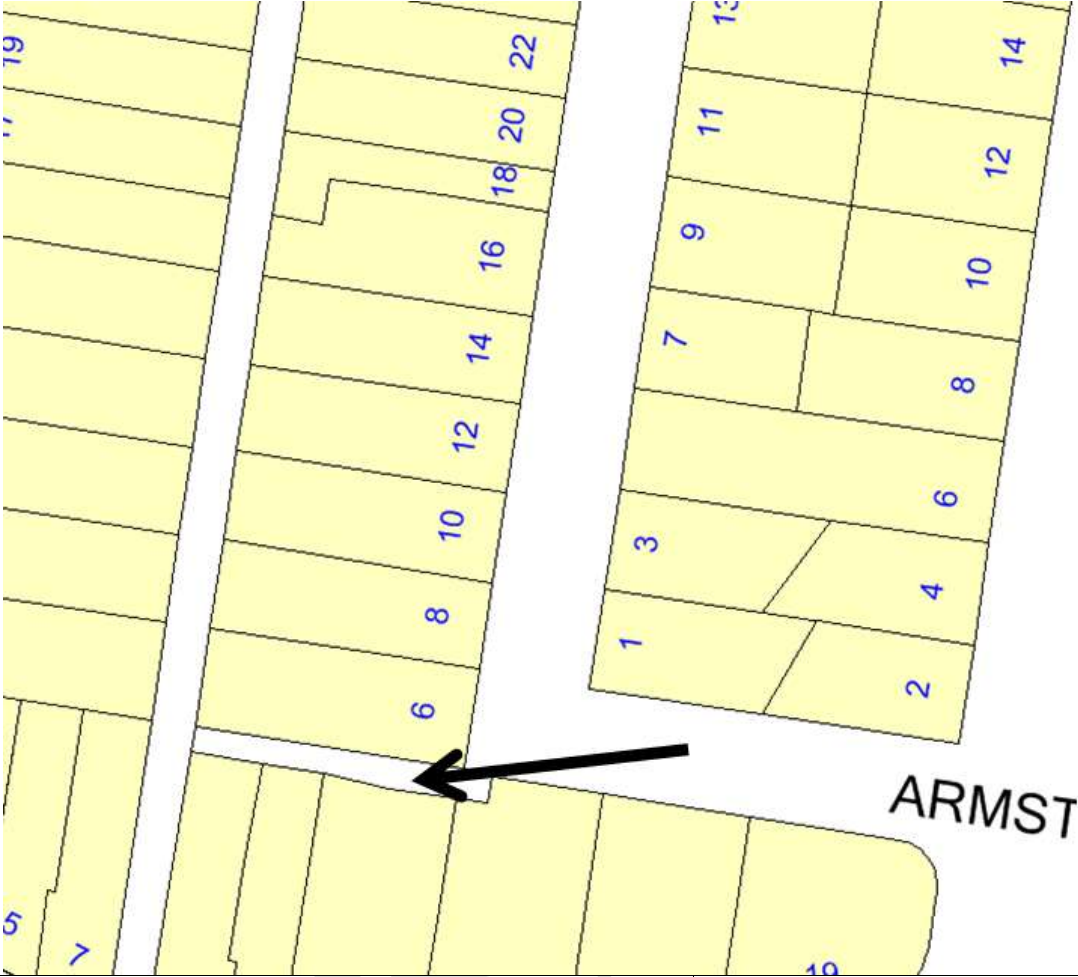


Description and Location	Proposed Change
E21	
<p>Land to the rear of 453 Willoughby Road which has been dedicated for road widening.</p> <p>Zoning should reflect the R2 lane way zoning. And the small section should be removed from the FSR and Height maps</p>	
	
E22	
<p>Corner of 52 Mowbray Place</p> <p>Zoning, height and FSR should follow the property boundary and not include the splay corner which lies out of the ownership boundary.</p>	

Description and Location	Proposed Change
	
E23	
<p>Rear of 36a Park Road and 21-23 Station Road</p> <p>Lane way dedication has created a new lot that should no longer appear on the FSR and Height maps.</p>	



