

## Planning Proposal

### Review of Willoughby Local Environmental Plan 2012

#### Part no

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

Version March 2022

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## Part 1 – objectives or intended outcomes

### Background

What does this planning proposal aim to do?

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

### Context

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

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

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

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

### The changes

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

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

The aim is to deliver a new LEP and supporting DCP setting planning controls that will serve Willoughby over the next 15-20 years to

- achieve a sustainable and resilient future for the environment, the economy and the community



- respond to the demands of our changing climate (urban heat) and the impacts of the pandemic which highlighted the value of private and public open space and walkable neighbourhoods with local services and amenities.
- establish greater development equity between the State Complying Development controls and local LEP controls,
- enhance the leafy character of the north shore by protecting tree canopy and vegetation vital for biodiversity, human health and wellbeing from being systematically eroded through development of traditional garden areas.

#### The new LEP proposes

- substantial increases in heights and floor space ratios (FSRs) in Chatswood, and applies the controls established in the St Leonards Crows Nest 2036 Plan issued by State Government for St Leonards/Crowns Nest. Locally appropriate increases in heights and FSRs are proposed in the local centres of Artarmon, North Willoughby, Naremburn, Castlecrag, Northbridge, Penshurst St and Willoughby South, to encourage new local jobs and housing diversity close to services and transport.
- increases to the height and FSR in Chatswood, to create a vibrant and confident CBD to provide capacity for commercial growth in the core of the CBD around the transport interchange. The aim is to consolidate Chatswood's position as one of Sydney's top 10 suburban office markets, while ensuring new developments are of excellent design and incorporate green landscaping with strong sustainability credentials overall.
- the extension of the boundary of the CBD to allow for residential growth beyond the core area as part of mixed use high density developments capitalising on Chatswood's exceptional transport connectivity and high level of services and amenities.
- increased affordable housing in new residential developments , from 4% of GFA to 10%, in line with aspirations in the North District Plan and in recognition of the urgent need for more affordable rental housing in all parts of Sydney.  
an increase in floor space ratios for certain amalgamated sites in industrial areas and proposes adjustments to permissibility of uses in these areas, to promote and stimulate strong economic activity and local job making.  
housekeeping amendments will also be made where corrections or updating is required – including LEP improvements to enable efficiency
- proposed heritage listing of the Griffin Centre in Castlecrag and the Artarmon Bowling Club.
- to restrict current developments that are considered out of line with Council's current vision but allow new development that it is believed will deliver positive community outcomes and put in place protections for the quality of life and character of Willoughby we all enjoy.

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

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

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

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

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

## **Planning Studies:**

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

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

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

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

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

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

For Willoughby, the NDP provides:

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

The NDP does not provide specific directions for the current planning proposal. However, it does provide the framework which informed the various Council studies undertaken to establish an appropriate and aligned planning direction to 2036.

### **Local Strategic Planning Statement 2020 (March 2020)**

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

The *LSPS* provides the basis for strategic planning in the Willoughby Local Government Area (LGA). It is required to have regard to economic, social and environmental matters and identify how the desired outcomes of the *Region Plan* and *North District Plan* will be addressed.

In addition, the LSPS is aligned with Council's Community Strategic Plan – Our Future Willoughby 2028. The Community Strategic Plan identifies the priorities and aspirations of

the community and the broader strategic direction of Council to align the delivery of policies, programs, projects and services. The LSPS specifies how its directions implements the actions from the *Community Strategic Plan*.

The *LSPS* informs changes to a council's local environmental plan (*LEP*) and/or other planning policies.

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

- 1.2** Review planning controls in the Chatswood CBD and in local centres to facilitate delivery of an increased number of medium and high-density dwellings, increasing dwelling diversity in the LGA.
- 1.4** Assess any proposals for increased housing density against the Willoughby Housing Strategy.
- 1.5** Ensure that planning controls create dwellings of universal design that are suitable for the changing needs of the community, including smaller and accessible dwellings for the aging population and family-friendly medium and high-density dwellings for new families moving to the area.
- 1.6** Ensure higher sustainability and resilience targets for all new dwellings in Willoughby City in order to lower life cycle costs for new residents.
- 2.1** Undertake the required feasibility testing to increase the proportion of total floorspace to be delivered as affordable housing in new developments.
- 2.2** Seek opportunities to deliver increased public benefit through affordable housing when increases in density are sought in major proposals.
- 5.1** Generally protect the existing character of low-density suburbs in the LGA.
- 5.2** Continue to protect Aboriginal sites, State and local heritage items and conservation areas through planning controls.
- 6.1** Review planning controls in local centres to encourage site amalgamation and development.
- 6.2** Complete the *Willoughby Draft Local Centres Strategy to 2036* and implement its recommendations.
- 6.4** Limit retail development outside of local centres.
- 9.1** Promote office growth in the commercial core and a diverse mix of uses.
- 9.2** Create great spaces and a high level of urban design quality.
- 9.4** Develop and promote Chatswood's distinct role in the Eastern Economic Corridor.
- 10.1** In consultation with adjoining Councils, prepare and exhibit an industrial lands strategy.
- 10.3** In line with the *North District Plan* Priority N11 to retain and manage industrial and urban services land, Council will protect Artarmon's critical urban services and employment role.
- 10.4** Support the development of East Chatswood with a blend of urban services, light industrial uses, large format retail and some local services.
- 11.1** Encourage proposals which enhance the commercial and enterprise role of the St Leonards centre.
- 11.2** Diversify and deepen the health and education role of the precinct focused on

RNSH.

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

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

**15.7** Encourage the use of cool building materials in any new development to reduce the urban heat island effect, and where appropriate integrate water features both natural and man-made into urban design.

