

Table of changes post exhibition

Contents

Summary of main changes	2
Part 1 Preliminary	2
Part 2 Permitted or prohibited development	9
Part 3 Exempt and complying development	26
Part 4 Principal development standards	26
Part 5 Miscellaneous provisions	51
Part 6 Additional local provisions	52
Schedule 1 Additional permitted uses	81
Schedule 2 Exempt development	93
Schedule 3 Complying development	99
Schedule 4 Classification and reclassification of public land	99
Schedule 5 Environmental heritage	99
Schedule 6 Pond based and tank based aquaculture	101
Dictionary	101
General Comments	102

Summary of main changes

- Aims of the Plan to include resilience and urban island heat references
- FSR controls removed for R2 zoned land and replaced with the GFA controls as per the SEPP
- C4 zone continues to have FSR controls
- Dual occupancy permitted as per the controls in the SEPP. Battle axe style dual occupancy now prohibited
- Superseded Height controls deleted and replaced with new controls
- Superseded FSR controls deleted and replace with new controls.
- New urban heat clause
- New Sun access Clause applying to land a Chatswood CBD
- Design excellence clause expanded to apply to entire zones rather than specific sites
- Affordable housing clause – rate of 4% changed depending on area. Bonus floorspace for affordable housing element removed.
- Business zones updated in accordance with Employment zone review

Part 1 Preliminary

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
1.1 Name of Plan	This Plan is <i>Willoughby Local Environmental Plan 2012</i> 2020.	Change name to Willoughby Local Environmental Plan 2023
1.2 Aims of the Plan replace reference in (2) (a) (ii) from the Willoughby City Strategy (now superseded) to the Community Strategic plan	(2) The particular aims of this Plan are as follows— (a) for planning framework— (i) to establish a broad planning framework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	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Willoughby City Strategy was the title of the community strategic plan when WLEP 2012 was gazetted in 2013	(ii) to enable the achievement of the goals and outcomes of the Community Strategic Plan the Willoughby City Strategy through planning controls,	
<p>1.2 Aims of the Plan</p> <p>Include references to resilience and urban heat throughout the aims of the Plan in the context of climate change.</p> <p>To reinforce the main objective of the Industrial Strategy, to retain and manage, should be added as an aim of the Plan</p>	<p>(b) 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>(iii) to better manage the risks associated with climate change through mitigation and adaptation, and</p> <p>(iv) to manage and where possible minimize urban heat impacts on people and the environment, both</p>	<p>As exhibited, minor typo and corrections included as follows:</p> <p>(b) 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>(iii) to better manage the risks associated with climate change through mitigation and adaptation, and</p> <p>(iv) to manage and where possible minimize urban heat impacts on people and the environment, both indoors and outdoors, through innovative, effective</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>indoors and outdoors, through innovative, effective and sustainable urban design and use of green infrastructure</p> <p>(v) to reduce resource consumption through the planning and control of land use and development, and to reduce potential energy and water consumption and waste materials during the construction, occupation, utilisation and lifecycle of buildings,</p> <p>(c) for environmental protection—</p> <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>(iii) to control and manage any adverse environmental impacts of development, and</p> <p>(iv) to minimise carbon emissions from buildings, transport, commerce and other activities.</p>	<p>and sustainable urban design and use of green infrastructure</p> <p>(v) to reduce resource consumption through the planning and control of land use and development, and to reduce potential energy and water consumption and waste materials during the construction, occupation, utilisation and lifecycle of buildings,</p> <p>(c) for environmental protection—</p> <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>(iii) to control and manage any adverse environmental impacts of development, and</p> <p>(iv) to minimise reduce carbon emissions from buildings, transport, commerce and other activities.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(v) to prevent loss of life and property by bush fires <u>and other natural disasters</u> , by</p> <p>discouraging the establishment of incompatible uses in <u>vulnerable areas</u> bush fire-prone areas and incorporating as part of compatible developments protective measures that minimise bush fire risk without disaster impacts on people and the environment whilst avoiding unacceptable environmental degradation, including—</p> <p>(A) construction techniques and materials to <u>mimimise impacts on people, property and the environment</u> maximise their resistance to bush fire, and</p> <p>(B) adequate measures to enable the safe evacuation of people from <u>areas impacted by natural disasters</u> the land and <u>ensure</u> enable access to that land by emergency services during a bush fire,</p> <p>for urban design—</p> <p>(i) to ensure development embraces the principles of quality urban</p>	<p>(v) 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> bush fire-prone areas and incorporating as part of compatible developments protective measures that minimise bush fire risk without disaster impacts on people and the environment whilst avoiding unacceptable environmental degradation, including—</p> <p>(A) construction techniques and materials to <u>minimise impacts on people, property and the environment</u> maximise their resistance to bush fire, and</p> <p>(B) adequate measures to enable the safe evacuation of people from <u>areas impacted by natural disasters</u> the land and <u>ensure</u> enable access to that land by emergency services during a bush fire,</p> <p>for urban design—</p> <p>(i) to ensure development embraces the principles of quality urban design, and</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>design, and encourages innovative, high quality architectural design with long-term <u>which delivers measurable durability, resilience and environmental sustainability 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 wherever possible facilitates improvements to, the public domain, and</p> <p>(iv) to preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark</p>	<p>encourages innovative, high quality architectural design with long-term <u>which delivers measurably durable and resilient</u> and environmentally <u>sustainable 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 wherever possible facilitates improvements to, the public domain, and</p> <p>(iv) to preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark locations,</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>locations, including significant gateways, views and vistas, and</p> <p>(v) <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>(vi)</p> <p>(vii) to ensure that development design takes into consideration crime prevention principles,</p> <p>(e) 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, and</p> <p>(ii) to reduce adverse impacts from development on adjoining or nearby residential properties,</p> <p>(f) For housing —</p> <p>(i) to provide opportunities for a range of housing choice in Willoughby to cater for changing population needs</p>	<p>including significant gateways, views and vistas, and</p> <p>(v) <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 thus enhancing access to and enjoyment of their qualities</u></p> <p>(vi) to ensure that development design takes into consideration crime prevention principles,</p> <p>(e) for amenity, <u>health and safety</u>—</p> <p>a. to maintain and enhance the existing amenity, <u>health, wellbeing and safety</u> of the local community, and</p> <p>b. to reduce adverse impacts from development on adjoining or nearby residential properties,</p> <p>(f) For housing —</p> <p>(i) to provide opportunities for a range of</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>in accessible locations, and</p> <p>(ii) to facilitate the provision of adaptable and affordable housing,</p> <p>(iii) to support housing which maximizes thermal comfort (indoors and outdoors) and minimises urban heat impacts</p> <p>(b) 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, resilience, vitality and role of the city centres of Willoughby as places for commercial and cultural activities and services, and</p> <p>(iii) to maintain and encourage a diversity of industry and services in Willoughby,</p> <p><u>to retain and manage industrial land.</u></p>	<p>housing choice in Willoughby to cater for changing population needs in accessible locations, and</p> <p>(ii) to facilitate the provision of adaptable and affordable housing,</p> <p>(iii) to support housing which maximizes thermal comfort (indoors and outdoors) and minimises urban heat impacts</p> <p>(h) 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, resilience, vitality and role of the city centres of Willoughby as places for commercial and cultural activities and services, and</p> <p>(iii) to maintain and encourage a diversity of industry and services in Willoughby,</p> <p><u>to retain and manage industrial land.</u></p>
1.8 Repeal of Planning instruments applying to the land	<i>Willoughby Local Environmental Plan 1995-2012</i>	As exhibited
1.9B		Superseded - No need to reference this

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Repeal of Sepp applying to the land	<i>Sydney Regional Environmental Plan No 5— (Chatswood Town Centre) is repealed.</i>	
2.1 Land use zones	Employment Zone reform – replace with new zones Business Zones B1 Neighbourhood Centre B2 Local Centre B3 Commercial Core B4 Mixed Use B5 Business Development B7 Business Park Industrial Zones IN1 General Industrial IN2 Light Industrial	Employment zones E1 Local Centre E2 Commercial Centre MU Mixed Use E3 Productivity Support E4 General Industrial

Part 2 Permitted or prohibited development

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
2.1 Land Use Zones		Employment Zone reforms: Business Zones B1 Neighbourhood Centre B2 Local Centre B3 Commercial Core B4 Mixed Use B5 Business Development B7 Business Park Industrial Zones

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		IN1 General Industrial IN2 Light Industrial Employment Zones E1 Local Centre E2 Commercial Centre MU1 Mixed Use E3 Productivity Support E4 General Industrial

Land Use Table

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
R2 zone Clarify that Secondary dwellings are permitted in the zone	Add secondary dwellings to 3. Permitted with consent for the R2 zone	As exhibited
R2 zone objective In response to submissions regarding demolition in conservation areas, an amendment to the aims of the R2	To retain the heritage values of particular localities and places	In response to submissions regarding demolition in conservation areas, an amendment to the aims of the R2 Delete To retain the heritage values of particular localities and places And replace with: To ensure that the heritage values of particular localities and places are not compromised by new development.
R3 zone	Add manor houses to 3. Permitted with Consent of the R3 LUT	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Add manor houses as permitted with consent to the R3 land use table (definition added to the dictionary below)		
R4 zone Add Manor houses as Prohibited in the R4 land use table	Add manor houses to 4. Prohibited of the R4 LUT	As exhibited.
B1 and B2 zone Addition of new objectives added to reflect the Local Centres Strategy	<ul style="list-style-type: none"> • To provide for services and employment within walking distance of residences • To allow residential accommodation while maintaining active retail, business or non-residential land uses at street level. • 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>Council resolved that clearer wording be added to the objective of the zone that residential accommodation is not permitted at ground level. To provide shop top housing to maintain active retail and business land uses at street level. This change to be included in the final version</p> <p>Zone E1 Local Centre</p> <p>1. Objectives of zone</p> <ul style="list-style-type: none"> • To provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area. • To encourage investment in local commercial development that generates employment opportunities and economic growth. • To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>development in the area.</p> <ul style="list-style-type: none"> • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To provide for services and employment within walking distance of residences. • To provide shop top housing to maintain active retail and business land uses at street level • 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>2. Permitted without consent</p> <p>Nil</p> <p>3. Permitted with consent</p> <p>Amusement centres; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home businesses; Home industries; Home occupations; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Any other development not specified in item 2 or 4</p> <p>4. Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; 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; Sewage treatment plants; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies
B3 Zone		
<p>B3</p> <p>Update the objectives of the B3 zone to include reference to the Eastern Economic Corridor and the North District.</p> <p>Council objects to the inclusion of a reference to residential development in the objectives of the new zone.</p> <p>It is seen to be misleading as residential is not permissible in the new E2 zone.</p>	<p>Zone B3 Commercial Core</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> 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. To encourage employment opportunities to strengthen the Eastern Economic Corridor. To encourage appropriate employment opportunities in accessible locations. To maximise public transport patronage and encourage walking and cycling. To support the role of St Leonards as a specialised health and education centre providing health, research and education facilities. To strengthen the role of Chatswood as a major strategic centre for the inner north sub-region North District and to improve its public domain and pedestrian links. 	<p>Zone E2 Commercial Centre</p> <p>1. Objectives of zone</p> <ul style="list-style-type: none"> To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity. To encourage investment in commercial development that generates employment opportunities and economic growth. To encourage development that has a high level of accessibility and amenity, particularly for pedestrians. To enable residential development that is consistent with the Council's strategic planning for residential development in the area. To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. To encourage employment opportunities to strengthen the Eastern Economic Corridor. To maximise public transport patronage and encourage walking and cycling.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<ul style="list-style-type: none"> 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"> To enhance the visual appearance of the area by ensuring new development achieves high architectural, urban design and landscape standards. 	<ul style="list-style-type: none"> To support the role of St Leonards as a health and education centre. To strengthen the role of Chatswood as a strategic centre for the North District and to improve its public domain and pedestrian links. To protect and encourage safe and accessible city blocks by providing active land uses on street and pedestrian frontages. To enhance the visual appearance of the area by ensuring new development achieves high architectural, urban design and landscape standards. <p>2. Permitted without consent</p> <p>Nil</p> <p>3 Permitted with consent</p> <p>Amusement centres; Artisan food and drink industries; Backpackers' accommodation; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home businesses; Home industries; Home occupations; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture;</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; Any other development not specified in item 2 or 4</p> <p>4. Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; 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;</p> <p>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; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Service stations; Sewage treatment plants; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		workshops; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies
B4 zone	As part of Employment zones reform,, Change to MU1	<p>Zone MU1 Mixed Use</p> <p>1. Objectives of zone</p> <ul style="list-style-type: none"> • To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities. • To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To allow for city living on the edges of the city centre of Chatswood, which supports public transport use, shopping, business and recreational services that contribute to the vitality of the central core centre, without undermining its commercial role.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>2. Permitted without consent</p> <p>Nil</p> <p>3. Permitted with consent</p> <p>Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4</p> <p>4. Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>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; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies</p>
B5 and B7	As part of Employment zones reform, combine to E3	<p>Zone E3 Productivity Support</p> <p>1. Objectives of zone</p> <ul style="list-style-type: none"> • To provide a range of facilities and services, light industries, warehouses and offices. • To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres. • To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity. • To provide for land uses that meet the

