

ATTACHMENT 6

Written Amendments to Willoughby Local Environmental Plan 2012

- a) To add Clause 4.4B 'Minimum non-residential floor space in the Mixed Use Zone' as follows:

"4.4B Minimum non-residential floor space in the Mixed Use Zone

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."

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

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

- c) To amend Clause 6.7 'Active street frontages' as follows:

"(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.

(2) This clause applies to land identified as "Active Street Frontages" on the Active Street Frontages Map.

(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.

(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—

- (a) entrances and lobbies (including as part of mixed use development),
- (b) access for fire services,
- (c) vehicular access.

(5) In this clause, a building has an active street frontage if:

- 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.
- 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."

- d) To amend Clause 6.8 (2) to include "Area 3 or Area 8 or Area 9" on the Special Provisions Area Map.

e) To amend Clause 6.23 (2) to include "Area 8" or "Area 12" on the Special Provisions Area Map.

f) To add Clause 6.25 as follows:

"6.25 Sun access

(1) The objective of this clause is to

- (a) protect certain public space in Chatswood CBD from excessive overshadowing.
- (b) Protect properties in South Chatswood Conservation Area from a reduction in solar access

(2) The consent authority must not grant consent to development on land zoned B3 or B4 if the consent authority is satisfied that :

- (a) the development will result in additional overshadowing in mid winter between 12 noon and 2pm, on:
 - Victoria Avenue between the interchange and Archer Street
 - Concourse Open Space
 - Garden of Remembrance
 - Tennis and croquet club
- (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.

g) Add to Schedule 1 Additional Permitted Uses:

"75. Use of certain B4 land in Chatswood

- (1) This clause applies to land zoned B4 in the Chatswood CBD.
- (2) Development for the purpose of residential flat building is permitted with development consent if the consent authority is satisfied that:
 - (a) the ground level is used for non-residential purposes and
 - (b) A minimum of 17% of the total FSR is provided for non-residential purposes and
 - (c) No residential dwelling is located at the ground floor."