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

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

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

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

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

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

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

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

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

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

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

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

Council adopted the *Willoughby Local Centres Strategy* (the Local Centres Strategy) on 9 December 2019. It was published in June 2020 and provides for housing and jobs growth in the Willoughby LGA to 2036. The Local Centres Strategy provides new recommended LEP controls for the following centres:

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

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

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

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

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

Now finalised by DPIE, Council is responsible for implementing the recommendations into planning controls for Willoughby in the new LEP and DCP.

### **Willoughby Housing Strategy (May 2020)**

Council adopted the *Willoughby Housing Strategy* (the Housing Strategy) on 9 December 2019 and it was endorsed by the DPIE on May 2021.

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

It seeks to concentrate an increase in housing growth in and around strategic and local centres and provide for housing diversity in response to changing demographics .

The Housing Strategy directs new housing growth into 3 focus areas, being

1. existing R3 and R4 zones that have not been developed to their full potential
2. Chatswood CBD

### 3. Local centres identified in the Willoughby Local Centres Strategy.

The planning proposal makes changes to the planning controls to enable these focus areas to accommodate housing growth. Chatswood CBD is the main focus where future additional residential accommodation will be located. This is supplemented by the additional residential supply identified in different locations across the LGA in the Local Centres Strategy, with the surrounding lower density suburbs continuing to provide much sought after traditional family housing in the LGA.

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

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

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

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

### **Affordable Housing Feasibility**

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

### **Housekeeping response to issues / anomalies associated with WLEP 2012**

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

### **LEP efficiency improvements**

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

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

**What are the changes?**

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

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## Part 2 Statement of Objectives

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

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

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

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

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

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

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

**Table 1 Chatswood CBD Amendments**

Note


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

Description and Location (Chatswood CBD)	Proposed Change
A1.	
<p>Update the objectives of the B3 zone to include reference to the Eastern Economic Corridor and the North District,</p> <p>These changes are consistent with the Section 9.1 Direction 1.1 'Business and Industrial zones. It is necessary to update B3 Commercial Core objectives that are dated 2012 to reflect the North District Plan, LSPS and Local Centres Strategy. The importance of employment and the role of Chatswood as a Strategic Centre are identified and emphasized in the North District Plan, and Council has carried this into its LSPS and Local Centres Strategy.</p> <p>Council has developed the Chatswood CBD Planning and Urban Design Strategy and the Local Centres Strategy as part of its overall Willoughby Planning Strategy informing the LSPS to provide a strategic framework for land use planning.</p>	<p>Zone B3 Commercial Core 1 Objectives of zone</p> <ul style="list-style-type: none"> <li>• To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.</li> <li>• <b>To encourage employment opportunities to strengthen the Eastern Economic Corridor.</b></li> <li>• To encourage appropriate employment opportunities in accessible locations.</li> <li>• To maximise public transport patronage and encourage walking and cycling.</li> </ul>

Description and Location (Chatswood CBD)	Proposed Change
	<ul style="list-style-type: none"> <li>• To maximise public transport patronage and encourage walking and cycling.</li> <li>• To support the role of St Leonards as a <del>specialised</del> health and education centre <del>providing health, research and education facilities.</del></li> <li>•</li> <li>• To strengthen the role of Chatswood as a <del>major</del> <b>strategic</b> centre for the <del>inner north sub-region</del> North District and to improve its public domain and pedestrian links.</li> <li>• To protect and encourage safe and accessible city blocks by providing active land uses on street and pedestrian frontages. <ul style="list-style-type: none"> <li>• <b>To enhance the visual appearance of the area by ensuring new development achieves high architectural, urban design and landscape standards.</b></li> </ul> </li> </ul>
A2	
<p>Remove Serviced apartments as a permissible use in the zone and add to prohibited.</p> <p>(This will also apply to B3 land in St Leonards).</p> <p>The Chatswood B3 Commercial Core has an existing strong retail presence. A key principle of the Chatswood CBD Strategy is to promote office growth. Concern exists with the provision of serviced apartments at the expense of office land use. The removal of serviced apartments in the B3 zone was Key Element 4, under the land use section, of the Chatswood CBD Strategy. Serviced apartments continue to be provided for, being a permissible use in the B4 Mixed Use zone, that surrounds the B3 zone, still within the Chatswood CBD boundary.</p> <p>“Serviced apartments are consistently removed as a permissible use from a submitted Planning Proposals within the B3 core area”.</p>	<p>4 Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Service stations; <b>Serviced apartments</b>; Sewage treatment plants; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems;</p>