Description and Location	Proposed Change
	
E24	
6 Salisbury Road Whole site should be included in the FSR, Height and Lot Size maps to reflect the lot consolidation	

Description and Location	Proposed Change
 <p>The map shows a street layout with yellow highlighted lots. A black arrow points to a specific lot. The lots are numbered in blue. The street is labeled 'ARMST'.</p>	

## Section F - Acquisition Map – State and local provisions

The Land Reserved for Acquisition Map (LRA) includes

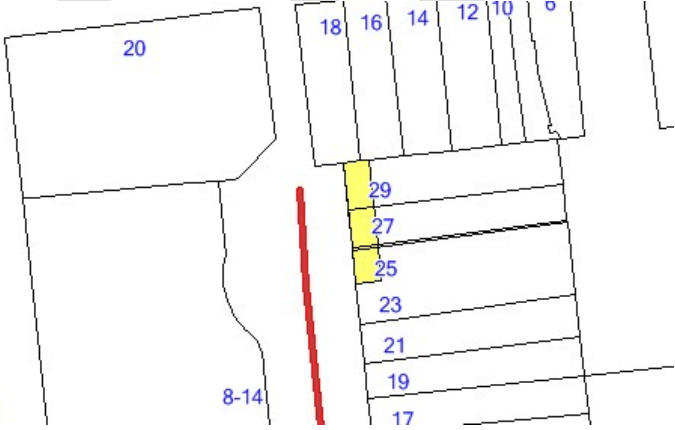
- Local road widening Council acquisitions
- Local open space Council acquisitions
- State open space acquisitions (DPIE)
- State road widening acquisitions (Transport for NSW)

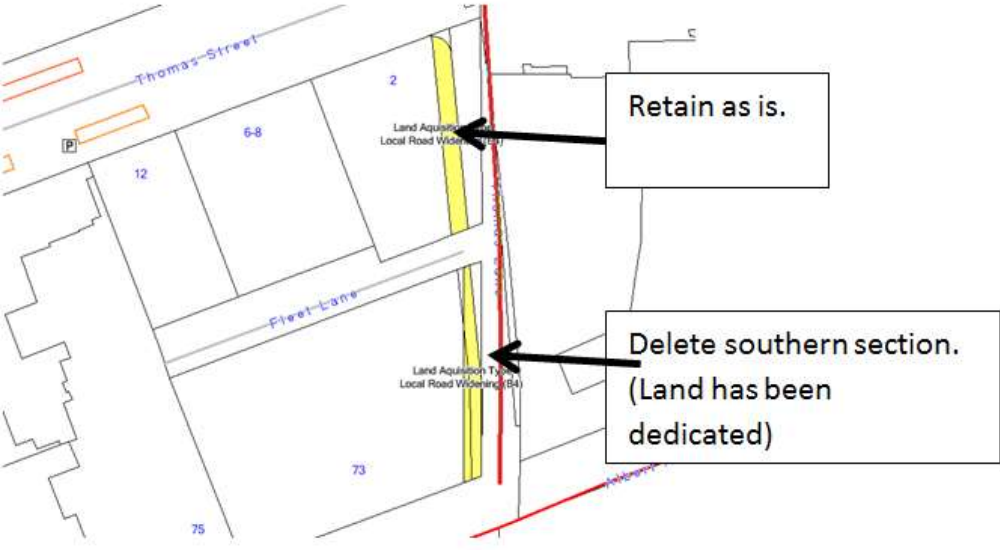

The following only show instances where a change is proposed to the current LRA Map.


**Table 7 Acquisition Amendments**


Note


- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.
- Controls will be supplemented by new controls in Willoughby Development Control Plan.

Description and Location	Proposed Change
<b>Local Road Acquisitions</b>	
G1	
<p>25-29 Bowen Street Chatswood.</p> <p>Site is subject to a rezoning application including the whole eastern section of Bowen Street. It is proposed to include the road widening into a site specific DCP control for the site.</p>	Remove from LRA and add to DCP.
	