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>needs of the community, businesses and industries but that are not suited to locations in other employment zones.</p> <ul style="list-style-type: none"> • To provide opportunities for new and emerging light industries. • To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site. • To accommodate businesses, provided that their access needs and the traffic generated do not interfere with the safety and efficiency of the road network. • To ensure that the access needs and traffic generated by uses do not interfere with the safety and efficiency of the road network. <p>2. Permitted without consent</p> <p>Nil</p> <p>3. Permitted with consent</p> <p>Animal boarding or training establishments; Boat building and repair facilities; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Home industries; Hotel or motel accommodation;</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank- based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4</p> <p>4. Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>centres; Home occupations (sex services);</p> <p>Industries; Marinas; Mooring pens; Open cut mining; Port facilities; Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Signage; Tourist and visitor accommodation; Transport depots; Truck depots; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities</p>
<p>IN1 and IN2 To clarify the role of Industrial areas as part of the North District Plan, reference should be made to the Eastern Economic corridor</p>	<p>In the Land Use Tables for IN1 and IN2 Objectives of the Zone add</p> <p>To encourage employment opportunities as part of the Eastern Economic Corridor.</p>	<p>Superseded (but included) by Employment zones combination of IN1 and IN2 zones.</p> <p>Zone E4 General Industrial</p> <ol style="list-style-type: none"> Objectives of zone <ul style="list-style-type: none"> To provide a range of industrial, warehouse, logistics and related land uses. To ensure the efficient and viable use of land for industrial uses. To minimise any adverse effect of industry on other land uses. To encourage employment opportunities. To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers. To encourage employment opportunities as part of an important contributor to the Eastern Economic Corridor. To identify and preserve industrial land to

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>meet the current and future general industrial needs of Willoughby and the wider region.</p> <ul style="list-style-type: none"> • To accommodate industrial development that provides employment and a range of goods and services without adversely affecting the amenity, health or safety of residents in adjacent areas. • To permit land uses that serve the daily convenience needs of workers employed in the industrial area. • To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. • To protect the viability of business zones in Willoughby by enabling development for the purpose of offices if they are ancillary to, and used in conjunction with, industrial, manufacturing, warehousing or other permitted uses on the same land. • To improve the environmental quality of Willoughby by ensuring that land uses conform to land, air and water quality pollution standards and environmental and hazard reduction guidelines. • To accommodate uses that, because of demonstrated special building or site requirements or operational characteristics, cannot be, or are inappropriate to be, located in other zones. • To identify and preserve industrial land to meet the current and future light industrial

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>needs of Willoughby and the wider region.</p> <ul style="list-style-type: none"> To accommodate industrial development that provides employment and a range of goods and services without adversely affecting the amenity, health or safety of residents in adjacent areas. <p>2. Permitted without consent</p> <p>Nil</p> <p>3. Permitted with consent</p> <p>Building identification signs; Business identification signs; Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Pubs; Roads; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4</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</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>parks; Cemeteries; Centre-based child care facilities; 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); Information and education facilities; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; 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 boating facilities; Wholesale supplies</p>
<p>IN1 and IN2 LUT</p> <p>Currently, IN1 and IN2 zones allow centres based child care facilities.</p> <p>Change to prohibited</p>	<p>Add Centre-based child care facilities</p> <p>To a prohibited use in the IN1 and IN2 zones</p>	<p>This is reflected in the Employment zones LUT for E4 as detailed above.</p>

Part 3 Exempt and complying development

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
No changes		

Part 4 Principal development standards

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
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. This is consistent with the Chatswood CBD Strategy which will no longer permit shop top housing.	<p>4.1 B Minimum subdivision lot size for shop top housing</p> <p>(1) Despite clause 4.1, development consent may be granted for the subdivision of shop top housing on a lot—</p> <p>(a) on which development for the purpose of shop top housing is permitted under Schedule 1, and</p> <p>(b) that comprises land identified as “Area 1” on the Lot Size Map, 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.</p> <p>(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.</p>	As exhibited
Existing Clause 4.1C Minimum subdivision lot size for dual occupancy The existing clause relating to subdivision	<p>4.1C Minimum subdivision lot size for dual occupancies</p> <p>(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.</p> <p>(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</p>	<p>As exhibited, however subclause (i) should read</p> <p>(i) for R2 zoned land not located in a conservation area any GFA specified under Clause 4.7</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>needs to be amended to relate to the GFA clause for the R2 zone and still refer to the FSR for the C4 zone.</p>	<p>not to be less than the minimum size shown on the Lot Size Map in relation to that lot.</p> <p>(1) Development consent may also 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 4.7</p> <p>Or</p> <p>(ii) for C4 zoned land, any floor space ratio specified under clause 4.4A for a building on the lot,</p> <p>— (i) 0.4:1, or</p> <p>(ii) any floor space ratio specified under clause 4.4A for a building on the lot, whichever is the lesser, and</p> <p>(e) a final occupation certificate was issued for the dual occupancy at least 5 years before the development consent is granted.</p> <p>(2) (Repealed)</p>	
<p>4.1A Minimum subdivision lot size for strata plan schemes in Zone B3</p> <p>Current clause reference to Area 1 is now superseded by new Draft clause 6.22 which defines a</p>	<p>Employment Zone review name changes</p> <p>4.1A Minimum subdivision lot size for strata plan schemes in Zone B3</p> <p>4.1A Minimum subdivision lot size for strata plan schemes in Zone B3</p> <p>(1) The objective of this clause is to ensure that the land to which this clause applies is not fragmented by subdivision that would adversely impact the tenancy mix and long-term potential of commercial properties for redevelopment.</p> <p>(2) This clause applies to land in Zone B3 Commercial Core in the Chatswood central business district, identified as “Area 1” on the Lot Size Map.</p>	<p>4.1A Minimum subdivision lot size for strata plan schemes in Zone E2 Commercial Centre B3</p> <p>(1) The objective of this clause is to ensure that the land to which this clause applies is not fragmented by subdivision that would adversely impact the tenancy mix and long-term</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>minimum lot size for commercial development in Chatswood Commercial Centre</p>	<p>(3) The size of any lot resulting from a subdivision of land to which this clause applies under the Strata Schemes (Freehold Development) Act 1973 (other than any lot comprising common property within the meaning of that Act) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p>Note— Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that strata subdivision of a building in certain circumstances is specified complying development.</p>	<p>potential of commercial properties for redevelopment.</p> <p>(2) This clause applies to land in Zone E2 Commercial Centre. B3 Commercial Core in the Chatswood central business district, identified as “Area 1” on the Lot Size Map.</p> <p>(3) The size of any lot resulting from a subdivision of land to which this clause applies under the Strata Schemes (Freehold Development) Act 1973 (other than any lot comprising common property within the meaning of that Act) is not to be less than the minimum size shown on the Lot Size Map in relation to that land,</p> <p>or</p> <p>(4) 1,800 square metres, if no minimum lot size is specified on the Lot Size Map,</p> <p>Note— Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that strata subdivision of a building in certain circumstances is specified complying development.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>.3(a) (2) A Exceptions to height of buildings 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. Delete Area 2 in the HOB Map</p>	<p>Current Clause 4.3(a) (2) A Exceptions to height of buildings</p> <p>(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—</p> <p>(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,</p> <p>(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,</p> <p>(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 on SP 69609, must not exceed RL 140 Australian Height Datum.</p>	<p>As exhibited</p>
<p>The new Sun Access clause supersedes the following existing clauses and should be deleted: 4.3A (3) 4.3A (4)</p>	<p>4.3A(3) Subject to subclause (4), the height of a building on land in Victoria Avenue, Chatswood that is identified as “Area 3” on the Height of Buildings Map 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</p> <p>4.3A(4) If the building is on the northern side of Victoria Avenue, Chatswood on land that is identified as “Area 3” on the Height of Buildings Map, 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</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	Delete Area 3 from the HOB Map	
<p>Existing Clause 4.3A(5)</p> <p>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>The intention of the clause was to ensure that where a dual occupancy was being constructed one behind the other, the dwelling to the rear could only build to single storey.</p> <p>As these battle axe types of dual occupancy are no longer permissible, the clause is superseded.</p>	<p>4.3A(5) The height of a dual occupancy (detached) must not exceed 5.7 metres if —</p> <p>(a) there is an existing dwelling house on the lot, or</p> <p>(b) the dual occupancy is the furthest from the street frontage, or</p> <p>(c) in relation to a corner lot — the dual occupancy is the furthest from the junction of the two streets.</p>	As exhibited.
Existing subclauses 4.3A (6) and (7)	Renumbered to (2) and (3)	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing subclause 4.3(8) Part deleted to only refer to the police station site.</p> <p>Remainder sites covered by the new Sun Access Clause.</p>	<p>Renumber to subclause 4.3A(4) (4) 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. 4.3 (8) 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 mid-winter between 12.00 pm and 2.00 pm.</p>	<p>As exhibited</p>
<p>New Clause 4.3A(5) New Height incentive clause relating to 134-160 Sailors Bay Road and 159-177 Sailors Bay Road The addition of clause 4.3A(5) seeks to provide an extra storey to the land being land at 134-160 Sailors Bay Road and 159-177 Sailors Bay Road, Northbridge, subject to the first two storeys of the building being wholly commercial.</p>	<p>New Clause 4.3A(5) (5) The maximum Height of a building on land identified as “Area 2” (being 134-160 Sailors Bay Road and 159-177 Sailors Bay Road, Northbridge) on the Height of Buildings Map may exceed 14m if — (a) the first 2 storeys are wholly commercial, and (b) the Height will not exceed 17m.</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Clause 4.3A (8) 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>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 mid-winter between 12.00 pm and 2.00 pm.</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>	<p>As Exhibited</p>
<p>4.4 2(A) Bonus floor space for affordable housing to be deleted.</p>	<p>(2A) Despite subclause (2)—</p> <ul style="list-style-type: none"> (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 (b) part of the floor area of a building is taken not to be part of the gross floor area of the building for determining the maximum floor space ratio of the building if it— <ul style="list-style-type: none"> (i) is to be used for community facilities, or (ii) is a heritage item, or 	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)										
	(iii) is to be used for affordable housing purposes and is on land identified as “Area 3” on the Special Provisions Area Map .											
General comment on 4.4A		Discuss with DPE if these clauses could be made more explicit. Currently they do not refer / describe the land they apply to. These are difficult to find on the spatial maps. Parliamentary Counsel could perhaps assist in clarifying this.										
Existing Clause 4.4A(1) Existing clause 4.4A(1) and associated map change. The controls will remove the current FSR controls and replace them with Gross Floor area controls. This will provide continuity with what can be achieved in the R2 zone under	Delete existing Clause 4.4A (1)and (3): 4.4A Exceptions to floor space ratio (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. Maximum floor space ratio for Zone R2 in Area 1 <table><tr><th>Column 1</th><th>Column 2</th></tr><tr><th>Site area (square metres)</th><th>Floor space ratio (:1)</th></tr><tr><td>Under 200</td><td>0.65</td></tr><tr><td>200–300</td><td>0.55</td></tr><tr><td>301–400</td><td>0.50</td></tr></table>	Column 1	Column 2	Site area (square metres)	Floor space ratio (:1)	Under 200	0.65	200–300	0.55	301–400	0.50	New clause written in next column. Proceed as exhibited
Column 1	Column 2											
Site area (square metres)	Floor space ratio (:1)											
Under 200	0.65											
200–300	0.55											
301–400	0.50											

Intent of Change	As exhibited at March 2022		Changes post Council meeting 12 December 2022 (if any)
the Exempt and Complying Development Codes. Conservation areas will continue to have the existing FSR controls	401–500	0.47	
	501–600	0.45	
	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		
Replace with new clause			

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																										
Change FSR clause for R2 land not in a conservation area to GFA calculation as per the Exempt and Complying SEPP	<p>4.4A(1) REPLACED BY NEW CLAUSE – EITHER 4.7 OR IN PART 6</p> <p>FSR Areas 1 and 3 are combined.</p> <p>4.7 Gross Floor Area for certain R2 zoned land</p> <p>(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—</p> <table><thead><tr><th>Lot area</th><th>Maximum GFA</th></tr></thead><tbody><tr><td>Under 200m²</td><td>65%</td></tr><tr><td>200m²–250m²</td><td>78% of lot area</td></tr><tr><td>>250m²–300m²</td><td>75% of lot area</td></tr><tr><td>>300m²–350m²</td><td>235m²</td></tr><tr><td>>350m²–450m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>450m²–560m²</td><td>290m²</td></tr><tr><td>>560m²–600m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>600m²–740m²</td><td>335m²</td></tr><tr><td>>740m²–900m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>900m²–920m²</td><td>380m²</td></tr><tr><td>>920m²–1,000m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>1,000m²</td><td>400m²</td></tr></tbody></table> <p>(the GFA includes all attached and detached buildings but excludes the area of one car space (18m²) within a garage)</p>	Lot area	Maximum GFA	Under 200m ²	65%	200m ² –250m ²	78% of lot area	>250m ² –300m ²	75% of lot area	>300m ² –350m ²	235m ²	>350m ² –450m ²	25% of lot area + 150m ²	>450m ² –560m ²	290m ²	>560m ² –600m ²	25% of lot area + 150m ²	>600m ² –740m ²	335m ²	>740m ² –900m ²	25% of lot area + 150m ²	>900m ² –920m ²	380m ²	>920m ² –1,000m ²	25% of lot area + 150m ²	>1,000m ²	400m ²	
Lot area	Maximum GFA																											
Under 200m ²	65%																											
200m ² –250m ²	78% of lot area																											
>250m ² –300m ²	75% of lot area																											
>300m ² –350m ²	235m ²																											
>350m ² –450m ²	25% of lot area + 150m ²																											
>450m ² –560m ²	290m ²																											
>560m ² –600m ²	25% of lot area + 150m ²																											
>600m ² –740m ²	335m ²																											
>740m ² –900m ²	25% of lot area + 150m ²																											
>900m ² –920m ²	380m ²																											
>920m ² –1,000m ²	25% of lot area + 150m ²																											
>1,000m ²	400m ²																											
New clause 4.7	4.7	As exhibited																										