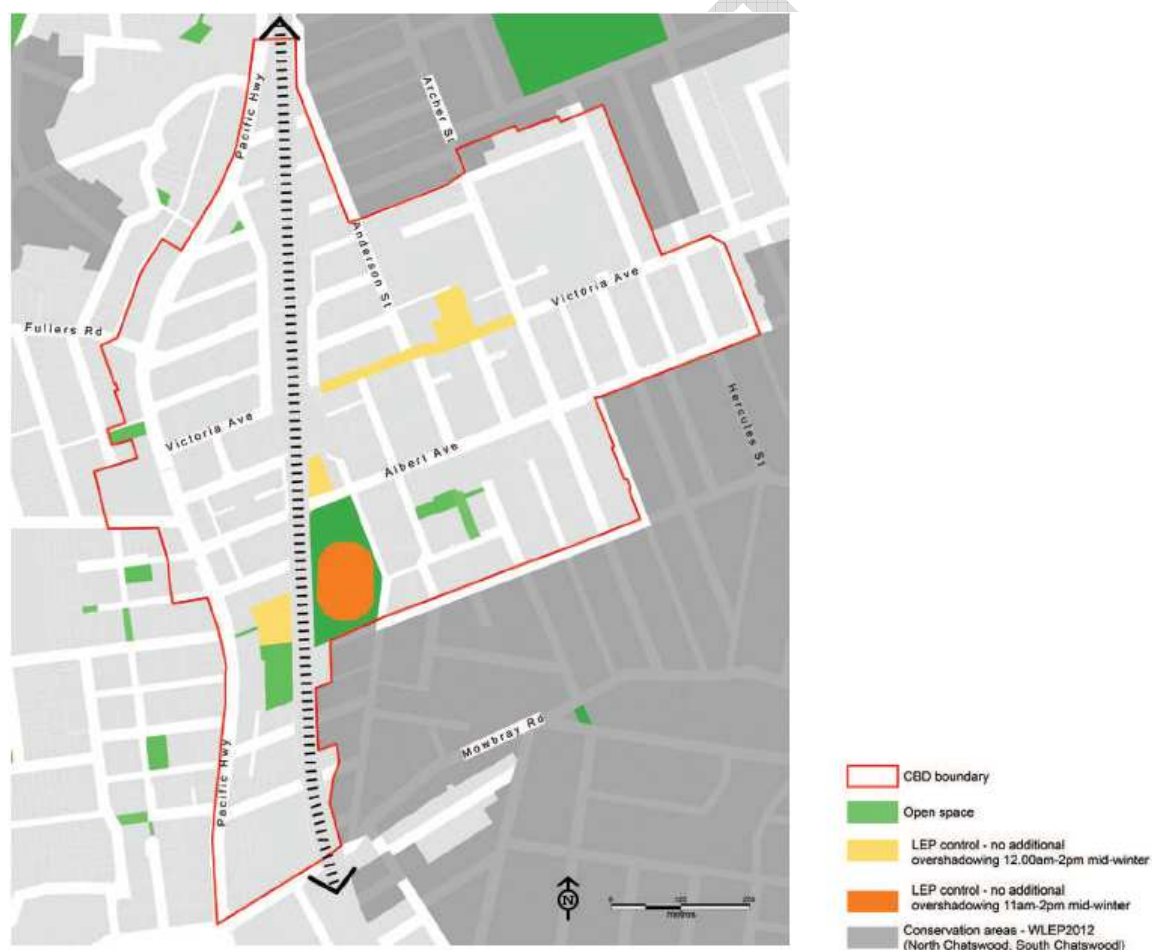
Description and Location (Chatswood CBD)	Proposed Change
	Wharf or boating facilities; Wholesale supplies
A3	
<p>Clause 5.6 Architectural roof features clause</p> <p>The clause enables a building in Chatswood CBD to exceed its height limit to include an architectural roof feature.</p> <p>With the new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

Description and Location (Chatswood CBD)	Proposed Change
<p>(2) This clause applies to land identified as “Active Street Frontages” on the Active Street Frontages Map.</p> <p>(3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.</p> <p>(4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following—</p> <ul style="list-style-type: none"> <li>(a) entrances and lobbies (including as part of mixed use development),</li> <li>(b) access for fire services,</li> <li>(c) vehicular access.</li> </ul> <p>(5) In this clause, a building has an <b>active street frontage</b> if <del>all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.</del></p> <p style="color: red;">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 style="color: red;">b) In the Zone B1 Neighbourhood Business, B2 Local Centre, B4 Mixed Use, B5 Business Development and B7 Business Park, all premises on the ground floor of the building facing the street are used for the purposes of non residential premises.</p>	
<p>A5</p> <p>Clause 6.12 Size of shops in Zone B3 and Zone B4 in Chatswood.</p> <p>This clause is superseded by the provisions in the CBD Strategy</p>	<p>6.12</p> <p><del>Size of shops in Zone B3 and Zone B4 in Chatswood</del></p> <p>(1) <del>— This clause applies to land in Zone B3 Commercial Core and Zone B4 Mixed Use on the western side of the North Shore Rail Line in Chatswood.</del></p> <p>(2) <del>— The maximum gross floor area of a shop on land to which this clause applies must not exceed 100 square metres.</del></p>
<p>A6</p> <p>6.13</p> <p>Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway and Thomas Street, Chatswood</p> <p>This clause is superseded by the provisions in the CBD Strategy</p>	<p>6.13</p> <p><del>Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway and Thomas Street, Chatswood</del></p> <p>(3) <del>— This clause applies to the land at 763–781 Pacific Highway and 20–24 Thomas Street, Chatswood that is identified as “Area 4” on the Special Provisions Area Map.</del></p> <p>(4) <del>— Despite clauses 4.3 and 4.4, if the site area for development on land to which this clause</del></p>

Description and Location (Chatswood CBD)	Proposed Change
	<p><del>applies is greater than 1,500 square metres, development consent may be granted to development that will have—</del></p> <p><del>(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</del></p> <p><del>(b) — a floor space ratio of the development not exceeding 8:1.</del></p> <p>Delete Area 4 of the Special Provisions Area Map.</p>
The following zoning changes are proposed for Chatswood CBD	
	
A7	
<p><b>New sun access protection clause</b></p> <p>Maximum height of buildings in Chatswood CBD will be Subject to a new clause in order to protect public spaces.</p> <p>Previously a number of key public spaces within the B3 zone were identified in this clause requiring solar protection. Key Element 19 of the Chatswood CBD Strategy addresses these public spaces with the exception of the tree on the Chatswood Police Station site. The Chatswood Police Station site is zoned B4 Mixed Use under the Chatswood CBD Strategy - the other sites are either B3 or surrounded by B3 zoned land.</p>	<p><b>6.20 Sun access</b></p> <p>(1) The objective of this clause is to</p> <ul style="list-style-type: none"> <li>(a) protect certain public space in Chatswood CBD from excessive overshadowing.</li> <li>(b) Protect properties in South Chatswood Conservation Area from a reduction in solar access</li> </ul> <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> <ul style="list-style-type: none"> <li>(a) the development will result in additional overshadowing in mid winter between 12 noon and 2pm, on:</li> </ul>