G2	
<p>Thomas Lane Chatswood (southern section).</p> <p>The southern section of the lane widening has been dedicated to Council and should no longer be included.</p>	

Description and Location	Proposed Change
	
G3	
<p>34 Albert Avenue (corner of Bertram Street) Chatswood Road widening.</p>	<p>This section forms part of the Chatswood CBD Strategy. The road widening requirement should be removed from the LRA Map and included as a DCP requirement.</p>
	
G4	
<p>Stirling Lane North Willoughby</p> <p>This forms part of the North Willoughby Local Centre controls. An increased lane widening is considered as a requirement to complement the uplift in the local centre. The extended lane widening is to match the existing widening at 214-216 Sydney Street. The change will be from 2m to 4m. In order to enable a turning area, it is proposed to include 1-</p>	<p>Amend the LRA map to include an increase in lane widening and the additional properties at 1-3 Koorunga Road.</p> <p>4 metre road widening on each side of the laneway for the affected properties.</p>

Description and Location	Proposed Change
3 Koorringa Road to the acquisition map.	
	

Description and Location	Proposed Change
<b>NSW DIPE acquisition sites</b>	
G5	
Garland Road, Naremburn.	
Site has been acquired by DPIE to the rear of 43A Garland Road and should be removed from the LRA Map.	
	
G6	
Land at Kooba Avenue Chatswood.	
Numbers 15a, 17, 19, 23, 25, 29 and 31 Kooba Avenue have	

Description and Location	Proposed Change
<p>been acquired by DPIE. They should no longer be included on the LRA Map</p>	
	

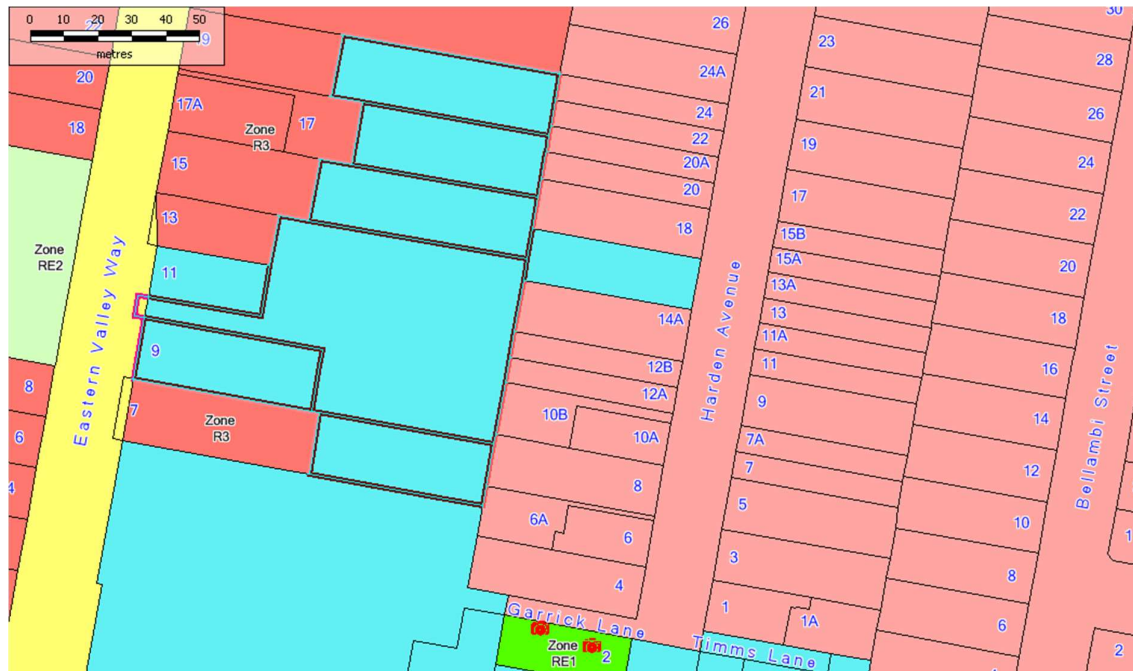
### TfNSW Acquisition sites

TfNSW have provided preliminary advice on road acquisitions (at November 2020). Final advice will be incorporated into this planning proposal for public exhibition.