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)						
Dual occupancy 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. C4 zoned land will continue to use the existing FSR controls. The new clauses are based on Clauses 3B.10 and 3B.23 of the <i>Codes SEPP</i> .	(2) 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). Maximum gross floor area of all buildings The maximum gross floor area of all buildings on a lot is shown in the following table— <table><tr><td>Lot area of parent lot</td><td>Maximum GFA</td></tr><tr><td>700m²–2,000m²</td><td>25% of lot area + 300m²</td></tr><tr><td>>2,000m²</td><td>800m²</td></tr></table> (2) Minimum gross floor area for dual occupancies in the R2 zone where part of a dwelling is located above part of another dwelling. Maximum gross floor area of all buildings The maximum gross floor area of all buildings on a lot is 25% of the lot area plus 150m ² , to a maximum of 400m ²	Lot area of parent lot	Maximum GFA	700m ² –2,000m ²	25% of lot area + 300m ²	>2,000m ²	800m ²	
Lot area of parent lot	Maximum GFA							
700m ² –2,000m ²	25% of lot area + 300m ²							
>2,000m ²	800m ²							
Existing subclause 4.4A(2)	Renumber to 4.4A(1)	As exhibited						

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																										
	<p>(2)(1) The maximum floor space ratio for all buildings on a lot in Zone E4 Environmental Living in the area identified as “Area 2” 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.</p> <p>Maximum floor space ratio for Zone E4 in Area 2</p> <table> <tr> <th>Column 1</th> <th>Column 2</th> </tr> <tr> <th>Site area (square metres)</th> <th>Floor space ratio (:1)</th> </tr> <tr><td>Under 400</td><td>0.50</td></tr> <tr><td>400–500</td><td>0.44</td></tr> <tr><td>501–600</td><td>0.40</td></tr> <tr><td>601–700</td><td>0.37</td></tr> <tr><td>701–800</td><td>0.35</td></tr> <tr><td>801–900</td><td>0.32</td></tr> <tr><td>901–1,000</td><td>0.30</td></tr> <tr><td>1,001–1,100</td><td>0.28</td></tr> <tr><td>1,101–1,200</td><td>0.27</td></tr> <tr><td>1,201–1,300</td><td>0.26</td></tr> <tr><td>Over 1,300</td><td>0.25</td></tr> </table>	Column 1	Column 2	Site area (square metres)	Floor space ratio (:1)	Under 400	0.50	400–500	0.44	501–600	0.40	601–700	0.37	701–800	0.35	801–900	0.32	901–1,000	0.30	1,001–1,100	0.28	1,101–1,200	0.27	1,201–1,300	0.26	Over 1,300	0.25	
Column 1	Column 2																											
Site area (square metres)	Floor space ratio (:1)																											
Under 400	0.50																											
400–500	0.44																											
501–600	0.40																											
601–700	0.37																											
701–800	0.35																											
801–900	0.32																											
901–1,000	0.30																											
1,001–1,100	0.28																											
1,101–1,200	0.27																											
1,201–1,300	0.26																											
Over 1,300	0.25																											
Existing subclause 4.4A(3)	<p>Delete – replaced by the new 4.7 clause detailed above</p> <p>(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.</p> <p>Maximum floor space ratio for Zone R2 in Area 3</p> <p>Column 1 Column 2</p> <p>Site area (square metres) Floor space ratio (:1)</p> <p>Under 200 0.65</p> <p>200–300 0.55</p> <p>301–400 0.50</p> <p>401–500 0.47</p>	As exhibited																										

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing subclause 4.4A (4) Site has been constructed</p>	<p>Over 500-0.45</p> <p>Delete – and delete Map Area.4</p> <p>(4) 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—</p> <p>(a) the former substation brick building is retained for adaptation, and</p> <p>(b) the floor space ratio does not exceed 4:1.</p>	<p>As exhibited.</p>
<p>Existing Clause 4.4A(5)</p> <p>Current Clause 4.4A(5) states</p> <p>(2)The maximum floor space ratio for a building on land identified as “Area 5” or “Area 6” on the Floor Space Ratio Map may exceed 1:1 if—</p> <p>(a) the site area is greater than 1,000 square metres, and</p> <p>(b) the floor space ratio will not exceed 1.5:1, and</p>	<p>Clause 4.4A (5) The maximum floor space ratio for a building on land identified as “Area 5” or “Area 6” on the Floor Space Ratio Map may exceed 1:1 if—</p> <p>(a) the site area is greater than 1,000 square metres, and</p> <p>(b) the floor space ratio will not exceed 1.5:1, and</p> <p>(c) if the building is on land in Area 6— the site coverage will not exceed 45% of the site area.</p> <p>Renumber to 4.4A(2)</p> <p>Map area numbers to remain as is.</p> <p>4.4(2) The maximum floor space ratio for a building on land identified as “Area 5” Area 6” or “Area 17 on the Floor Space Ratio Map may exceed 1:1 if—</p> <p>(a) the site area is greater than 1,000 square metres, and</p> <p>(b) the building is on land in Area 5, the floor space ratio will not exceed 1.5:1,</p> <p>(c) the building is on land in Area 6, the floor space ratio will not exceed 2:1 and the site coverage will not exceed 45% of the site area</p> <p>(d) the building is on land in Area 17, the floor space ratio will not exceed 2:1,</p>	<p>As exhibited. Area 17 still to apply only to the former IN2 land.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>(c) if the building is on land in Area 6—the site coverage will not exceed 45% of the site area.</p> <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. Area 6 applies to specified IN2 land in Artarmon Industrial area.</p> <p>The clause will change FSR from 1.5:1 to 2:1 in IN2 Light Industrial zone for sites greater than 1,000m² and will apply to</p>		

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>land in Lane Cove North, as well as Artarmon and East Chatswood. (IN1 land currently covered by Area 5 will remain as is).</p>		
<p>Existing subclause 4.4A(6) Renumbered to 4.4A(3) Map area numbers to remain as is</p>	<p>(6)(3) The maximum floor space ratio for a building on land identified as “Area 7” on the Floor Space Ratio Map may exceed 1:1 if— (a) the site area is greater than 1,000 square metres, and (b) the floor space ratio will not exceed 2.5:1.</p>	<p>As exhibited</p>
<p>Existing subclause 4.4A(7) Replaced with new GFA controls for dual occupancy</p>	<p>(7) 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.</p>	<p>As exhibited</p>
<p>Existing subclause 4.4A(8) Replaced with new GFA controls for dual occupancy</p>	<p>(8) 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.</p>	<p>As Exhibited</p>
<p>Existing Clause 4.4A(9) applies to 79-113 Sailors Bay Road</p>	<p>4.4A (9)</p>	<p>Clause to be reinstated – council resolution to revert back to existing controls for this site.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Northbridge which is the Northbridge Plaza site. This clause has been superseded by the planning controls proposed by the Local Centres Strategy.</p> <p>The subject land is located within the Northbridge Local Centre and is currently occupied by Northbridge Plaza. The Council proposes a maximum FSR of 2.5:1 for the subject land. The site is zoned B2 Local Centre and no changes to the zoning are proposed.</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 Sailors Bay Road, Northbridge, must not exceed 1:1.</p>	<p>(renumber to 4.4A(15) as this will not affect mapping references back to new renumbered clause 4.4A(9))</p> <p>4.4A (15)</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 Sailors Bay Road, Northbridge, must not exceed 1:1.</p>
<p>Current Clause 4.4A(10) applies to 201-205 Pacific Highway which is the Forum site. The site has been completed for some time.</p>	<p>4.4A (10)</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>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Current Clause 4.4A(11)</p> <p>This clause is superseded by the controls in the St Leonards Crows Nest 2036 Plan and should be deleted.</p>	<p>4.4A (11)</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>	<p>As exhibited</p>
<p>Existing subclause 4.4A(12)</p> <p>The FSR provisions currently provided in Area 9 are proposed to be increased in accordance with the recommendations from the Chatswood CBD Strategy.</p>	<p>(12) 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—</p> <p>(a) the site area exceeds 2,500 square metres, and</p> <p>(b) the floor space ratio will not exceed 10.5:1, and</p> <p>(c) a minimum of 40% of the site is available for landscaping, publicly accessible space and through site links, and</p> <p>(a) (d)(c) site coverage does not exceed 60%.</p>	<p>As exhibited.</p>
<p>Existing subclause 4.4A(13)</p> <p>The FSR provisions currently provided in Area 9 are proposed to be increased in accordance with the recommendations from the Chatswood CBD Strategy.</p>	<p>(13) 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—</p> <p>(a) the site area exceeds 3,000 square metres, and</p> <p>(b) the floor space ratio will not exceed 4:1.</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing subclause 4.4A(14)</p> <p>Site has been rezoned to E2 Commercial centre. Shop top housing is not permissible in the zone. FSR controls will increase as per the Chatswood CBD Strategy.</p>	<p>(14) Development consent must not be granted for shop top housing on land in Zone B4 Mixed Use if—</p> <p>(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</p> <p>(b) for all other land in that zone—the floor space ratio for the housing will exceed 1:1.</p>	<p>As exhibited</p>
<p>Existing Clause 4.4A(15)</p> <p>FSR in C4 zone</p>	<p>Renumber to 4.4A(4)</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																								
	<p>4.4A(4) The maximum floor space ratio for all buildings on a lot in Zone E4 Environmental Living in the area identified as “Area 8-10” 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.</p> <p>Maximum floor space ratio for Zone E4 in Area 8-10</p> <table><thead><tr><th>Column 1</th><th>Column 2</th></tr><tr><th>Site area (square metres)</th><th>Floor space ratio(:1)</th></tr></thead><tbody><tr><td>Under 400</td><td>0.45</td></tr><tr><td>400–500</td><td>0.40</td></tr><tr><td>501–600</td><td>0.36</td></tr><tr><td>601–700</td><td>0.34</td></tr><tr><td>701–800</td><td>0.32</td></tr><tr><td>801–900</td><td>0.30</td></tr><tr><td>901–1,000</td><td>0.28</td></tr><tr><td>1,001–1,100</td><td>0.26</td></tr><tr><td>1,101–1,300</td><td>0.25</td></tr><tr><td>Over 1,300</td><td>0.24</td></tr></tbody></table>	Column 1	Column 2	Site area (square metres)	Floor space ratio(:1)	Under 400	0.45	400–500	0.40	501–600	0.36	601–700	0.34	701–800	0.32	801–900	0.30	901–1,000	0.28	1,001–1,100	0.26	1,101–1,300	0.25	Over 1,300	0.24	
Column 1	Column 2																									
Site area (square metres)	Floor space ratio(:1)																									
Under 400	0.45																									
400–500	0.40																									
501–600	0.36																									
601–700	0.34																									
701–800	0.32																									
801–900	0.30																									
901–1,000	0.28																									
1,001–1,100	0.26																									
1,101–1,300	0.25																									
Over 1,300	0.24																									
Existing Clause 4.4A(16) The FSR provisions currently provided in Area 11 are proposed to be increased in accordance with the recommendations from the Chatswood CBD Strategy.	Delete Clause 4.4A(16) Development consent may be granted for the purpose of erecting a building on land that is identified as “Area 11” on the Floor Space Ratio Map, 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 — (a) the site area exceeds 4,000 square metres, and	As exhibited.																								