Description and Location (Chatswood CBD)	Proposed Change
<p>On the basis of the above, it is considered more appropriate to address these key public spaces separately.</p> <p>Height maximums are to be dependent on whether they impact solar access protection to key public spaces within the Chatswood CBD. The Chatswood CBD Strategy is seeking to combine an increase in density with an optimum urban environment - solar access to key public spaces is an important component of what the Chatswood CBD Strategy considers an optimum urban environment.</p>	<ul style="list-style-type: none"> <li>• Victoria Avenue between the interchange and Archer Street</li> <li>• Concourse Open Space</li> <li>• Garden of Remembrance</li> <li>• Tennis and croquet club</li> </ul> <p>(b) the development will reduce solar access to any individual property within the South Chatswood Conservation Area to less than 3 hours between 9.00am and 3.00pm mid winter.</p>

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




A8	
<p>Site amalgamation clause for sites in Chatswood CBD</p> <p>This Clause is consistent with Chatswood CBD Strategy Key Element 12 and is intended to ensure a site is of sufficient size to achieve the envisioned outcomes</p>	



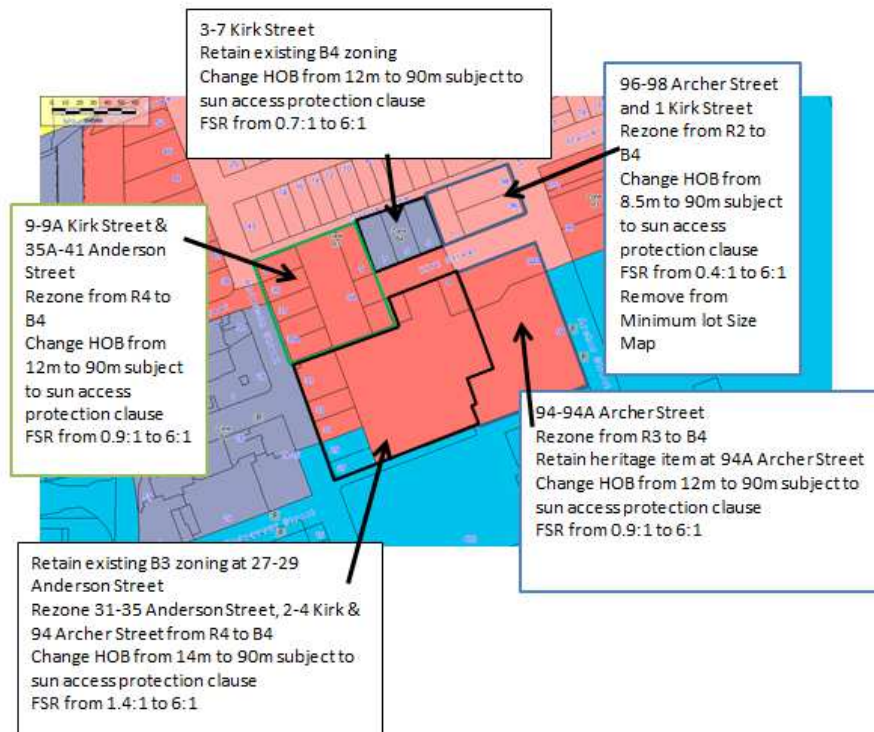
Description and Location (Chatswood CBD)	Proposed Change									
<p>Key Element 12 proposes a minimum site area of 1,800sqm for commercial development in the B3 Commercial Core.</p> <p>Site amalgamation is encouraged to meet this minimum requirement. In addition sites are not intended to be left isolated. The objective of this Key Element is to enable a site to be redeveloped to achieve an optimum outcome as envisioned under the Strategy and detailed in the other Key Elements. In particular, to enable:</p> <p>a) Provision of required setbacks to achieve slender towers and building separation whether on-site or with neighbouring sites,</p> <p>b) Provision of ground level public realm or areas accessible by public on private land,</p> <p>c) Appropriate vehicle entry / exit point,</p> <p>d) Provision of parking and loading in basement with adequate on-site manoeuvrability,</p> <p>e) Maximising commercial floor space and street activation at ground level,</p> <p>f) Maximising landscaping and deep soil planting.</p>										
<p>Site amalgamation clause for sites in Chatswood CBD</p> <p>Insert into part 6</p> <p>Clause 6.22</p> <p>Minimum lot sizes for commercial and mixed use development in Chatswood CBD.</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> <p>(i) Enabling the development site to be of sufficient size to provide for adequate drainage, landscaping and separation between buildings and</p> <p>(ii) ensuring that adequate provision is made for privacy and solar access and</p> <p>(ii) Reducing the instances of isolated lots being left with reduced development potential</p> <p>2) Development consent may be granted for a purpose shown in Column 1 of the Table to this subclause on a lot in a zone shown in Column 2 of that Table opposite that purpose, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of that Table.</p>										
<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	
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								
A9	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"><li>849-859 Pacific Highway &amp; 2 Wilson Street</li></ul>									

Description and Location (Chatswood CBD)	Proposed Change
<p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<ul style="list-style-type: none"> <li>• 871-879 Pacific Highway</li> <li>• 58 Anderson Street</li> <li>• 38-56 Anderson Street, 3 McIntosh Street and 1&amp;2 Day Street, Chatswood</li> </ul>
<div data-bbox="321 415 1295 1207"> <div data-bbox="349 430 738 588"> <p>871 – 879 Pacific Highway Change: Zoning from B5 to B4 HOB from 21m to 90m FSR from 2.5:1 to 6:1</p> </div> <div data-bbox="868 430 1226 588"> <p>58 Anderson Street Change Zoning from R2 to B4 HOB from 8.5m to 53m FSR 0.45:1 to 4:1</p> </div> <div data-bbox="349 661 738 840"> <p>849-859 Pacific Highway &amp; 2 Wilson Street Change: Zoning from R4 to B4 HOB from 24m to 90m FSR from 1.5:1 to 6:1</p> </div> <div data-bbox="933 735 1291 1197"> <p>38-56 Anderson Street, 3 McIntosh Street, 1&amp;2 Day Street Change: Zoning from R4 to B4 HOB from 12m to 53m at 56 Anderson Street 12m to 90m at 38-54 Anderson Street, 3 McIntosh Street 2 Day Street HOB from 115 RL to 90m at 1 Day Street FSR from 0.9:1 to 5:1 at 54-56 Anderson Street to 6:1 for the remainder of the site</p> </div> </div> <p>All Heights subject to Sun access protection clause</p>	