## Section G: Reclassification of Council Land

The Northbridge Local Centre proposals include land owned by Council. The land comprises Lot 2 DP200094, Lot 4 DP200099, Lot 6 DP200096, Lot 8 DP200098, Lot 15 DP4409 and Lot B DP323172.



Lots is currently used as a carpark serving Northbridge Plaza, and a vacant baby health clinic is also on the site.

The long term proposal for the Northbridge Local Centre is to provide an uplift in development potential with to increased heights up to 3-5 storeys to allow residential apartment development and deliver new open space, and to consider rezoning from B2 Local Centre to R3 Medium Density Residential and R4 High Density Residential. This is consistent with recommendations made in the endorsed *Local Centres Strategy*. Council land would also enable the provision of underground parking.

The Council owned land includes a statutory trust which limits the land to the public purpose of parking and baby health centre. If the recommendations from the Local Centres Strategy are to proceed, the land will need to be reclassified from community to operational with the intended removal of the statutory trust.

Council's land is proposed to be rezoned from B2 to part R3 Medium Density Residential and part R4 High Density Residential.

In accordance with section 29 of the Local Government Act 1993, a public hearing in relation to the Council land reclassification will be held after the exhibition period has concluded. Public notice of the public hearing will be sent and published at least 21 days before the start of the public hearing.

DRAFT

## Part 3 – Justification

### Section A – Need for the Planning Proposal

#### Q1 - Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal brings together the results of a number of strategic reports, which underpinned the Willoughby Local Strategic Planning Statement:

- *The Greater Sydney Region Plan and North District Plan* March 2018
- *Chatswood CBD Planning and Urban Design Strategy to 2036* September 2020
- *Willoughby Housing Strategy* May 2020
- *Willoughby Local Centres Strategy* June 2020
- *Willoughby Industrial Lands Strategy* October 2020
- *Willoughby Integrated Transport Strategy* August 2020
- *St Leonards / Crows Nest Plan to 2036* August 2020

#### Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. It is considered that this planning proposal is the best way to provide / deliver on the various components identified in the LSPS and across the various Strategies listed above. The LEP will give effect to these strategies through the introduction of new controls and amendment of existing controls.

### Section B –Relationship to strategic planning framework

#### Q3 - Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plans or strategy (including any exhibited draft plans or strategies)?.

##### *Greater Sydney Region Plan – A Metropolis of Three Cities 2018*

Yes. This planning proposal is consistent with *A Metropolis of Three Cities* released in March 2018, setting the planning framework for growth of the Sydney to 2056. The vision seeks to transform Greater Sydney into a metropolis of three cities – the Western Parkland City, The Central River City and the Eastern Harbour City and sets targets of an 725,000 new dwellings and 817,000 new jobs by 2036.

The planning proposal is consistent with the objectives of the *Region Plan*, as outlined in **Part 1** of this planning proposal. This has been reflected in the work which has been carried out in the various planning strategies for Chatswood CBD, Willoughby's local centres, and

industrial lands. All of these strategies have been subject to extensive public consultation programmes.

#### North District Plan 2018

The *North District Plan* was released in March 2018 and provides a 20 year plan to manage growth. It is a guide for implementing A Metropolis of Three Cities at a District level and is a bridge between regional and local planning. Willoughby is located within the North District along with Hornsby, Ku-ring-gai, Ryde, Hunters Hill, Lane Cove, North Sydney, Mosman and Northern Beaches Councils.

The Plan provides a housing target for Willoughby of 1,250 dwellings to 2021 (with a requirement to contribute to the 20 year District housing target of 92,000). For employment, Willoughby is required to provide additional 8,300 jobs for Chatswood to 2036. Along with North Sydney and Lane Cove Council Willoughby is also required to contribute towards an additional 16,400 jobs for St Leonards

The *North District Plan* provided the framework which Council studies looked to when preparing the abovementioned studies and planning direction to 2036.