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(b) the floor space ratio of any shop top housing will not exceed 3.5:1.</p> <p>Delete Area 11 from the Floor Space Ratio Map</p>	
Existing Clause 4.4A(17)	<p>Renumber to Clause 4.4A(5)</p> <p>(17)(5) Development consent may be granted for the purpose of erecting a building on land identified as “Area 9 12” on the Floor Space Ratio Map (known as 688–692 Pacific Highway, Chatswood) that would result in the floor space ratio exceeding 2:1 if—</p> <p>(a) the site area exceeds 1,140 square metres, and</p> <p>(b) the floor space ratio will not exceed 3.7:1.</p>	As exhibited
Existing Clause 4.4A(18)	<p>Renumber to Clause 4.4A(6)</p> <p>(18)(6) Development consent may be granted for the purpose of erecting a building on land identified as “Area 10 13” on the Floor Space Ratio Map (known as 2–14 Northcote Street, Naremburn) that would result in the floor space ratio exceeding 2:1 if—</p> <p>(a) the site area exceeds 3,900 square metres, and</p> <p>(b) the floor space ratio will not exceed 2.5:1.</p>	As exhibited
Existing Clause 4.4A(19)	<p>Clause 4.4A (19)</p> <p>The maximum floor space ratio for a building on land identified as “Area 14” on the Floor Space Ratio Map may exceed 2.7:1 if—</p> <p>(a) the site area exceeds 2,200 square metres, and</p> <p>(b) the floor space ratio will not exceed 4:1, and</p> <p>The FSR provisions currently provided in Area14 are proposed to be increased in accordance with the</p>	As exhibited.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
recommendations from the Chatswood CBD Strategy	<p>(e) the floor space ratio of any shop top housing will not exceed 2:1.</p> <p>Delete Area 14 from the Floor Space Ratio Map</p>	
Existing Clause 4.4A(20)	<p>Renumber to Clause 4.4A(7)</p> <p>20(7) The maximum floor space ratio for buildings on land identified as “Area 12-17” on the Floor Space Ratio Map is—</p> <p>(a) in the case of buildings that are, or are part of, a hospital—2.5:1, or</p> <p>(b) in any other case—1:1 or (if the site area is greater than 1,000 square metres and the site coverage does not exceed 45% of the site area) 1.5:1.</p>	As exhibited
Existing Clause 4.4A(21)	<p>Renumber to Clause 4.4A(8)</p> <p>(21)(8) Development consent may be granted for the purpose of erecting a building on land identified as “Area 13-18” on the Floor Space Ratio Map that would result in the floor space ratio exceeding 1:1 if—</p> <p>(a) the site area exceeds 1,000 square metres, and</p> <p>(b) the floor space ratio will not exceed 3.5:1, and</p> <p>(c) the site coverage will not exceed 60% of the site area.</p>	As exhibited
Existing Clause 4.4A(22)	<p>Renumber to Clause 4.4A(9)</p> <p>(22)(9) The maximum floor space ratio for a building on land identified as “Area 14-19” on the Floor Space Ratio Map may exceed 1:1 if—</p> <p>(a) the site area exceeds 1,000 square metres, and</p> <p>(b) the floor space ratio will not exceed 1.5:1, and</p> <p>(c) the site coverage will not exceed 60% of the site area.</p>	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Existing Clause 4.4A(23)	<p>Renumber to Clause 4.4A(10)</p> <p>(23)(10) The maximum floor space ratio for a building on land identified as “Area 15 20” on the Floor Space Ratio Map may exceed 1:1 if—</p> <p>(a) the site area exceeds 12,000 square metres, and</p> <p>(b) the floor space ratio will not exceed 4.5:1, and</p> <p>(c) the site coverage will not exceed 60% of the site area.</p>	
Existing Clause 4.4A(24)	<p>Renumber to Clause 4.4A(11)</p> <p>(24) (11) The maximum floor space ratio for a building on land identified as “Area 11 45” on the Floor Space Ratio Map may exceed 1:1 if the site area exceeds 1,000 square metres and—</p> <p>(a) in the case of buildings that are, or are part of, a hospital—the floor space ratio will not exceed 3:1, or</p> <p>(b) in any other case—</p> <p>(i) the floor space ratio will not exceed 1.5:1, and</p> <p>(ii) the site coverage will not exceed 45% of the site area.</p>	As exhibited
<p>New Subclause 4.4A(12)</p> <p>FSR Incentive clause relating to 481-515 Willoughby Road, 60 Frenchs Road & 1 Prentice Lane</p>	<p>New Subclause 4.4A(12) New Map Area 3</p> <p>Add to Clause 4.4A and define the area on the FSR Map.</p> <p>(12) The maximum Floor Space Ratio on land identified as “Area 3” (being 481-515 Willoughby Road, 60 Frenchs Road & 1 Prentice Lane) on the Floor Space Ratio Map may exceed 2:1 if —</p> <p>(a) the site area exceeds 1,500m² and</p> <p>(b) the FSR will not exceed 3:1 with a minimum non residential floorspace of 1.5:1.</p> <p>(c) a public plaza is provided on the site.</p>	As exhibited
New Subclause 4.4A(13)	New subclause (13) and new Area 4	Council resolution to revert back to existing controls.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
FSR area clause for 100 Edinburgh Road and define the area on the FSR Map.	<p>(13) The maximum Floor Space Ratio on land identified as "Area 4" (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>	Draft clause to be deleted.
New subclause 4.4A (14) FSR in the mixed use zone	4.4A (14) 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.	<p>This has been superseded by a new clause (existing clause 6.25) in the LEP relating to site specific planning proposals.</p> <p>This is proposed to be updated to refer to the mixed use zone and is detailed in Part 6 below.</p> <p>4.4A (14) 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.</p>
New subclause 4.4A(15) In accordance with the St Leonards Crows Nest Plan.	<p>Renumbered to 4.4A(13).</p> <p>(13) The maximum Floor Space Ratio on land identified as "Area16 " (being 14-102 Chandos Street St Leonards) on the Floor Space Ratio Map is 3:1, comprising a minimum 1:1 commercial floor space and a maximum 2:1 residential for shop top housing.</p>	As exhibited with the renumber to (13)
New subclause 4.4A(14)	Renumbered from existing Clause 4.4A(9) - see above	Renumbered to avoid issues with Map numbering:

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																								
		(14) The total floor space ratio for all shops on land in Zone B2 E1 Local Centre, known as Lot 1, DP 1013682, 79–113 Sailors Bay Road, Northbridge, must not exceed 1:1																								
New Clause 4.7																										
(duplicate from 4.4A(1) above). GFA in the R2 zone – (area 1 shown on the FSR Map for clarity) Change FSR clause for R2 land not in a conservation area to GFA calculation as per the Exempt and Complying SEPP	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— <table><tr><th>Lot area</th><th>Maximum GFA</th></tr><tr><td>Under 200m²</td><td>65%</td></tr><tr><td>200m²–250m²</td><td>78% of lot area</td></tr><tr><td>>250m²–300m²</td><td>75% of lot area</td></tr><tr><td>>300m²–350m²</td><td>235m²</td></tr><tr><td>>350m²–450m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>450m²–560m²</td><td>290m²</td></tr><tr><td>>560m²–600m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>600m²–740m²</td><td>335m²</td></tr><tr><td>>740m²–900m²</td><td>25% of lot area + 150m²</td></tr><tr><td>>900m²–920m²</td><td>380m²</td></tr><tr><td>>920m²–1,000m²</td><td>25% of lot area + 150m²</td></tr></table>	Lot area	Maximum GFA	Under 200m ²	65%	200m ² –250m ²	78% of lot area	>250m ² –300m ²	75% of lot area	>300m ² –350m ²	235m ²	>350m ² –450m ²	25% of lot area + 150m ²	>450m ² –560m ²	290m ²	>560m ² –600m ²	25% of lot area + 150m ²	>600m ² –740m ²	335m ²	>740m ² –900m ²	25% of lot area + 150m ²	>900m ² –920m ²	380m ²	>920m ² –1,000m ²	25% of lot area + 150m ²	As exhibited
Lot area	Maximum GFA																									
Under 200m ²	65%																									
200m ² –250m ²	78% of lot area																									
>250m ² –300m ²	75% of lot area																									
>300m ² –350m ²	235m ²																									
>350m ² –450m ²	25% of lot area + 150m ²																									
>450m ² –560m ²	290m ²																									
>560m ² –600m ²	25% of lot area + 150m ²																									
>600m ² –740m ²	335m ²																									
>740m ² –900m ²	25% of lot area + 150m ²																									
>900m ² –920m ²	380m ²																									
>920m ² –1,000m ²	25% of lot area + 150m ²																									

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)						
	<div>>1,000m²400m²</div> <div>(the GFA includes all attached and detached buildings but excludes the area of one car space (18m²) within a garage)</div>							
<div>(Duplicate from 4.4A(1) above)</div> <div>New clause 4.7 Dual occupancy</div> <div>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. C4 zoned land will continue to use the existing FSR controls. The new clauses are based on Clauses 3B.10 and 3B.23 of the Codes SEPP.</div>	<div>4.7</div> <div>(2) 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).</div> <div>Maximum gross floor area of all buildings</div> <div>The maximum gross floor area of all buildings on a lot is shown in the following table—</div> <table><tr><th>Lot area of parent lot</th><th>Maximum GFA</th></tr><tr><td>700m²–2,000m²</td><td>25% of lot area + 300m²</td></tr><tr><td>>2,000m²</td><td>800m²</td></tr></table> <div>(2) Minimum gross floor area for dual occupancies in the R2 zone where part of a dwelling is located above part of another dwelling.</div> <div>Maximum gross floor area of all buildings</div> <div>The maximum gross floor area of all buildings on a lot is 25% of the lot area plus 150m², to a maximum of 400m²</div>	Lot area of parent lot	Maximum GFA	700m ² –2,000m ²	25% of lot area + 300m ²	>2,000m ²	800m ²	As exhibited
Lot area of parent lot	Maximum GFA							
700m ² –2,000m ²	25% of lot area + 300m ²							
>2,000m ²	800m ²							

Part 5 Miscellaneous provisions

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)								
Existing Clause 5.1(2) Type of land shown on Map		<div>Employment zone review Update reference to Business zone references with employment zones.</div> <table><tr><td>5.1 (2) Relevant acquisition authority Type of land shown on Map</td><td>Authority of the State</td></tr><tr><td>Zone B2-E1 Local Centre and marked “Local road widening”</td><td>Council</td></tr><tr><td>Zone B4-MU1 Mixed Use and marked “Local road widening”</td><td>Council</td></tr></table>	5.1 (2) Relevant acquisition authority Type of land shown on Map	Authority of the State	Zone B2-E1 Local Centre and marked “Local road widening”	Council	Zone B4-MU1 Mixed Use and marked “Local road widening”	Council		
5.1 (2) Relevant acquisition authority Type of land shown on Map	Authority of the State									
Zone B2-E1 Local Centre and marked “Local road widening”	Council									
Zone B4-MU1 Mixed Use and marked “Local road widening”	Council									
Existing Clause 5.1A(3)		<div>Employment zone review Update reference to Business zone references with employment zones.</div> <table><tr><td>5.1A(3) Development on land intended to be acquired for public purposes</td><td></td></tr><tr><td>Column 1</td><td>Column 2</td></tr><tr><td>Land</td><td>Development</td></tr><tr><td>Zone B2 E1 Local Centre and marked “Local road widening”</td><td>Roads</td></tr></table>	5.1A(3) Development on land intended to be acquired for public purposes		Column 1	Column 2	Land	Development	Zone B2 E1 Local Centre and marked “Local road widening”	Roads
5.1A(3) Development on land intended to be acquired for public purposes										
Column 1	Column 2									
Land	Development									
Zone B2 E1 Local Centre and marked “Local road widening”	Roads									

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)	
		Zone B4 MU1 Mixed Use and marked “Local road widening”	Roads
Clause 5.6 Architectural roof features clause	Already deleted as part of a site specific planning proposal.		

Part 6 Additional local provisions

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing Clause 6.6</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>Replacement Clause 6.6</p> <p>6.6 Airspace Operations</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 applicant has obtained approval for the controlled activity under regulations made for the purpose of that Division.</p> <p>Note Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion</p>	As exhibited.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	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>6..7 Active Street Frontages Add the zones referred to below into the Active Street Frontages Map.</p>	<p>6.7 Active street frontages</p> <ul style="list-style-type: none"> (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 	<p>Council meeting recommendation regarding the clarification of wording of the Active Street Frontages Clause. The clarification relates to the need to promote uses at ground level that attract pedestrian traffic along the frontage by reference to applying “sufficient” to achieve the objective.</p> <p>6.7 Active street frontages (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone E1 Local Centre, Zone E2 Commercial Centre and Zone MUI Mixed Use, and E3 Productivity Support</p> <p>(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 sufficient active street frontage to achieve the objective of subclause (1) 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</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>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 active street frontage if 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>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</p>	<p>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 active street frontage if: 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>a) In the Zone E2 Commercial Centre, 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 E1 Local Centre, MU1 Mixed Use, and E3 Productivity Support, all premises on the ground floor of the building facing the street are used for the purposes of commercial premises.”</p> <p>Note (The red shows the changes as exhibited The yellow highlight shows the additional changes proposed post exhibition).</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)				
	ground floor of the building facing the street are used for the purposes of non residential premises.					
<p>Existing Clause 6.8 Affordable Housing.</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</p>	<p>6.8 Affordable Housing as exhibited below – changed after Council meeting of 12 December – see next column</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><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></table>	Very low income household	less than 50%	Low income household	50% or more, but less than 80%	<p>Feasibility Report concluded that 10% was not feasible to achieve in all the areas. Council resolved to include 3 rates – 4%, 7% and 10%. Council also resolved to include remove the affordable housing sites from the Special Provisions Areas Map and place the sites on a new Affordable Housing Map.</p> <p>Following a court case, wording was amended to clarify Council’s current practice on how the affordable housing clause is interpreted. Applicant used the current wording to put forward the case that they did not need to provide any affordable housing. Council are appealing this judgement. An Avoidance of this argument is sought by amending the existing wording as follows:</p> <p>6.8 Affordable housing</p> <p>(1) This clause applies to land identified on the Affordable Housing Map</p> <p>(2) For the purposes of this clause, the Willoughby Affordable Housing Scheme is 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>
Very low income household	less than 50%					
Low income household	50% or more, but less than 80%					

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)						
calculation rather than excluding it.	<p>Moderate income household 80–120% 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> <p>(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</p> <p>(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</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><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> <p>(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</p> <p>(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</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%							

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>development application relates, especially in terms of internal fittings and finishes, solar access and privacy.</p> <p>(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—</p> <p>(a) the Willoughby Affordable Housing Principles,</p> <p>(b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,</p> <p>(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.</p> <p>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.</p>	<p>finishes, solar access and privacy.</p> <p>(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—</p> <p>(a) the Willoughby Affordable Housing Principles,</p> <p>(b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,</p> <p>(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.</p> <p>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.</p> <p>(3) The consent authority may, when granting consent to the carrying out of residential development on land in on the Affordable Housing Map, impose an affordable housing condition in accordance with the Affordable Housing Scheme, being:</p> <p>(3) The following are the affordable housing conditions—</p> <p>(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 (which does not include floor space of areas used to access the dwelling) of the amount equivalent to the percentage identified on the</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(3) The following are the affordable housing conditions—</p> <p>(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,</p> <p>(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,</p> <p>(c) a condition requiring—</p> <p>(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</p>	<p>Affordable Housing Map of the accountable total floor space, with each dwelling having a gross floor area of at least 50 square metres,</p> <p>(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 the percentage of the accountable total floor space as identified on the Affordable Housing Map, or</p> <p>(c) a condition requiring—</p> <p>(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 not less than the amount equivalent to the percentage of the accountable total floor space as identified on the Affordable Housing Map (the dedication amount), with each dwelling having a gross floor area of at least 50 square metres, and</p> <p>(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 the percentage as identified on the Affordable Housing Map of the accountable total floor space.</p> <p>(4) The amount of the contribution to be paid under a condition imposed under subclause (2)3(c) is the value of the gross floor area concerned calculated by reference to the market value of</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(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.</p> <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>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>accountable total floor space means the gross floor area of the residential component of the development to which the development application relates.</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</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)								
	<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— accountable total floor space means the gross floor area of the residential component of the development to which the development application relates.</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>development application relates, including any residential floor area of the building that is to be used for affordable housing purposes.</p> <p>Regarding the Affordable Housing Map, the following percentages apply:</p> <table><tr><th>Area</th><th>Percentage required for Affordable Housing Contribution</th></tr><tr><td>1</td><td>4%</td></tr><tr><td>2</td><td>7%</td></tr><tr><td>3</td><td>10%</td></tr></table>	Area	Percentage required for Affordable Housing Contribution	1	4%	2	7%	3	10%
Area	Percentage required for Affordable Housing Contribution									
1	4%									
2	7%									
3	10%									