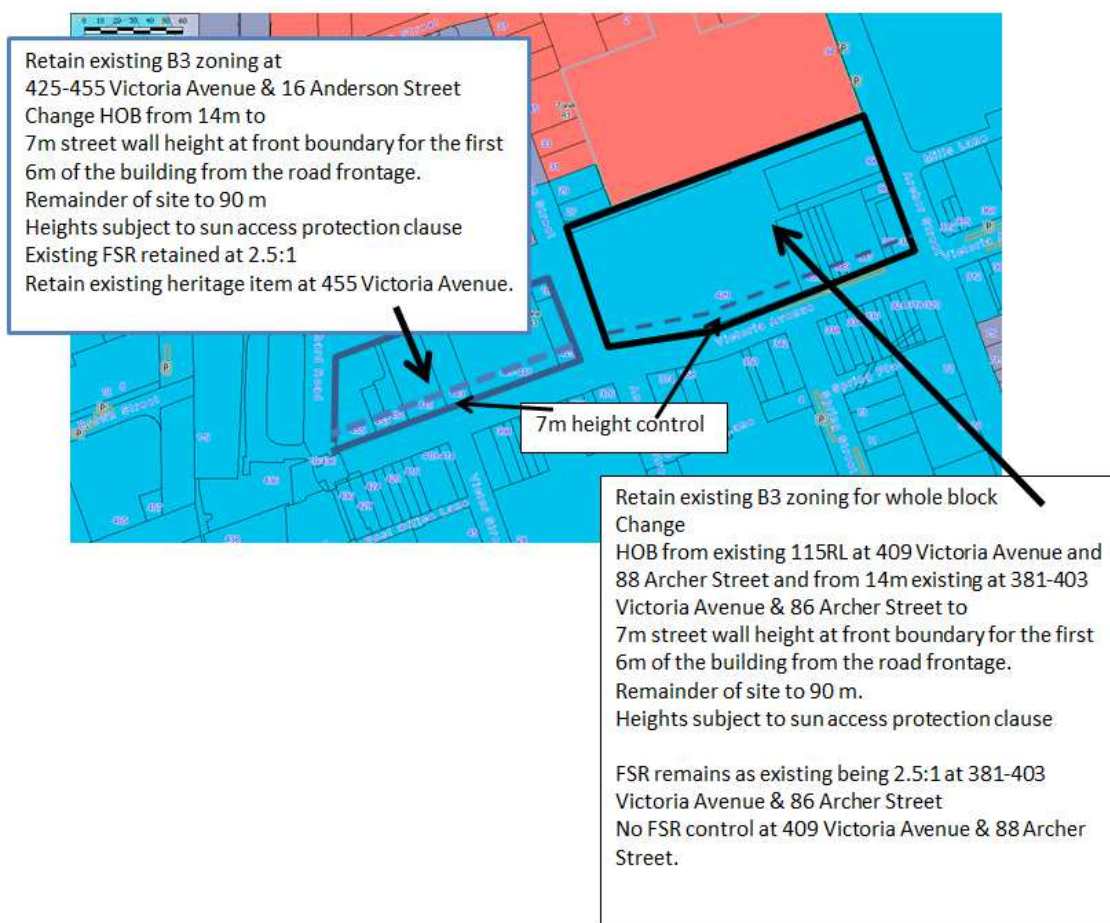


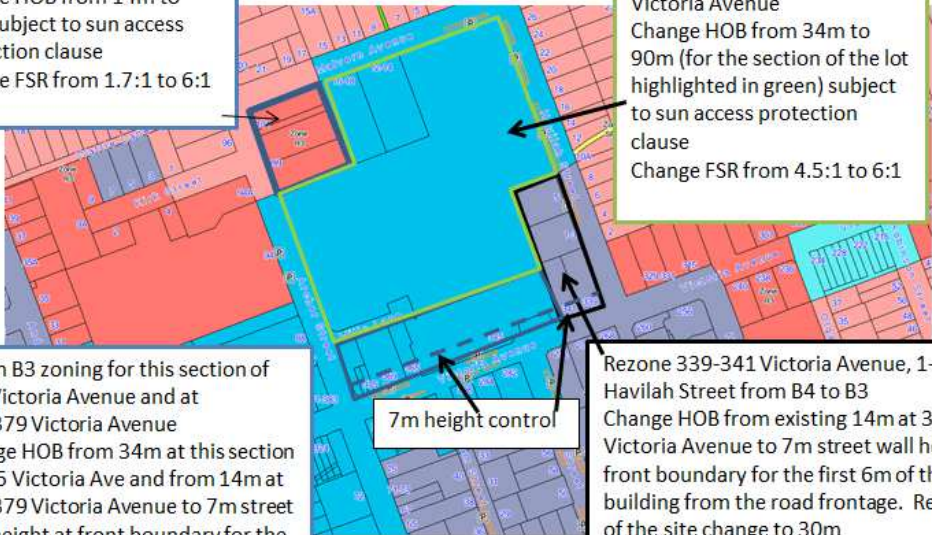
Description and Location (Chatswood CBD)	Proposed Change
<p>A10</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 1 Cambridge Lane, Part 7 Railway Street</li> <li>• blocks bounded by McIntosh Street / Cambridge Lane/ Help Street / Anderson Street</li> <li>• blocks bounded by Help Street / Cambridge Lane/ Endeavour Street/ Anderson Street</li> </ul>
 <div data-bbox="282 772 578 1150"> <p>1 Cambridge Lane Change Zoning from R4 to B4 HOB from 172m RL(existing) to 90m FSR from 5:1 to 6:1</p> <p>Part 7 Railway Street Retain B3 zoning and 90m height FSR from 5:1 to 6:1</p> <p>All heights subject to Sun Access Protection clause.</p> </div> <div data-bbox="719 961 1161 1136"> <p>Retain existing B4 zoning and existing FSR on blocks bounded by Help Street / Cambridge Lane/ Endeavour Street/ Anderson Street Change HOB from existing 124m RL / 172 RL To 60m subject to Sun Access Protection clause</p> </div> <div data-bbox="800 575 1242 751"> <p>Retain existing B4 zoning on blocks bounded by McIntosh Street / Cambridge Lane/ Help Street/ Anderson Street Change HOB from existing 20m/25m to 90 m subject to Sun Access Protection clause FSR from 2.7:1 to 6:1</p> </div>	