The planning proposal will implement the directions and actions in the District Plan to meet jobs and housing targets applicable to Willoughby City Council.

#### **Q4 - Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

Yes. The planning proposal is consistent with the Council Community Strategic Plan drawn up under the Local Government Act, 1993 and the Local Strategic Planning Statement as described above.

#### Our Future Willoughby 2028

*Our Future Willoughby 2028* is the Council's community strategic plan, providing a long-term vision for the future of the City. It is used to inform Council's decision making and planning. The planning proposal is consistent with *Our Future Willoughby 2028*.

#### Willoughby Housing Strategy 2036

The *Housing Strategy* discusses planning for the future housing needs of Willoughby City over the next 20 years in response to a growing and changing population. The planning proposal is consistent with the objectives outlined in the *Housing Strategy* for Willoughby. Housing supply and forecasts.

The planning proposal is consistent with the objectives outlined in the Local Strategic Planning Statement which brings together the following Strategies for Willoughby:

Chatswood CBD Planning and Urban Design Strategy 2036

Willoughby Local Centres Strategy 2036

Willoughby Industrial Lands Strategy 2036

Willoughby Integrated Transport Strategy

St Leonards / Crows Nest Plan to 2036

#### **Q5 - Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The table below details how the planning proposal is consistent with the relevant State Environmental Planning Policies and does not contain provisions that would affect the application of these policies.

<b>SEPP title</b>	<b>Consistency</b>	<b>Explanation</b>
State Environmental Planning Policy No. 19 – Bushland in Urban Areas	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No. 21 – Caravan Parks	N/A	
State Environmental Planning Policy No. 30 – Intensive Agriculture	N/A	
State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)	YES	The planning proposal proposes to increase residential densities in strategic centres such as Chatswood and St Leonards as well as in local centres.
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	N/A	
State Environmental Planning Policy No. 50 – Canal Estate Development	N/A	
State Environmental Planning Policy No. 55 – Remediation of Land	YES	As the planning proposal includes rezoning of land, assessment of individual sites will be investigated at development assessment stage.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture	N/A	
State Environmental Planning Policy No. 64 – Advertising and Signage	N/A	
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)	Yes	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Major Development) 2005	N/A	
State Environmental Planning Policy (Infrastructure) 2007	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	YES	The planning proposal is consistent with the SEPP as it aims to replicate certain provisions for the R2 Low Density zone
State Environmental Planning Policy (Affordable Rental Housing) 2009	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
Sydney Regional Environmental Plan (Sydney Harbour	YES	The planning proposal does not contain provisions that would affect the application



Catchment) 2005		of this SEPP.
State Environmental Planning Policy (Coastal Management) 2018	YES	The planning proposal includes the proposed rezoning of industrial land to E2 Conservation. This land adjoins coastal wetlands as represented in Coastal Management SEPP Maps

**Q6 - Is the planning proposal consistent with the applicable Ministerial Directions (9.1 Directions)?**

The table below details how the planning proposal is consistent with the applicable Section 9.1 Ministerial Directions.

No	Title of Direction and objectives	Comment	Compliance
<b>1. Employment and Resources</b>			
<b>1.1</b>	<p>Business and Industrial Zones:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified strategic centres.</p>	<p>The planning proposal promotes and provides incentives for employment growth in the business and industrial zones.</p> <p>A small section of industrial land along the Lane Cove River is proposed to be rezoned to E2 to provide riparian protection,</p>	YES
<b>1.2</b>	<p>Rural Zones</p> <p>The objective of this direction is to protect the agricultural production value of rural land.</p>	<p>The planning proposal does not involve the rezoning from a rural zone.</p>	N/A
<b>1.3</b>	<p>Mining, Petroleum Production and Extractive Industries</p> <p>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and</p>	<p>The planning proposal does not seek to alter the permissibility of these types of land uses.</p>	N/A