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																														
Existing Clause 6.10(2) Addition of manor houses to the Table	<table border="1"> <thead> <tr> <th>Column 1</th><th>Column 2</th><th>Column 3</th></tr> </thead> <tbody> <tr> <td>Secondary dwelling</td><td>Zone E4 Environmental Living</td><td>450 square metres</td></tr> <tr> <td>Dual occupancy (attached)</td><td>Zone R2 Low Density Residential</td><td>700 square metres</td></tr> <tr> <td>Dual occupancy (attached)</td><td>Zone E4 Environmental Living</td><td>700 square metres</td></tr> <tr> <td>Dual occupancy (detached)</td><td>Zone R2 Low Density Residential</td><td>900 square metres</td></tr> <tr> <td>Dual occupancy (detached)</td><td>Zone E4 Environmental Living</td><td>900 square metres</td></tr> <tr> <td>Attached dwelling</td><td>Zone R3 Medium Density Residential</td><td>1,100 square metres</td></tr> <tr> <td>Multi dwelling housing</td><td>Zone R3 Medium Density Residential</td><td>1,100 square metres</td></tr> <tr> <td>Residential flat building</td><td>Zone R3 Medium Density Residential</td><td>1,100 square metres</td></tr> <tr> <td>Manor houses</td><td>Zone R3 Medium Density Residential</td><td>1,100 square metres</td></tr> </tbody> </table>	Column 1	Column 2	Column 3	Secondary dwelling	Zone E4 Environmental Living	450 square metres	Dual occupancy (attached)	Zone R2 Low Density Residential	700 square metres	Dual occupancy (attached)	Zone E4 Environmental Living	700 square metres	Dual occupancy (detached)	Zone R2 Low Density Residential	900 square metres	Dual occupancy (detached)	Zone E4 Environmental Living	900 square metres	Attached dwelling	Zone R3 Medium Density Residential	1,100 square metres	Multi dwelling housing	Zone R3 Medium Density Residential	1,100 square metres	Residential flat building	Zone R3 Medium Density Residential	1,100 square metres	Manor houses	Zone R3 Medium Density Residential	1,100 square metres	As exhibited
Column 1	Column 2	Column 3																														
Secondary dwelling	Zone E4 Environmental Living	450 square metres																														
Dual occupancy (attached)	Zone R2 Low Density Residential	700 square metres																														
Dual occupancy (attached)	Zone E4 Environmental Living	700 square metres																														
Dual occupancy (detached)	Zone R2 Low Density Residential	900 square metres																														
Dual occupancy (detached)	Zone E4 Environmental Living	900 square metres																														
Attached dwelling	Zone R3 Medium Density Residential	1,100 square metres																														
Multi dwelling housing	Zone R3 Medium Density Residential	1,100 square metres																														
Residential flat building	Zone R3 Medium Density Residential	1,100 square metres																														
Manor houses	Zone R3 Medium Density Residential	1,100 square metres																														
Existing Clause 6.10 3(a) WLEP 2012 currently permits a “battle axe” style of dual occupancy where one dwelling is located behind another dwelling on the same lot. The <i>Codes SEPP</i> does not allow battle axe dual occupancy; only for each dual occupancy to be facing a public road. To be consistent with the <i>Codes SEPP</i> the following clause clarifies that for attached and detached dual occupancy, each dwelling must face a public road.	<p>Dwelling configuration on lot</p> <p>(3) (a) Despite subclause (2), development consent must not be granted to development for the purposes of a dual occupancy on a lot in an area identified as “Area 1” on the Dual Occupancy</p> <p>Add to Clause 6.10 (3)(b)(1)</p> <p>Restriction Map unless the area of the lot is at least 5,000 square metres.</p> <p>(3)(b) Despite subclause (2), for dual occupancy development,</p> <p>(i) each dwelling must face a public road</p> <p>(ii) no dwelling must be located behind another dwelling on the same lot (except on a corner lot or parallel road lot where each dwelling fronts a different road).</p>	As exhibited																														

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing Clause 6.10 4(a)</p> <p>These sites have been reassessed and it is considered that the lot requirement should be amended to 1100m².</p>	<p>Delete the following from Clause 6.10</p> <p>(a) 1,300 square metres for land at 58–78 Sailors Bay Road, Northbridge, being Lots 27–29, DP 4810 and Lots 1–3, Section 1, DP 7234,</p>	<p>As exhibited</p>
<p>Existing Clause 6.10 4(b)</p>	<p>Renumber to 6.10(a)</p> <p>(b)(a) 4,000 square metres for land bounded by William Street, Archer Street, Boundary Road and the North Shore Rail Line, Roseville, being Lot 1, DP 322710, Lot A, DP 410021, Lots 1 and 2, DP 9007, Lots 1 and 2, DP 1035179, Lot 91, DP 1035179, Lots 11–13, DP 1143427, Lots 1 and 2, DP 883023, Lots 11 and 12, DP 1134441, Lot 1, DP 119494, Lots 4 and 5, DP 9007, Lot 27, DP 787070, Lot 1, DP 739689, Lot 26, DP 787070, Lots 3 and 4, DP 739689 and Lots 10–12, DP 9007,</p>	<p>As exhibited</p>
<p>Existing Clause 6.10 4(c)</p> <p>These sites have been reassessed and it is considered that the lot requirement should be amended to 1100m².</p>	<p>Delete</p> <p>(c) 2,500 square metres for land at 95–103 Edinburgh Road, Castlecrag, being Lots 51–55, DP 12497,</p>	<p>As exhibited</p>
<p>Existing Clause 6.10 4(d)</p>	<p>Renumber to 6.10 4(b)</p> <p>(d) (b) 3,500 square metres for land at 1–7 Hotham Street and 2 Wyvern Avenue,</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	Chatswood, being Lot A, DP 361071, Lots C and D, DP 437928 and Lots F and G, DP 413340,	
Existing Clause 6.104(e) These sites have been reassessed and it is considered that the lot requirement should be amended to 1100m ² .	Delete Clause 6.10 4 (e) (e) 2,500 square metres for land fronting Borlaise Street, Edward Street, Julian Street or Penkivil Street, Willoughby, being Lots 2-4, DP 170500, Lot 1, DP 170956, Lots 1 and 2, DP 215758, Lots A and B, DP 443111, Lot 1, DP 195017, Lots A and B, DP 337800, Lots 3-5, Section 1, DP 975943, Lot 678, DP 815928, Lots 10 and 11, DP 1005258, Lot 20, DP 1105368, Lot C, DP 337800, Lot 1, DP 782473, Lots A and B, DP 443285, Lot F, DP 382354, Lots 1 and 2, DP 511145, Lots 1 and 2, DP 204240, Lots 1 and 2, DP 1052333, Lot 2, DP 597098, Lot A, DP 410182, Lot 22, DP 85344, Lots 241 and 242, DP 603255, Lot 25, Section 2, DP 975943, Lots A and B, DP 401143, Lots 211 and 212, DP 879375, Lot D, DP 374740, Lot C, DP 401143, Lot 1, DP 597098 and Lot B, DP 410182,	As exhibited
Existing Clause 6.10 4 (f)	Renumber to 6.10 4(g) f)(c) 3,000 square metres for land at 849-859 Pacific Highway and 2 Wilson Street, Chatswood, being Lot 5, DP 4139, Lot 1, DP 960977, Lot 2, DP 1002202 and Lot 1, DP 843241,	As exhibited
Existing Clause 6.10 4(g)	Renumber to 6.10 4(f)	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing Clause 6.10 (5) area 13. An error in the numbering appears to be in place. Current Area 13 in WLEP 2012 applies to this site (Bowen Street) as well as 65 Albert Ave. However, the controls are different. Recommend change the number of this area. Bowen Street will become Area 6 and Mandarin Centre will become Area 7</p>	<p>Renumber to Area 6</p> <p>Despite subclause (2), development consent may be granted to development for the purposes of shop top housing and residential flat buildings on a lot in an area identified as “Area 6 13” on the Special Provisions Area Map if the lot size is at least 6,000 square metres.</p>	<p>Correct error in existing numbering</p>
<p>Existing Clause 6.12 Clause 6.12 Size of shops in Zone B3 and Zone B4 in Chatswood. This clause is superseded by the provisions in the CBD Strategy</p>	<p>Already deleted by another PP</p>	
<p>Existing Clause 6.13</p> <p>Superseded by Chatswood CBD Strategy changes</p>	<p>Delete</p> <p>6.13 Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway and Thomas Street, Chatswood</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(1) 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.</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 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>Existing Clause 6.14</p> <p>As the site has been completed the provisions 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>Delete clause 6.14 but retain Area 1 of the SPA Map for reference to Schedule 1</p> <p>6.14</p> <p>Willoughby Market Gardens</p> <p>(1) This clause applies to the land that is identified as “Area 1” on the Special Provisions Area Map and known as the Willoughby Market Gardens.</p> <p>(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.</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(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).</p> <p>(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 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>	
Existing Clause 6.15	<p>Renumber to 6.12</p> <p>Change zone names as per Employment reform Review</p>	<p>6.12 Vehicle body repair workshops in Zone IN2 E4 General Industry</p> <p>(1) The objective of this clause is to ensure that development for the purposes of vehicle body repair workshops in Zone IN2 Light Industrial Zone E4 General industrial will not have a detrimental impact on the amenity and environmental quality of neighbouring residential properties.</p> <p>(2) Development consent must not be granted to development for the purpose of a vehicle body repair workshop on land in Zone IN2 Light Industrial Zone E4 General industrial unless the consent authority is satisfied that the development will not interfere with the amenity of any neighbouring residential property</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit or oil or traffic generation or the testing of motor vehicles in residential streets.
Existing clause 6.16	Renumber to Clause 6.13 6.16 6.13 Public access to be maintained through certain land in St Leonards (1) This clause applies to the land in St Leonards that is identified as “Area 2” on the Special Provisions Area Map . (2) Development consent must not be granted to any development on the land to which this clause applies unless the consent authority is satisfied that after the development is completed the public will have access through the land linking Chandos Street to the Talus Street Reserve and from Evans Lane to Herbert Street.	As exhibited
Existing Clause 6.17	Renumber to Clause 6.13 Renumber to Area 4 of the SPA Map 6.17 6.14 Centre-based child care facility or respite day care centre at Tyneside Avenue, Willoughby North (1) The objective of this clause is to ensure that development for the purpose of a centre-based child care facility or a respite day care centre on land at Tyneside Avenue, Willoughby North, will not have a detrimental impact on the amenity of adjoining residential properties.	As exhibited.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(2) This clause applies to land at Tyneside Avenue, Willoughby North that is identified as “Area 6-4” on the Special Provisions Area Map.</p> <p>(3) Development consent must not be granted for the purpose of a centre-based child care facility or a respite day care centre on land to which this clause applies unless the area of the land is at least 5,000 square metres.</p>	
Existing Clause 6.18 Council Infrastructure development	Renumber to Clause 6.15	As exhibited.
Existing Clause 6.19 Location of Sex services premises	Renumber to Clause 6.16	As exhibited.
Existing Clause 6.20 Dwellings at 126 Greville Street Chatswood and part of 25 Millwood Avenue Chatswood	Renumber to Clause 6.17	As exhibited.
<p>Existing Clause 6.21</p> <p>Development for this site is now complete.</p> <p>The Height and FSR controls provided in this clause should be transferred to the appropriate maps</p>	<p>Delete</p> <p>6.21 Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway, Freeman Road and Oliver Road, Chatswood</p> <p>(1) 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>	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>identified as “Area 7” on the Special Provisions Area Map (Area 7).</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>	
Existing Clause 6.22 Business and office premises at Broadcast Way, Artarmon	Renumber to Clause 6.18	As exhibited.
<p>Current Clause 6.23 Design excellence</p> <p>The clause currently applies to specific sites in Willoughby and will be extended to include Chatswood CBD, St Leonards, Local Centres of Artarmon</p>	<p>Renumber to proposed Clause 6.19</p> <p>6.19 Design excellence at certain sites at Willoughby</p>	<p>Post Council Meeting recommended A Reference in the wording of the clause which refers applicants to the Council's Design Excellence Guidelines</p> <p>Amend the Design Excellence Clause as follows: 6.19 Design excellence at certain sites at Willoughby</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>North Willoughby Naremburn Castlecrag Northbridge Penshurst Street Willoughby South</p> <p>The entire R4 zone. The existing B5 zone (as it allows shop top housing). B5 will be part of E3 but only the existing B5 areas are to be included on the Map as this section will allow shop top housing via Schedule 1. This will be shown on the Special provisions map.</p> <p>(the exhibited clause was superseded by a separate PP which placed the clause in the LEP).</p> <p>The clause is proposed to be amended to distinguish the requirements for a</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 involving the erection of a new building or external alterations to an existing building on land identified as “Area 5 42” on the Special Provisions Area Map.</p> <p>(3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</p> <p>(4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,</p> <p>(c) whether the development detrimentally impacts on view corridors.</p> <p>(5) The consent authority must also have regard to how the development addresses the following matters—</p> <p>(a) the suitability of the land for development,</p> <p>(b) existing and proposed uses and use mix,</p> <p>(c) heritage and streetscape constraints,</p> <p>(d) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</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 involving the erection of a new building or external alterations to an existing building on land identified as “Area 5” on the Special Provisions Area Map.</p> <p>(3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</p> <p>(4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,</p> <p>(c) whether the development detrimentally impacts on view corridors.</p> <p>(5) The consent authority must also have regard to how the development addresses the following matters—</p> <p>(a) the suitability of the land for development,</p> <p>(b) existing and proposed uses and use mix,</p> <p>(c) heritage and streetscape constraints,</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>design excellence panel and an architectural design competition.</p>	<ul style="list-style-type: none"> (e) bulk, massing and modulation of buildings, (f) street frontage heights, (g) environmental impacts such as sustainable design, overshadowing, wind and reflectivity, (h) achieving the principles of ecologically sustainable development, (i) pedestrian, cycle, vehicular and service access, circulation and requirements, (j) the impact on, and proposed improvements to, the public domain, (k) the impact on special character areas, (l) achieving appropriate interfaces at ground level between the building and the public domain, (m) excellence and integration of landscape design. (6) In addition, development consent must not be granted to development to which this clause applies unless— <ul style="list-style-type: none"> (a) for a building that is less than more than 12 metres but not greater than 35 metres above ground level (existing)— <ul style="list-style-type: none"> (i) a design excellence panel reviews the development, and (ii) the consent authority takes into account the findings of the design excellence panel, or (b) for a building that is, or exceeds, 35 metres above ground level (existing)— <ul style="list-style-type: none"> (i) an architectural design competition has been held in relation to the development, and (ii) the design of the development is the winner of the architectural design competition. (7) If the consent authority is satisfied that the holding of an architectural design competition for a building that is, or exceeds, 35 metres above ground level 	<ul style="list-style-type: none"> (d) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, (e) bulk, massing and modulation of buildings, (f) street frontage heights, (g) environmental impacts such as sustainable design, overshadowing, wind and reflectivity, (h) achieving the principles of ecologically sustainable development, (i) pedestrian, cycle, vehicular and service access, circulation and requirements, (j) the impact on, and proposed improvements to, the public domain, (k) the impact on special character areas, (l) achieving appropriate interfaces at ground level between the building and the public domain, (m) excellence and integration of landscape design. (6) In addition, development consent must not be granted to development to which this clause applies unless— <ul style="list-style-type: none"> (a) for a building that is less than more than 12 metres but not greater than 35 metres above ground level (existing)— <ul style="list-style-type: none"> (i) a design excellence panel reviews the development, and (ii) the consent authority takes into account the findings of the design excellence panel, or (b) for a building that is, or exceeds, 35 metres above ground level (existing)—