Description and Location (Chatswood CBD)	Proposed Change
<p>A11</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 3-7 Kirk Street</li> <li>• 9-9A Kirk Street &amp; 35A-41 Anderson Street</li> <li>• 96-98 Archer Street and 1 Kirk Street</li> <li>• 94-94A Archer Street</li> <li>• 27-29 Anderson Street</li> <li>• 31-35 Anderson Street, 2-4 Kirk &amp; 94 Archer Street</li> </ul>



Description and Location (Chatswood CBD)	Proposed Change
<p>A12</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 425-455 Victoria Avenue &amp; 16 Anderson Street</li> <li>• 409 Victoria Avenue and 88 Archer Street</li> <li>• 381-403 Victoria Avenue &amp; 86 Archer Street</li> </ul>




Description and Location (Chatswood CBD)	Proposed Change
<p>A13</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <ul style="list-style-type: none"> <li>• 99-101 Archer Street</li> <li>• 345 Victoria Avenue</li> <li>• 365-379 Victoria Avenue</li> <li>• 339-341 Victoria Avenue</li> <li>• 1-3 &amp; 5 Havilah Street</li> </ul>
 <div data-bbox="305 489 613 699"> <p>Rezone 99-101 Archer Street from R3 to B4 Change HOB from 14m to 90m subject to sun access protection clause Change FSR from 1.7:1 to 6:1</p> </div> <div data-bbox="987 520 1304 793"> <p>Retain B3 zoning at 345 Victoria Avenue Change HOB from 34m to 90m (for the section of the lot highlighted in green) subject to sun access protection clause Change FSR from 4.5:1 to 6:1</p> </div> <div data-bbox="305 909 686 1381"> <p>Retain B3 zoning for this section of 345 Victoria Avenue and at 365-379 Victoria Avenue Change HOB from 34m at this section of 345 Victoria Ave and from 14m at 365-379 Victoria Avenue to 7m street wall height at front boundary for the first 6m of the building from the road frontage. Remainder of the site change to 30m. All heights subject to sun access protection clause. FSR remains as existing being 4.5:1 across this section of 345 Victoria Avenue and at 365-379 Victoria Avenue.</p> </div> <div data-bbox="760 972 946 1014"> <p>7m height control</p> </div> <div data-bbox="963 909 1409 1507"> <p>Rezone 339-341 Victoria Avenue, 1-3 &amp; 5 Havilah Street from B4 to B3 Change HOB from existing 14m at 339-341 Victoria Avenue to 7m street wall height at front boundary for the first 6m of the building from the road frontage. Remainder of the site change to 30m Change HOB at 1-3 Havilah Street from 14m to 90m Change HOB at 5 Havilah Street from 34m to 90 m Heights subject to sun access protection clause. FSR at 339-341 Victoria Avenue to remain existing 1.7:1 Change FSR at 1-3 Havilah Street from 1.7:1 to 6:1 Change FSR at 5 Havilah Street from 4.5:1 to 6:1</p> </div>	



Description and Location (Chatswood CBD)	Proposed Change
<p>A14</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for: Block bounded by Victoria Avenue / Olga Street/ Albert Avenue/ Hercules Street</p>
<div data-bbox="298 449 761 982"> <p>Block bounded by Victoria Avenue / Olga Street / Albert Avenue / Hercules Street</p> <p>Rezone whole block from R3 to B4.</p> <p>Change HOB from existing 9m and 12m to 7m along Victoria Avenue for the first 6m of the building from the Victoria Avenue frontage. Remainder of the site change to 26m.</p> <p>Boundary outlined in green change to 11m</p> <p>Boundary outlined in blue change to 26m.</p> <p>Heights subject to sun access protection clause.</p> <p>Change FSR from existing 0.7:1 and 0.9:1 to 2.7:1 across whole block.</p> </div> <div data-bbox="383 480 1325 1022"> </div>	