No	Title of Direction and objectives	Comment	Compliance
	extractive materials are not compromised by inappropriate development.		
1.4	<p>Oyster Aquaculture</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>(a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal,</li> <li>(b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</li> </ul>	The Direction does not apply as the planning proposal does not propose any changes in land use that would affect oyster aquaculture.	N/A
1.5	<p>Rural Lands</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) protect the agricultural production value of rural land,</li> <li>(b) facilitate the orderly and economic development of rural lands for rural and related purposes.</li> </ul>	The Direction does not apply as the planning proposal does not affect development in a rural zone.	N/A
<b>2. Environment and Heritage</b>			
2.1	<p>Environment Protection Zones:</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	The planning proposal seeks to protect environmentally sensitive areas.	YES
2.2	<p>Coastal Management</p> <p>The objective of this direction is to protect and manage coastal areas of NSW.</p>	The planning proposal includes the proposed rezoning of industrial land to E2 Conservation. This land adjoins coastal wetlands as represented in Coastal Management SEPP Maps	YES

No	Title of Direction and objectives	Comment	Compliance
2.3	Heritage Conservation	The planning proposal includes a new heritage item of local significance	YES
2.4	Recreation Vehicle Areas  The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs  The objective of this direction is to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.	The Direction does not apply as the planning proposal does not relate to any of the identified LGAs.	N/A
<b>3. Housing, Infrastructure and Urban Development</b>			
3.1	Residential Zones.  The objectives of this direction are: (d) to encourage a variety and choice of housing types to provide for existing and future housing needs, (e) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (f) to minimise the impact of residential development on the environment and resource lands.	The planning proposal is consistent with this Direction in that it enables there to be a choice of dwellings to provide for existing and future housing needs.  The B3 zone does not permit dwellings. For some sites in Chatswood and St Leonards, shop top housing is permissible by a Schedule 1 provision.  The planning proposal includes a deletion of these Schedule 1 provisions in order to strengthen the employment roles of these centres and are consistent with the Chatswood CBD Strategy and St	YES

No	Title of Direction and objectives	Comment	Compliance
		<p>Leonards Crows Nest 2036 Plan.</p> <p>The loss of dwelling potential on these sites is more than compensated by the uplift in zoning in other parts of Chatswood, St Leonards and the local centres.</p> <p>It does not affect dwelling potential and targets to 2036</p> <p>The planning proposal also allows a more generous floor space controls to residents in the R2 zone</p>	
<b>3.2</b>	<p>Caravan Parks and Manufactured Home Estates</p> <p>The objectives of this direction are: to provide for a variety of housing types, and</p> <p>to provide opportunities for caravan parks and manufactured home estates.</p>	<p>The Direction does not apply as the planning proposal does not seek to permit caravan parks or manufactured home estates under WLEP 2012.</p>	N/A
<b>3.3</b>	<p>Home Occupations</p> <p>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p>	<p>The planning proposal does not alter the existing provisions within WLEP 2012 that relate to home occupations.</p>	YES
<b>3.4</b>	<p>Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> <li>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</li> <li>(b) increasing the choice of available transport and reducing dependence on cars,</li> </ul>	<p>The planning proposal promotes residential growth in centres to improve accessibility to transport and services.</p>	YES

No	Title of Direction and objectives	Comment	Compliance
	<p>and</p> <ul style="list-style-type: none"> <li>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</li> <li>(d) supporting the efficient and viable operation of public transport services, and</li> <li>(e) providing for the efficient movement of freight.</li> </ul>		
<b>3.5</b>	<p>Development Near Licensed Aerodromes</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>(a) to ensure the effective and safe operation of aerodromes, and</li> <li>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</li> <li>(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</li> </ul>	<p>The planning proposal does not apply as it is not in the vicinity of a licensed aerodrome. However, an updated clause has been introduced as recommended by Sydney Airport relating to heights.</p>	N/A
<b>3.6</b>	<p>Shooting Ranges</p> <p>The objectives are:</p> <ul style="list-style-type: none"> <li>(a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</li> <li>(b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</li> <li>(c) to identify issues that must be addressed when giving</li> </ul>	<p>The Direction does not apply as none of the properties within the planning proposal are adjacent to or adjoin an existing shooting range.</p>	N/A