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(existing) is unreasonable or unnecessary in the circumstances of the development—</p> <p>(a) subclause (6)(b) does not apply, and</p> <p>(b) development consent must not be granted for the development unless—</p> <p>(i) a design excellence panel reviews the development, and</p> <p>(ii) the consent authority takes into account the findings of the design excellence panel.</p> <p>(8) If the consent authority is satisfied a design excellence panel review or an architectural design competition for an external building alteration is unreasonable or unnecessary in the circumstances of the development; subclause (6)(a) and 6(b) does not apply</p> <p>(8)(9) In this clause—</p> <p>architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.</p> <p>Design Excellence Guidelines means the guidelines entitled <i>Guidelines for Design Excellence Review and Competitions</i>, published by the Council on 9 December 2019.</p> <p>design excellence panel means a panel, consisting of 2 or more persons, established by the consent authority for the purposes of this clause.</p>	<p>(i) an architectural design competition that complies with the Design Excellence Guidelines 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.</p> <p>(7) If the consent authority is satisfied that the holding of an architectural design competition for a building that is, or exceeds, 35 metres above ground level (existing) is unreasonable or unnecessary in the circumstances of the development—</p> <p>(a) subclause (6)(b) does not apply, and</p> <p>(b) development consent must not be granted for the development unless—</p> <p>(i) a design excellence panel reviews the development, and</p> <p>(ii) the consent authority takes into account the findings of the design excellence panel.</p> <p>(8) If the consent authority is satisfied a design excellence panel review or an architectural design competition for an external building alteration is unreasonable or unnecessary in the circumstances of the development; subclause (6)(a) and 6(b) does not apply</p> <p>(9) In this clause—</p> <p>architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.</p> <p>Design Excellence Guidelines means the guidelines entitled <i>Guidelines for Design</i></p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		<p>Excellence Review and Competitions, published by the Council on 9 December 2019. design excellence panel means a panel, consisting of 2 or more persons, established by the consent authority for the purposes of this clause.</p>
<p>New Sun Access clause</p> <p>6.20 Sun Access Clause Maximum height of buildings in Chatswood CBD will be Subject to a new clause in order to protect public spaces.</p>	<p>6.20 Sun access</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 between 12 noon and 2pm, on:</p> <ul style="list-style-type: none"> • Victoria Avenue between the interchange and Archer Street • Concourse Open Space • Garden of Remembrance • Tennis and croquet club <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>	<p>Error rectified as indicated in Council report : 6.20 Sun access</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 E2 or MU1 if the consent authority is satisfied that :</p> <p>(a) the development will result in additional overshadowing in mid winter between 12 noon and 2pm, on:</p> <ul style="list-style-type: none"> • Victoria Avenue between the interchange and Archer Street • Concourse Open Space • Garden of Remembrance • Tennis and croquet club <p>(b) the development will result in additional overshadowing in mid winter between 11.00am and 2pm, on Chatswood Oval (including Chatswood Park)</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
		(c) 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
New Clause 6.21 on Urban Heat Island Effect.	<p>6.21 Urban Heat</p> <p>The objective of this clause is to ensure new development incorporates effective design and ongoing operation to—</p> <ul style="list-style-type: none"> (a) reduce and remove urban heating from the environment, and (b) protect community health and wellbeing. <p>In deciding whether to grant development consent for the purposes of commercial premises, industries or residential accommodation, the consent authority must consider whether—</p> <ul style="list-style-type: none"> (a) the facade and roof of the proposed building and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including private open space and the public domain, and b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and (c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and (d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and 	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>(e) the development accommodates sufficient tree canopy, open space and deep soil zones to achieve urban cooling benefits, and</p> <p>(f) the building is designed to achieve high passive thermal performance.</p> <p>In this clause—</p> <p>deep soil zone—</p> <p>(a) means the soft landscaped part of a site area used for growing trees, plants and grasses that—</p> <p>(i) is unimpeded by buildings or structures above and below ground, and</p> <p>(ii) provides opportunities for groundwater infiltration and canopy trees, and</p> <p>(b) does not include basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.</p> <p>green infrastructure means the network of green spaces, natural systems and semi-natural systems that support sustainable communities and includes waterways, bushland, tree canopy and green ground cover, parks and open spaces.</p> <p>solar heat means radiant heat contained in the full spectrum of sunlight.</p>	
New Clause 6.22 Minimum lot sizes for commercial and mixed use development in Chatswood CBD.	<p>New Clause 6.22 Minimum lot sizes for commercial and mixed use development in Chatswood CBD.</p> <p>1) The objectives of this clause are –</p>	<p>As exhibited – updated Table to include new employment zone names:</p> <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>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																		
New Site amalgamation clause for sites in Chatswood CBD (supersedes current Area 1 on the lot size map)	(a)To achieve planned commercial and mixed use development in the Chatswood CBD by - (i) Enabling the development site to be of sufficient size to provide for adequate drainage, landscaping and separation between buildings and (ii) ensuring that adequate provision is made for privacy and solar access and (ii) Reducing the instances of isolated lots being left with reduced development potential 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.	(i) Enabling the development site to be of sufficient size to provide for adequate drainage, landscaping and separation between buildings and (ii) ensuring that adequate provision is made for privacy and solar access and (ii) Reducing the instances of isolated lots being left with reduced development potential 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. 3) The following Table only applies if the site is not specified on the Lot size map																		
	<table><tr><th>Column 1</th><th>Column 2</th><th>Column 3</th></tr><tr><td>Commercial development</td><td>B3 Commercial Core</td><td>1,800 square metres</td></tr><tr><td>Mixed use development</td><td>B4 Mixed Use</td><td>1,200 square metres</td></tr></table>	Column 1	Column 2	Column 3	Commercial development	B3 Commercial Core	1,800 square metres	Mixed use development	B4 Mixed Use	1,200 square metres	<table><tr><th>Column 1</th><th>Column 2</th><th>Column 3</th></tr><tr><td>Commercial development</td><td>B3 Commercial Core E2 Commercial Centre</td><td>1,800 square metres</td></tr><tr><td>Mixed use development</td><td>B4 Mixed Use MU1 Mixed Use</td><td>1,200 square metres</td></tr></table>	Column 1	Column 2	Column 3	Commercial development	B3 Commercial Core E2 Commercial Centre	1,800 square metres	Mixed use development	B4 Mixed Use MU1 Mixed Use	1,200 square metres
	Column 1	Column 2	Column 3																	
Commercial development	B3 Commercial Core	1,800 square metres																		
Mixed use development	B4 Mixed Use	1,200 square metres																		
Column 1	Column 2	Column 3																		
Commercial development	B3 Commercial Core E2 Commercial Centre	1,800 square metres																		
Mixed use development	B4 Mixed Use MU1 Mixed Use	1,200 square metres																		

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																
<p>New Clause 6.23</p> <p>New clause relating to landscaping requirements. 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</p>	<p>New Clause 6.23 Landscaped areas</p> <p>The objectives of this clause are as follows-</p> <p>To have the landscape character of Willoughby's residential areas maintained and enhanced by requiring landscaping of sites in conjunction with other development,</p> <p>To have a general visual dominance of landscape over buildings maintained,</p> <p>To have adequate and usable ground level open space for recreation, landscaping and containing urban run-off</p> <p>This clause applies to land in Zone R2 Low Density Residential and Zone C4 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(m²)</th><th>Soft landscaping (m²) required minimum</th></tr><tr><td>Under 200</td><td>0.25 x site area</td></tr><tr><td>200-400</td><td>(0.35 x site area)-20m²</td></tr><tr><td>401-600</td><td>(0.6 x site area) -120m²</td></tr><tr><td>601-1000</td><td>(0.525 x site area) - 75m²</td></tr><tr><td>1001-1500</td><td>(0.6 x site area) - 150m²</td></tr><tr><td>Over 1500</td><td>(0.5 x site area)</td></tr></table>	Site Area(m ²)	Soft landscaping (m ²) required minimum	Under 200	0.25 x site area	200-400	(0.35 x site area)-20m ²	401-600	(0.6 x site area) -120m ²	601-1000	(0.525 x site area) - 75m ²	1001-1500	(0.6 x site area) - 150m ²	Over 1500	(0.5 x site area)	<p>Council resolved to strengthen the wording of the clause</p> <p>Clause 6.23 Landscaped areas</p> <p>The objectives of this clause are as follows-</p> <ul style="list-style-type: none">• To have the landscape character of Willoughby's residential areas maintained and enhanced by requiring landscaping of sites in conjunction with other development,• To have a general visual dominance of landscape over buildings maintained,• To ensure that paved or built upon areas on the site have regard to the environmental capacity of the land.• To have adequate and usable ground level open space for recreation, landscaping and containing urban run-off and planting to limit urban heat effects. <p>This clause applies to land in Zone R2 Low Density Residential and Zone C4 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(m²)</th><th>Soft landscaping (m²) required minimum</th></tr></table>	Site Area(m ²)	Soft landscaping (m ²) required minimum
Site Area(m ²)	Soft landscaping (m ²) required minimum																	
Under 200	0.25 x site area																	
200-400	(0.35 x site area)-20m ²																	
401-600	(0.6 x site area) -120m ²																	
601-1000	(0.525 x site area) - 75m ²																	
1001-1500	(0.6 x site area) - 150m ²																	
Over 1500	(0.5 x site area)																	
Site Area(m ²)	Soft landscaping (m ²) required minimum																	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)																																				
<p>Council’s existing WDCP landscaping controls</p> <p>Whilst the FSR controls for C4 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>Incorporating Council’s landscaping controls for development in the R2 – Low Density Residential and C4 – Environmental Living zones into the Local Environmental Plan ensures greater compliance with the controls by ensuring any variation is justified in accordance with the requirements of clause 4.6 of the LEP.</p>	<p>ii) Residential C4 Environmental Living Zone Areas</p> <table><thead><tr><th>Site Area(m²)</th><th>Soft landscaping (m²) required minimum</th></tr></thead><tbody><tr><td>Under 400</td><td>0.35 x site area</td></tr><tr><td>400-600</td><td>(0.5 x site area) - 60m²</td></tr><tr><td>601-1000</td><td>(0.65 x site area) - 150m²</td></tr><tr><td>1001-1500</td><td>(0.65 x site area) - 150m²</td></tr><tr><td>Over 1500</td><td>(0.55 x site area)</td></tr></tbody></table> <p>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(m²)	Soft landscaping (m²) required minimum	Under 400	0.35 x site area	400-600	(0.5 x site area) - 60m²	601-1000	(0.65 x site area) - 150m²	1001-1500	(0.65 x site area) - 150m²	Over 1500	(0.55 x site area)	<table><tbody><tr><td>Under 200</td><td>0.25 x site area</td></tr><tr><td>200-400</td><td>(0.35 x site area)-20m²</td></tr><tr><td>401-600</td><td>(0.6 x site area) -120m²</td></tr><tr><td>601-1000</td><td>(0.525 x site area) - 75m²</td></tr><tr><td>1001-1500</td><td>(0.6 x site area) - 150m²</td></tr><tr><td>Over 1500</td><td>(0.5 x site area)</td></tr></tbody></table> <p>ii) Residential C4 Environmental Living Zone Areas</p> <table><thead><tr><th>Site Area(m²)</th><th>Soft landscaping (m²) required minimum</th></tr></thead><tbody><tr><td>Under 400</td><td>0.35 x site area</td></tr><tr><td>400-600</td><td>(0.5 x site area) - 60m²</td></tr><tr><td>601-1000</td><td>(0.65 x site area) - 150m²</td></tr><tr><td>1001-1500</td><td>(0.65 x site area) - 150m²</td></tr><tr><td>Over 1500</td><td>(0.55 x site area)</td></tr></tbody></table> <p>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>	Under 200	0.25 x site area	200-400	(0.35 x site area)-20m²	401-600	(0.6 x site area) -120m²	601-1000	(0.525 x site area) - 75m²	1001-1500	(0.6 x site area) - 150m²	Over 1500	(0.5 x site area)	Site Area(m²)	Soft landscaping (m²) required minimum	Under 400	0.35 x site area	400-600	(0.5 x site area) - 60m²	601-1000	(0.65 x site area) - 150m²	1001-1500	(0.65 x site area) - 150m²	Over 1500	(0.55 x site area)
Site Area(m²)	Soft landscaping (m²) required minimum																																					
Under 400	0.35 x site area																																					
400-600	(0.5 x site area) - 60m²																																					
601-1000	(0.65 x site area) - 150m²																																					
1001-1500	(0.65 x site area) - 150m²																																					
Over 1500	(0.55 x site area)																																					
Under 200	0.25 x site area																																					
200-400	(0.35 x site area)-20m²																																					
401-600	(0.6 x site area) -120m²																																					
601-1000	(0.525 x site area) - 75m²																																					
1001-1500	(0.6 x site area) - 150m²																																					
Over 1500	(0.5 x site area)																																					
Site Area(m²)	Soft landscaping (m²) required minimum																																					
Under 400	0.35 x site area																																					
400-600	(0.5 x site area) - 60m²																																					
601-1000	(0.65 x site area) - 150m²																																					
1001-1500	(0.65 x site area) - 150m²																																					
Over 1500	(0.55 x site area)																																					
Existing Clause 6.24	Not exhibited as part of comprehensive 6.24 61A Albert Avenue, Chatswood	Will need a new number on SPA map – Area 6 to replace Currently Area 13 is used twice as it refers to																																				