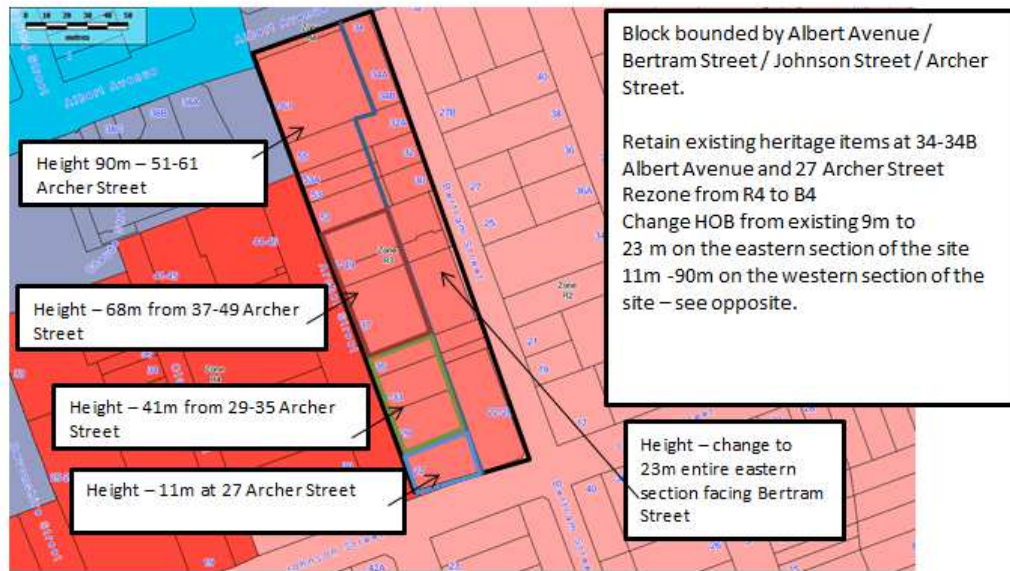
Description and Location (Chatswood CBD)	Proposed Change
<p>A15</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <p>3 Blocks bounded by Victoria Avenue / Hercules Street / Albert Avenue and Bertram Street</p>
<div data-bbox="266 630 724 1157"> <p>Change HOB from existing 14m and 20m and existing FSR of 2.5:1 to 7m along Victoria Avenue for the first 6m of the building from the road frontage. Remaining section (outlined in blue) to 90m and 6:1 FSR</p> <p>Mid-section of the site of the site (outlined in red) change from 20m to 57m height and 5:1 FSR.</p> <p>South section of the site (outlined in black) Change height from 9m to 23m. Change FSR to 2.7:1</p> </div> <div data-bbox="980 407 1373 644"> <p>3 Blocks bounded by Victoria Avenue / Hercules Street / Albert Avenue and Bertram Street</p> <p>No change to zoning</p> <p>No change to existing heritage item at 156 Victoria Avenue</p> </div> <div data-bbox="406 644 1347 1173"> </div> <p>All heights subject to sun access protection clause</p>	

Description and Location (Chatswood CBD)	Proposed Change
<p>A16</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <p>Blocks bounded by Victoria Avenue / Bertram Street / Albert Avenue / Anderson Street South</p>
<div data-bbox="272 436 1279 1312">  <div data-bbox="272 478 568 877"> <p>Block bounded by Victoria Avenue / Spring Street / Albert Avenue / Anderson Street South.</p> <p>No change to existing B3 zoning. Change HOB from existing (varied across the site at 14m &amp; 34m) to 7m along Victoria Avenue for the first 6m of the building from the road frontage. 246.8RL for the remainder of the block. Change FSR from existing 2.5:1 &amp; 4.5:1 to no maximum for commercial.</p> </div> <div data-bbox="487 907 816 1312"> <p>Block bounded by Victoria Avenue / Archer Street / Albert Avenue / Spring Street</p> <p>No change to existing B3 zoning. Change HOB from existing (varied across the site at 14m/27m) to 7m along Victoria Avenue for the first 6m of the building from the road frontage. 246.8RL for the remainder of the block. Change FSR from existing 2.5:1 to no maximum for commercial.</p> </div> <div data-bbox="946 787 1279 1197"> <p>Block bounded by Victoria Avenue / Bertram Street / Albert Avenue / Archer Street</p> <p>No change to zoning (existing B3 and B4). Change HOB from existing (varied across the site at 14m/20m /98 &amp; 107RL) to 7m along Victoria Avenue for the first 6m of the building from the road frontage. 90m for the remainder of the block. Change FSR from existing (2.5:1 &amp; 2.7:1) to 6:1</p> </div> </div> <p>All heights subject to sun access protection clause.</p>	

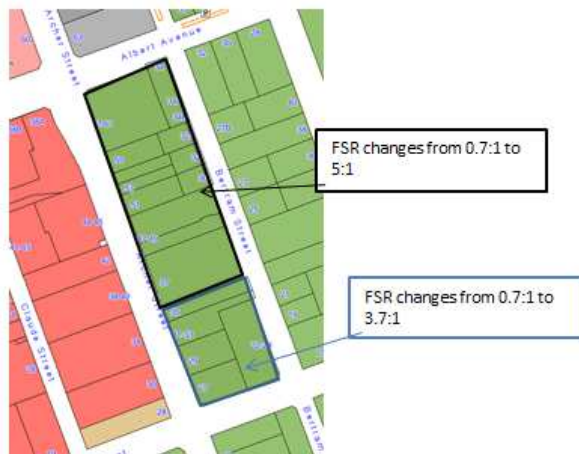
Description and Location (Chatswood CBD)	Proposed Change
<p>A17</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <p>Blocks bounded by Victoria Avenue / Anderson Street South / Albert Avenue / Railway Line</p>
<div data-bbox="315 436 1105 940"> </div> <div data-bbox="300 892 630 1236"> <p>Block bounded by Victoria Avenue / Victor Street / Albert Avenue / Garden of remembrance / Railway line. No change to the existing B3 zoning.</p> <p>HOB change from existing varied across the area (14m/27m/80m &amp; 110RL ) to 7m along Victoria Avenue for the first 6m of the building from the road frontage &amp; 246.8RL subject to sun access protection clause.</p> <p>FSR from existing 2.5:1 &amp; 8:1 to No FSR maximum for commercial.</p> </div> <div data-bbox="873 865 1203 1209"> <p>Block bounded by Victoria Avenue / Anderson Street South / Albert Avenue / Victor Street</p> <p>No change to existing B3 zoning.</p> <p>HOB</p> <p>Change from existing 14m/34 m to 7m along Victoria Avenue for the first 6m of the building from the road frontage &amp; 246.8RL subject to sun access protection clause.</p> <p>FSR from existing 2.5:1 and 4.5:1 to No maximum for commercial.</p> </div>	



Description and Location (Chatswood CBD)	Proposed Change
<p>A18</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <p>Block bounded by Albert Avenue / Bertram Street / Johnson Street / Archer Street.</p>