No	Title of Direction and objectives	Comment	Compliance
	consideration to rezoning land adjacent to an existing shooting range.		
4. Hazard and Risk			
4.1	<p>Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	A small section of industrial land along the Lane Cove River is proposed to be rezoned to E2. This land is identified as Class 2 on the Acid Sulfate Soils Map. The proposed E2 zoning will not incur adverse environmental impacts.	YES
4.2	<p>Mine Subsidence and Unstable Land</p> <p>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p>	The Direction does not apply as the planning proposal does not relate to land affected by mine subsidence nor has it been identified as being unstable land.	N/A
4.3	<p>Flood Prone Land</p> <p>(a) The objectives of this direction are: to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	"Upzoned" land which is identified in any flood studies will be subject to water management controls within the Willoughby Development Control Plan.	YES
4.4	<p>Planning for Bushfire Protection</p> <p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging</p>	The planning proposal aims to target new development away from natural hazards such as bushfire prone land.	YES



No	Title of Direction and objectives	Comment	Compliance
	the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas.	The planning proposal introduces new wording in the Aims of the Plan to elevate resilience for natural hazards.	
<b>5. Regional Planning</b>			
<b>5.1</b>	Implementation of Regional Strategies  (revoked 17 October 2017)		
<b>5.2</b>	Sydney Drinking Water Catchment  The objective of this Direction is to protect water quality in the Sydney drinking water catchment.	The Direction does not apply to the Willoughby LGA	N/A
<b>5.3</b>	Farmland of State and Regional Significance on the NSW Far North Coast  (a) The objectives of this direction are: to ensure that the best agricultural land will be available for current and future generations to grow food and fibre, (b) to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and (c) to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.	This Direction does not apply to the Willoughby LGA	N/A
<b>5.4</b>	Commercial and Retail Development along the Pacific Highway North Coast.  The objectives for managing commercial and retail development	This Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>along the Pacific Highway are:</p> <ul style="list-style-type: none"> <li>(a) to protect the Pacific Highway's function, that is to operate as the North Coast's primary inter and intra-regional road traffic route;</li> <li>(b) to prevent inappropriate development fronting the highway;</li> <li>(c) to protect public expenditure invested in the Pacific Highway;</li> <li>(d) to protect and improve highway safety and highway efficiency;</li> <li>(e) to provide for the food, vehicle service and rest needs of travellers on the highway; and</li> <li>(f) to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.</li> </ul>		
<b>5.5</b>	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010	
<b>5.6</b>	Sydney to Canberra Corridor	Revoked 10 July 2008	
<b>5.7</b>	Central Coast	Revoked 10 July 2008	
<b>5.8</b>	<p>Second Sydney Airport: Badgerys Creek</p> <p>The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.</p>	This Direction does not apply to the Willoughby LGA	N/A
<b>5.9</b>	<p>North West Rail Link Corridor Strategy</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)</li> <li>(b) ensure development within the NWRL corridor is consistent with the proposals</li> </ul>	This Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
	set out in the NWRL Corridor Strategy and precinct Structure Plans.		
<b>5.10</b>	<p>Implementation of Regional Plans</p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p>	The planning proposal is consistent with A Metropolis of Three Cities – The Greater Sydney Region Plan.	YES
<b>6. Local Plan Making</b>			
<b>6.1</b>	<p>Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	The planning proposal will be subject to consultation with state authorities as required by the Gateway Determination.	YES
<b>6.2</b>	<p>Reserving Land for Public Purposes</p> <p>(a) The objectives of this direction are: to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition</p>	The planning proposal updates the Land Reserved for Acquisition Map in that it removes sites that have been acquired and adds new sites.	YES
<b>6.3</b>	<p>Site Specific Provision:</p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p>	Any site specific provisions are in accordance with previously exhibited and approved strategic studies.	YES
<b>1. Metropolitan Planning</b>			
<b>7.1</b>	<p>Implementation of A Plan for Growing Sydney</p> <p>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p>	The planning proposal is consistent with the objectives and strategies of A Metropolis of Three Cities – The Greater Sydney Region Plan.	YES