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Not exhibited but came into effect during exhibition	<p>(1) This clause applies to land identified as “Area 13” on the Special Provisions Area Map (the subject land).</p> <p>(2) Development for the following purposes is permitted with development consent—</p> <p>(a)amusement centres,</p> <p>(b)shop top housing.</p> <p>(3) Development consent must not be granted under subclause (2)(b) unless the floor space ratio of commercial premises or health services facilities on the subject land is equal to or greater than 7.68:1.</p> <p>(4) Clause 5.6 does not apply to a building on the subject land.</p> <p>(5) Development consent must not be granted to development for the purposes of serviced apartments on the subject land.</p>	<p>Bowen Street in Clause 6.10(5). Needs to be distinguished</p> <p>Wording can be amended as E2 Commercial Centre allows amusement centres in the LUT. Reference to Clause 5.6 can be deleted as that clause has been removed from the LEP Reference to serviced apartments could be deleted as they will be prohibited in the E2 zone</p> <p>6.24 61A Albert Avenue, Chatswood</p> <p>(1)This clause applies to land identified as “Area 7 13” on the Special Provisions Area Map (the subject land).</p> <p>(2) Development for the following purposes is permitted with development consent—</p> <p>(a)amusement centres,</p> <p>(b)shop top housing.</p> <p>(3) Development consent must not be granted under subclause (2)(b) unless the floor space ratio of commercial premises or health services facilities on the subject land is equal to or greater than 7.68:1.</p> <p>(4)Clause 5.6 does not apply to a building on the subject land.</p> <p>(5)Development consent must not be granted to development for the purposes of serviced apartments on the subject land.</p>
Clause 6.25 Not exhibited as part of comprehensive but came into effect since exhibition.	Expand the broader use of the clause to the wider MU1 zone rather than to specific sites	6.25 Shop top housing at sites zone MU1 at Chatswood

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>At time of writing of the comprehensive, 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. The definition was changed to commercial premises or health service facilities Under the current WLEP 2012 residential accommodation is a prohibited use in the B4 Mixed Use zone. The Chatswood CBD Strategy proposes a residential flat building being a permissible use (subject to 17% of FSR being non residential) in the B4 Mixed Zone. The proposed clause is a mechanism to allow this</p>	<p>6.25 Shop top housing at certain sites at Chatswood (1) This clause applies to the following land at Chatswood— (a) Lot 20, DP 1107551, 58 Anderson Street, (b) SP 57091, 5–9 Gordon Avenue, (c) SP 6576, 753 Pacific Highway and SP 53910, 15 Ellis Street, (d) SP 17870, 871–877 Pacific Highway, (e) SP 134 and SP 52320, 3–5 Help Street, (f) SP 11846 and SP 30740, 54–56 Anderson Street, (g) SP 2715, 3 Ellis Street, (h) SP 80201, SP 68797 and SP 78790, 44, 46 and 52 Anderson Street. (2) Development consent for the purposes of shop top housing must not be granted unless the consent authority is satisfied at least 17% of the building's gross floor area will be used for non-residential purposes.</p>	<p>(1) This clause applies to all land zone MU1 at Chatswood— (2) Development consent for the purposes of shop top housing must not be granted unless the consent authority is satisfied at least 17% of the building's gross floor area will be used for non-residential purposes.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
to happen, without allowing further residential accommodation not anticipated under the Chatswood CBD Strategy.		

Schedule 1 Additional permitted uses

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Item 2</p> <p>Exhibition updated the deletion of additional uses that are now permissible in the zone.</p> <p>Allows specialised retail premises subject to certain criteria</p>	<p>Use of certain land at Herbert, Cleg and Frederick Streets and Reserve Road, Artarmon</p> <p>(1) This clause applies to land bounded by Herbert, Cleg and Frederick Streets and Reserve Road, Artarmon.</p> <p>(2) Development for the purposes of specialised retail premises, garden centres, hardware and building supplies, and landscaping material supplies is permitted with development consent.</p>	<p>Needs to be updated to include new zone name</p> <p>Use of certain land at Herbert, Cleg and Frederick Streets and Reserve Road, Artarmon</p> <p>(1) This clause applies to land bounded by Herbert, Cleg and Frederick Streets and Reserve Road, Artarmon.</p> <p>(2) Development for the purposes of specialised retail premises, garden centres, hardware and building supplies, and landscaping material supplies is permitted with development consent.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<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>Use of certain land at Jersey Road, Artarmon (corner Hampden</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, Zone E4 General Industrial change the predominantly industrial nature of the area or detrimentally affect existing or future industrial development in the zone.</p>
<p>Item 13</p> <p>Property details at Albert Avenue Chatswood</p> <p>Item 13 in Schedule 1 has undertaken a lot consolidation. This amendment to update the property information for that site.</p> <p>Update of lot and DP details</p>	<p>13 Use of certain land at Albert Avenue¹⁸ Thomas Street, Chatswood</p> <p>(1) This clause applies to land at Albert Avenue Thomas Street, Chatswood, being Lots A and B, DP 381223 and Lots 13 and 23–30, DP 2983 Lot 22 DP 1215977.</p> <p>(2) Development for the purpose of a car park is permitted with development consent.</p>	<p>As exhibited.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing Item 14</p> <p>Currently applies to Mandarin Centre & Westfield allowing amusement centres.</p>	<p>Employment reforms change the zoning to E2 Commercial core which allows amusement centres in the LUT</p>	<p>No longer required - delete</p> <p>14 Use of certain land at the Mandarin Centre, 65 Albert Avenue and Westfield, 28 Victor Street and 49-51 Albert Avenue, Chatswood</p> <p>(1) This clause applies to land at —</p> <p>(a) the Mandarin Centre, 65 Albert Avenue, Chatswood, being Lot 2, DP 1035379, and</p> <p>(b) the Westfield shopping centre, 28 Victor Street and 49-51 Albert Avenue, Chatswood, being</p> <p>Lots 1 and 2, DP 879701.</p> <p>(2) Development for the purpose of an amusement centre is permitted with development consent.</p>
<p>Item 17A</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>The Chatswood CBD Strategy identifies this site as Mixed Use. A mixed use development is</p>	<p>Delete Item 17A</p> <p>17A Use of certain land at 28 Archer Street, Chatswood</p> <p>(1) This clause applies to land at 28 Archer Street, Chatswood, being Lot 1, DP 900390.</p> <p>(2) Development for the purposes of attached dwellings and multi dwelling housing is permitted with development consent.</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
sought in regards this site, involving amalgamation with neighbouring site/s. The deletion of this clause is consistent with the Chatswood CBD Strategy.		
<p>Item 19 1 Cambridge Lane is currently zoned R4. The R4 zoning does not permit business or office premises. 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>Delete Item 19</p> <p>19. Use of certain land at Shops 1 and 2, 1 Cambridge Lane, Chatswood</p> <p>(1) This clause applies to land at Shops 1 and 2, 1 Cambridge Lane, Chatswood, being Lots 134 and 135, SP 79233.</p> <p>(2) Development for the purposes of office premises and business premises is permitted with development consent.</p>	As exhibited
Existing item 27 (renumbered in draft to 26) Currently zoned B5	Employment reforms change the zoning to E3 Productivity Support which allows vehicle repair stations in the LUT	No longer required – delete

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Allows vehicle body repair	<p>Use of certain land at 742–748 Pacific Highway, Chatswood</p> <p>(1) This clause applies to land at 742–748 Pacific Highway, Chatswood, being Lot 1, DP 1126452.</p> <p>(2) Development for the purpose of a vehicle repair station is permitted with development consent.</p>	<p>Use of certain land at 742–748 Pacific Highway, Chatswood</p> <p>(1) This clause applies to land at 742–748 Pacific Highway, Chatswood, being Lot 1, DP 1126452.</p> <p>(2) Development for the purpose of a vehicle repair station is permitted with development consent.</p>
<p>Item 31</p> <p>Delete Area 5 from the Special Provisions Area Map</p> <p>Under the Chatswood CBD Strategy, there is considerable uplift proposed in the B3 and B4 zone to grow and enliven the CBD and in particular Chatswood Mall. The objective behind this clause has been superseded by the strategic planning approach taken in the Chatswood CBD Strategy.</p>	<p>Delete Item 31</p> <p>31 Use of certain land at Victoria Avenue, Chatswood</p> <p>(3) This clause applies to land at Victoria Avenue, Chatswood, being “Area 5” on the Special Provisions Area Map.</p> <p>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.</p>	As exhibited
<p>Item 32 currently permits shop top housing for certain sites in the B3 zone .</p> <p>All of these sites are developed for that use.</p>	<p>Delete Item 32</p> <p>32 Use of certain land at Chatswood in Zone B3</p> <p>(1) This clause applies to the following land in Zone B3 Commercial Core—</p>	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<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>(a) Chelsea, 8 Brown Street, Chatswood, being Lot 1, DP 1006341, (b) High Tower, 14 Brown Street, Chatswood, being Lot 10, DP 1028406, (c) Bentleigh, 1 Katherine Street, Chatswood, being Lot 100, DP 1009672, (d) Leura, 809 Pacific Highway, Chatswood, being Lot 100, DP 1040224, (e) Sebel, 37 Victor Street, Chatswood, being Lot 23, DP 868835, (f) 39 Victor Street, Chatswood, being Lot 10, DP 1068549, (g) Chatswood Transport Precinct Project, 436 Victoria Avenue, Chatswood, being Lots 106-108, DP 1094273. (2) Development for the purpose of shop top housing is permitted with development consent.</p>	
<p>Item 33 (renumbered from exiting item 33) (renumbered to Item 30 in draft</p>	<p>Renumber Item</p> <p>33 Use of certain land at Chatswood and St Leonards in Zone B3 and Zone B4 (1) This clause applies to land in Chatswood and St Leonards that is in Zone B3 Commercial Core and Zone B4 Mixed Use. (2) Development for the purpose of a car park by or on behalf of the Council is permitted with development consent.</p>	<p>Employment zone reforms change zone name and MU1 allows car parks in the LUT 33 Use of certain land at Chatswood and St Leonards in Zone B3 and Zone B4 E2 Commercial Centre (1) This clause applies to land in Chatswood and St Leonards that is in Zone B3 Commercial Core and Zone B4 Mixed Use. (2) Development for the purpose of a car park by or on behalf of the Council is permitted with development consent.</p>
<p>Existing Item 34</p>	<p>34 Use of certain land at East Chatswood and Roseville</p>	<p>Employment zone reform - remove from Schedule 1 and include as a local provision:</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Certain land in East Chatswood Industrial area.</p> <p>Include pet day care</p> <p>Remove garden centres and hardware and building supplies as these are permissible in the LUT.</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, garden centres, hardware and building supplies, animal boarding or training establishment 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>Use of certain land Zoned E4 General Industrial at East Chatswood and Roseville</p> <p>(1) Development consent must not be granted for the purposes of specialised retail premises, garden centres, hardware and building supplies, animal boarding or training establishment and landscaping material supplies unless the consent authority is satisfied that—</p> <p>(a) suitable land is not available for the development in any nearby 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 E4 General Industry change the predominantly industrial nature of the area or detrimentally affect existing or future industrial development in the zone.</p> <p>2 Development for the purposes of pet day care is permitted with development consent</p> <p>For the purposes of this clause, pet day care means a business for the care of domestic pets (such as dogs and cats but not including larger animals such as horses or ponies) during normal business hours only and not involving overnight stay nor veterinary practices</p>
<p>Existing Item 35</p> <p>Use of certain land at 41–43 Farran Street, Lane Cove North.</p>	<p>Delete Item 35</p> <p>35 — Use of certain land at 41–43 Farran Street, Lane Cove North</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
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>(1) This clause applies to land at 41–43 Farran Street, Lane Cove North, being Lots 67 and 68, DP 9985.</p> <p>(2) Development for the purpose of a place of public worship is permitted with development consent.</p>	
Existing Item 42 Land at shore school has been rezoned from RE2 to SP2 Education	<p>Delete clause 42 from Schedule 1:</p> <p>42 Use of certain land at Sailors Bay Road, Northbridge</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>	As exhibited.
Existing Item 47 Existing zone B3	<p>47 Use of certain land at 2–10 Chandos Street, St Leonards</p> <p>(1) This clause applies to land at 2–10 Chandos Street, St Leonards, being Lot 11, DP 1003022.</p> <p>(2) Development for the purpose of a vehicle repair station is permitted with development consent.</p>	<p>Employment zone reforms change zone to E2 commercial core which allows vehicle repair stations in the LUT</p> <p>Delete</p> <p>Use of certain land at 2–10 Chandos Street, St Leonards</p> <p>(1) This clause applies to land at 2–10 Chandos Street, St Leonards, being Lot 11, DP 1003022.</p> <p>(2) Development for the purpose of a vehicle repair station is permitted with development consent.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Existing Item 53 to be deleted. St Leonards Strategy does not permit shop top housing on the site.</p>	<p>Delete Item 53:</p> <p>53. Use of certain land at 207 Pacific Highway, St Leonards</p> <p>(1) This clause applies to land at 207 Pacific Highway, St Leonards, being Lot 11, DP 1013030.</p> <p>(2) Development for the purpose of shop top housing is permitted with development consent.</p>	<p>As exhibited.</p>
<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. 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 more flexible approach to the permitted uses on the ground floor.</p>	<p>Add to Schedule 1 (Exhibition did not include a proposed number)</p> <p>XX Use of certain B4 land in, Chatswood</p> <p>(1) This clause applies to land zoned B4 in the Chatswood CBD.</p> <p>(2) Development for the purpose of residential flat building is permitted with development consent if the consent authority is satisfied that:</p> <p>(a) the ground level is used for non residential purposes and</p> <p>(b) A minimum of 17% of the total FSR is provided for non residential purposes and</p>	<p>Add to Schedule 1</p> <p>XX Use of certain MU1 land in, Chatswood</p> <p>(1) This clause applies to land zoned MU1 in the Chatswood CBD.</p> <p>(2) Development for the purpose of residential flat building is permitted with development consent if the consent authority is satisfied that:</p> <p>(a) the ground level is used for non residential purposes and</p> <p>(b) A minimum of 17% of the total FSR is provided for non residential purposes and</p> <p>(c) No residential dwelling is located at the ground floor.</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	No residential dwelling is located at the ground floor.	
<p>Existing Item 54 14 Artarmon Road, Willoughby. This property is the Channel 9 site. It is currently zoned SP2 Telecommunications Facility. 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. The site also has development approval for high density housing and is proposed to be rezoned to R4</p>	<p>Delete Item 54</p> <p>54 — Use of certain land at 14 Artarmon Road, Willoughby</p> <p>(1) — This clause applies to land at 14 Artarmon Road, Willoughby, being Lot 1, DP 820327 and Lot 1, DP 748215.</p> <p>(2) — Development for the purpose of a helipad is permitted with development consent.</p>	
Existing Item 62	Employment reforms will change B2 zoning to	Rewrite to only refer to the R2 land:

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Allows function centre on the land which is currently dual zoned B2 and R2	<p>E1 which allows function centres</p> <p>Use of certain land at 85 Penshurst Street, Willoughby (1) This clause applies to land at 85 Penshurst Street, Willoughby, being Lot 18, DP 33364 and Lots 1–3, Section 2, DP 977087. (2) Development for the purpose of a function centre is permitted with development consent.</p>	<p>Use of certain land at 85 Penshurst Street, Willoughby (1) This clause applies to R2 land at 85 Penshurst Street, Willoughby, being part Lot 18, DP 33364 and Lots 1–3, Section 2, DP 977087. (2) Development for the purpose of a function centre is permitted with development consent.</p>
<p>Existing Item 72</p> <p>Reference to SP Area needs to be updated</p>	<p>Change to SP Area 12</p> <p>Use of certain land at 10 Herbert Street, St Leonards (1) This clause applies to certain land at 10 Herbert Street, St Leonards that comprises part of Lot C, DP 401303, identified as “Area 12 17” on the Floor Space Ratio Map.</p>	As Exhibited
<p>Existing Item 74</p> <p>Reference to SP Area needs to be updated</p>	<p>Change to SP Area 11</p> <p>Use of certain land at 12 Frederick Street, St Leonards (1) This clause applies to certain land at 12 Frederick Street, St Leonards that comprises part of Lot 1, DP 591747, identified as “Area 11 15” on the Floor Space Ratio Map. (2) Development for the purpose of a hospital is permitted with development consent.</p>	As exhibited
<p>New item</p> <p>250 Sailors Bay Road Northbridge</p>	<p>70—68 Use of certain land at 250 Sailors Bay Road, Northbridge</p> <p>(a) This clause applies to land at</p>	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<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>250 Sailors Bay Road, Northbridge being Lot 16 DP 7749</p> <p>(b) Development for the purposes of office premises and business premises is permitted with development consent.</p>	
<p>New Item use of certain land for shop top housing on land previously zoned B5</p>	<p>Employment zone reform will combine B5 and B7 zones. To continue the ability to build shop top on the previously zoned B5 land via the Special area map</p>	<p>New item to be included</p> <p>Use of certain land throughout the LGA</p> <p>(1) This clause applies to certain land identified as Area 3 on the Special Provisions Area Map.</p> <p>(2) Development for the purposes of shop top housing is permitted with development consent.</p>
<p>New Item</p> <p>Rezoning of land at 316 Penshurst Street North Willoughby from B2 to RE1.</p> <p>Long term use of the land. However, existing service station use needs to be maintained and was inadvertently omitted from Schedule 1.</p>		<p>Error correction.</p> <p>Add to Schedule 1</p> <p>Use of certain land at 316 Penshurst Street, North Willoughby</p> <p>(1) This clause applies to E1 land at 316 Penshurst Street, North Willoughby, being part Lot 1, DP 4704.</p> <p>(2) Development for the purpose of a service station is permitted with development consent.</p>

Schedule 2 Exempt development

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
<p>Schedule 2 Exempt Development.</p> <p>Some of the provision in Schedule 2 e.g. relating to signage pre date similar provisions in the SEPP It is proposed to delete sections of Schedule 2 that are duplicated by the SEPP.</p>	<p>Delete the following from Schedule 2</p> <p>Clothing bins</p> <p>(1) Must not be located in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone C4 Environmental Living, other than on existing premises occupied as a place of public worship.</p> <p>(2) Must be associated with a registered charity.</p> <p>(3) Must not be located on a road reserve.</p> <p>Must be maintained in a presentable and satisfactory state of repair</p>	<p>As exhibited</p>
<p>Schedule 2 Exempt Development.</p> <p>Some of the provision in Schedule 2 e.g. relating to signage pre date similar provisions in the SEPP It is proposed to delete sections of Schedule 2</p>	<p>Signage—general requirements</p> <p>(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—</p> <p>(a) the purpose for which the land or</p>	<p>As exhibited</p>

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
that are duplicated by the SEPP.	<p>premises is or are used,</p> <p>(b) the identification of a person residing or carrying on an occupation or business on the land or premises,</p> <p>(c) a description of an occupation or business referred to in paragraph (b),</p> <p>(d) particulars of the goods or services dealt with or provided on the land or premises.</p> <p>(2) Must not be located in a crown of trees protected under clause 5.9.</p> <p>(3) Must not be located on a site occupied by a heritage item.</p> <p>Signage—generally</p> <p>Must meet the general requirements for signage and be one of the following— located on a site and not visible from outside the site (such as an internal business identification</p> <p>(a) sign or a directional sign),</p> <p>(b) located behind the glass</p>	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>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 1.5m², 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>	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<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>(2) 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 x 1.8m in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone C4 Environmental Living, or of 5m² in all other zones, and</p> <p>(iii) removed within 14 days after sale or lease,</p> <p>(3) a business identification sign in Zone R2 Low Density Residential,</p>	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone C4 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</p>	

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	<p>doorhead,</p> <p>(k) an under awning sign attached to the underside of an awning (other than the fascia or return end) and complying with the following requirements—</p> <p>(i) 1 sign per premises and at least 3m from a similar sign,</p> <p>(ii) minimum clearance to underside of sign of 2.6m above footpath level,</p> <p>(iii) maximum dimensions not exceeding 2.5m length and 0.5m height,</p> <p>(iv) must not project beyond the awning,</p> <p>(v) front alignment must be at least 1.5m from the side boundary of the premises,</p> <p>(f) replacement signage of the same dimensions and material as the Council approved signage it is replacing.</p>	

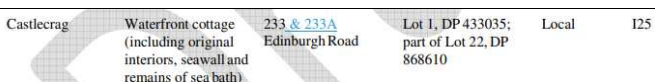
Schedule 3 Complying development

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
No changes		

Schedule 4 Classification and reclassification of public land

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Reclassification of Council land	Include in Schedule 4 Part 2: Eastern Valley Way, Northbridge Lot 2 DP200094 Lot 4 DP200099 Lot 6 DP200096 Lot 8 DP200098 Lot 15 DP4409 Lot B DP323172	Delete – Council resolved not to proceed with reclassification at this time. The site will progress as a separate planning proposal. Eastern Valley Way, Northbridge Lot 2 DP200094 Lot 4 DP200099 Lot 6 DP200096 Lot 8 DP200098 Lot 15 DP4409 Lot B DP323172
		General comment – should the other properties in Schedule 4 be deleted as this is new instrument?

Schedule 5 Environmental heritage

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Item I 25 233a Edinburgh Road Description should also mention 233 and 233a Description currently only refers to 233a	 <p>Castlecrag Waterfront cottage (including original interiors, seawall and remains of sea bath) 233 & 233A Edinburgh Road Lot 1, DP 433035; part of Lot 22, DP 868610 Local I25</p>	As exhibited

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)												
Edinburgh Road but the dwelling overlaps onto 233 Edinburgh Road.														
<p>Item 212 Heritage Map</p> <p>26A / 28 Oakville Road Willoughby</p> <p>Applicant request to amend Schedule 5 to include the updated Lot and DP of the future consolidated lot. Applicant to advise when consolidation is complete. The heritage item will continue to only apply to 28 Oakville. Once the consolidation occurs the description will refer to part of the Lot and DP</p>	No notification has been received from applicant so far Land has not been consolidated.	Leave as is until applicant clarifies.												
Proposed new Heritage item at 120 Edinburgh Road.	<p>Include as I 253 into Schedule 5 the following and include on the Heritage Map:</p> <table><thead><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr></thead><tbody><tr><td>Castlecrag</td><td>Griffin Centre</td><td>120 Edinburgh Road</td><td>Lot 1, DP 591269</td><td>Local</td><td>I253</td></tr></tbody></table>	Suburb	Item name	Address	Property description	Significance	Item no	Castlecrag	Griffin Centre	120 Edinburgh Road	Lot 1, DP 591269	Local	I253	Proceed as exhibited
Suburb	Item name	Address	Property description	Significance	Item no									
Castlecrag	Griffin Centre	120 Edinburgh Road	Lot 1, DP 591269	Local	I253									

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)												
Proposed new Heritage item at Artarmon Bowling club	<div>Add new item I 254 to Schedule 5</div> <table><thead><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr></thead><tbody><tr><td>Artarmon</td><td>Artarmon Bowling Club</td><td>1A Burra Road</td><td>Lot 2 DP 856286</td><td>Local</td><td>I254</td></tr></tbody></table>	Suburb	Item name	Address	Property description	Significance	Item no	Artarmon	Artarmon Bowling Club	1A Burra Road	Lot 2 DP 856286	Local	I254	As exhibited.
Suburb	Item name	Address	Property description	Significance	Item no									
Artarmon	Artarmon Bowling Club	1A Burra Road	Lot 2 DP 856286	Local	I254									
Existing Item I25 postal address updated	<table><tbody><tr><td>Castlecrag</td><td>Waterfront cottage (including original interiors, seawall and remains of sea bath)</td><td>233 & 233A Edinburgh Road</td><td>Lot 1, DP 433035; part of Lot 22, DP 868610</td><td>Local</td><td>I25</td></tr></tbody></table>	Castlecrag	Waterfront cottage (including original interiors, seawall and remains of sea bath)	233 & 233A Edinburgh Road	Lot 1, DP 433035; part of Lot 22, DP 868610	Local	I25							
Castlecrag	Waterfront cottage (including original interiors, seawall and remains of sea bath)	233 & 233A Edinburgh Road	Lot 1, DP 433035; part of Lot 22, DP 868610	Local	I25									

Schedule 6 Pond based and tank based aquaculture

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
No changes		

Dictionary

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
Add definition for manor houses	<p>(copied from Exempt and Complying SEPP)</p> <p>manor house means a residential flat building containing 3 or 4 dwellings, where—</p> <ul style="list-style-type: none"> (a) each dwelling is attached to another dwelling by a common wall or floor, and (b) at least 1 dwelling is partially or wholly located above another dwelling, and 	As exhibited.

Intent of Change	As exhibited at March 2022	Changes post Council meeting 12 December 2022 (if any)
	(c) the building contains no more than 2 storeys (excluding any basement).	

General Comments		
Any references to Business or industrial zones to be changed to the relevant Employment zone		
Any references in the document to WLEP 2012 Replace with WLEP 2023		