No	Title of Direction and objectives	Comment	Compliance
7.2	<p>Implementation of Greater Macarthur Land Release Investigation.</p> <p>The objective of this direction is to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy)</p>	This Direction does not apply to the Willoughby LGA	N/A
7.3	<p>Parramatta Road Corridor Urban Transformation Strategy</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> <li>(a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit,</li> <li>(b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and</li> <li>(c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.</li> </ul>	This Direction does not apply to the Willoughby LGA	N/A
7.4	<p>Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).</p>	This Direction does not apply to the Willoughby LGA	N/A
7.5	Implementation of Greater Parramatta Growth Area Interim Land Use and Infrastructure Implementation Plan	This Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
	The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan)		
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan  The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.	This Direction does not apply to the Willoughby LGA	N/A
7.7	Implementation of Glenfield o Macarthur Renewal Corridor  The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.	This Direction does not apply to the Willoughby LGA	N/A

## Section C – Environmental, social and economic impact

**Q7 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this proposal?**

No. the planning proposal will not adversely impact critical habitat or threatened species, populations or ecological communities or their habitats.

**Q8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

It is intended that the planning proposal will result in improved environmental conditions particularly with the increased attention on more landscaped area and mitigation of urban heat.

**Q9 - Has the planning proposal adequately addressed any social and economic effects?**

The planning proposal seeks to ensure, through its contents and implementation that the future development and growth of the Willoughby LGA will be done in a manner that considers and provides for the overall social, economic, health and wellbeing of its residents and stakeholders. Progression of the planning proposal will result in an increase in jobs and housing choice, and improved environmental conditions providing a health built environment.

In addition, the proposed amendments generally seek to update provisions, correct anomalies and discrepancies for greater certainty in relation to the current and future use of the sites affected by this planning proposal.

**Section D – State and Commonwealth Interests**

**Q10 - Is there adequate public infrastructure for the planning proposal?**

The planning proposal will require infrastructure provision such as education, public transport sewerage, water supply, power and telecommunications services.

**Q11 - What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

The planning proposal has not been considered by any State or Commonwealth Agencies. This will take place after the Gateway Determination. It is unlikely that any Commonwealth Agencies will need to be consulted for this type of planning proposal.

Consultation has commenced with TFNSW regarding state road widenings and acquisitions.

**Part 4 - Mapping**

The planning proposal requires amendment of the WLEP 2012 Maps. These will be provided for the public exhibition.

**Part 5 – Community Consultation**



It is anticipated that the planning proposal will be publicly exhibited for 3 months.

It is intended that the planning proposal will be advertised in the North Shore Times and will be available to view on Council's website. Affected property owners and adjoining landowners will be notified. Local area progress associations will also be notified, and an extensive programme of public engagement will be undertaken including the use of social media

## **Part 6 – Project Timeline**

The following table provides an indicative timeline for the planning proposal:

Planning proposal presented to Council	December 2020
Planning proposal submitted to Gateway	December 2020
Gateway Determination received by Council	April 2021 (estimated)
Community Consultation	May – August 2021
Public Hearing on reclassification of Council land	August 2021
Report to Council on public exhibition	December 2021
Planning proposal submitted to Department of Planning & Environment for finalisation	January 2022
Notification of Plan on Legislation website	March 2022

Attachments to include

[Local Centres Strategy](#)

Griffin heritage nomination

[CBD strategy](#)

[St Leonards Crows Nest](#)

[Industrial Strategy](#)

<b>Annexure 1</b>	<b>Griffin Centre Heritage Nomination</b>
<b>Annexure 2</b>	<b>Artarmon Bowling Club Heritage Nomination</b>

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