All heights subject to sun access protection clause

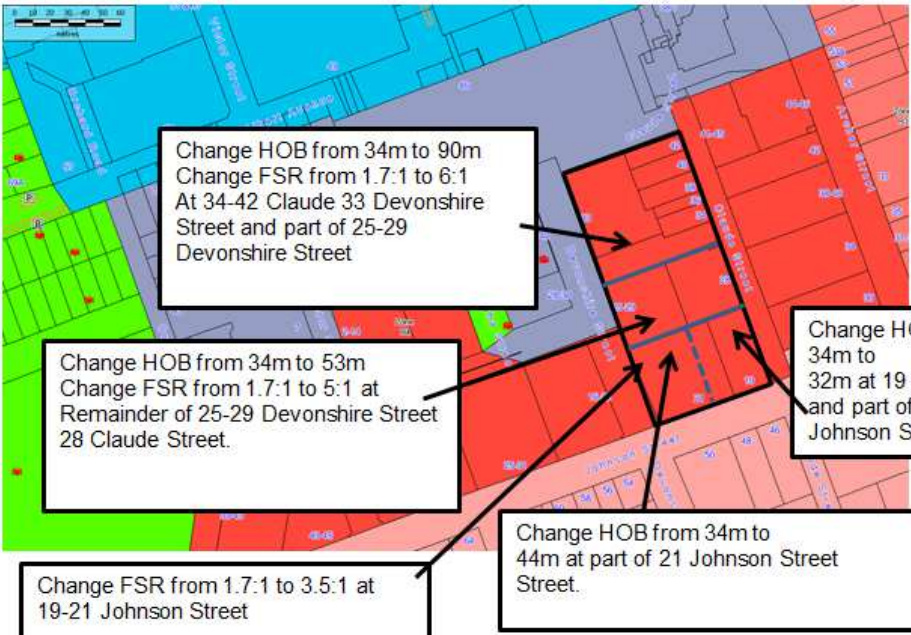


Description and Location (Chatswood CBD)	Proposed Change
<p>A19</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for: Block bounded by Albert Avenue / Archer Street / Johnson Street / Claude Street.</p>

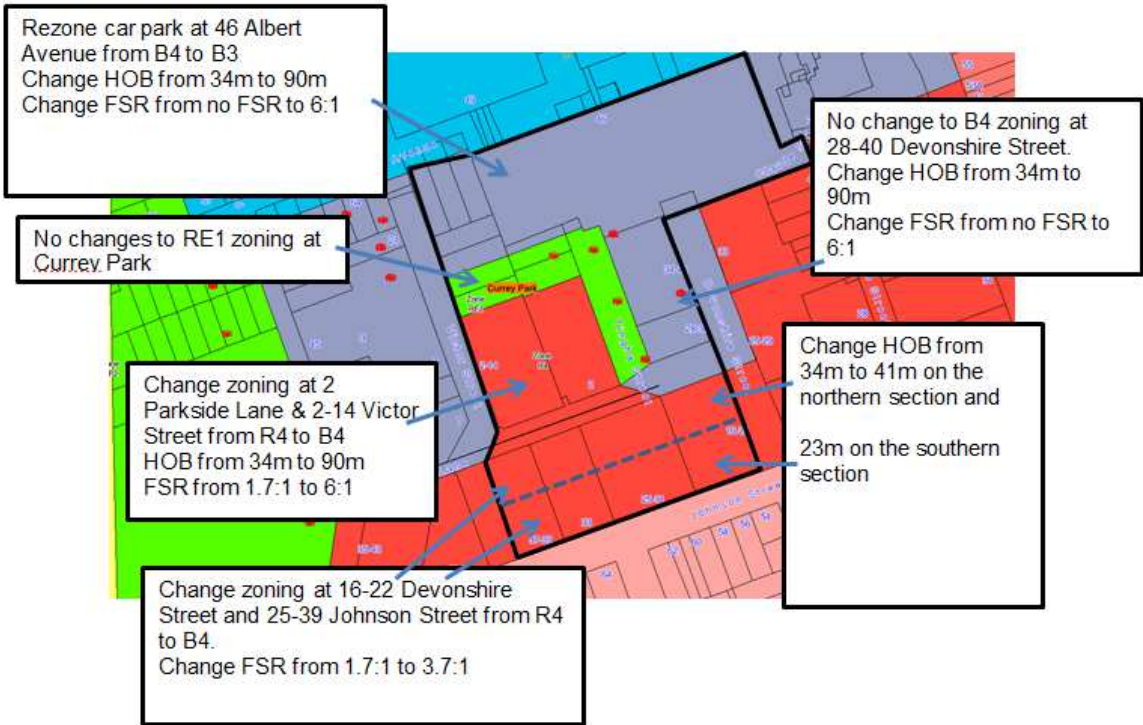


All heights subject to sun access protection clause



Description and Location (Chatswood CBD)	Proposed Change
<p>A20</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <p>Block bounded by Claude Street / Johnson Street and Devonshire Street</p>
<div data-bbox="410 527 837 653"> <p>Block bounded by Claude Street / Johnson Street and Devonshire Street</p> <p>Rezone from R4 to B4</p> </div>  <div data-bbox="516 789 894 968"> <p>Change HOB from 34m to 90m Change FSR from 1.7:1 to 6:1 At 34-42 Claude 33 Devonshire Street and part of 25-29 Devonshire Street</p> </div> <div data-bbox="402 999 818 1167"> <p>Change HOB from 34m to 53m Change FSR from 1.7:1 to 5:1 at Remainder of 25-29 Devonshire Street 28 Claude Street.</p> </div> <div data-bbox="378 1220 789 1314"> <p>Change FSR from 1.7:1 to 3.5:1 at 19-21 Johnson Street</p> </div> <div data-bbox="1146 968 1382 1115"> <p>Change HOB from 34m to 32m at 19 Johnson and part of 21 Johnson Street.</p> </div> <div data-bbox="854 1167 1284 1283"> <p>Change HOB from 34m to 44m at part of 21 Johnson Street.</p> </div> <p>All heights subject to the sun access protection clause</p>	



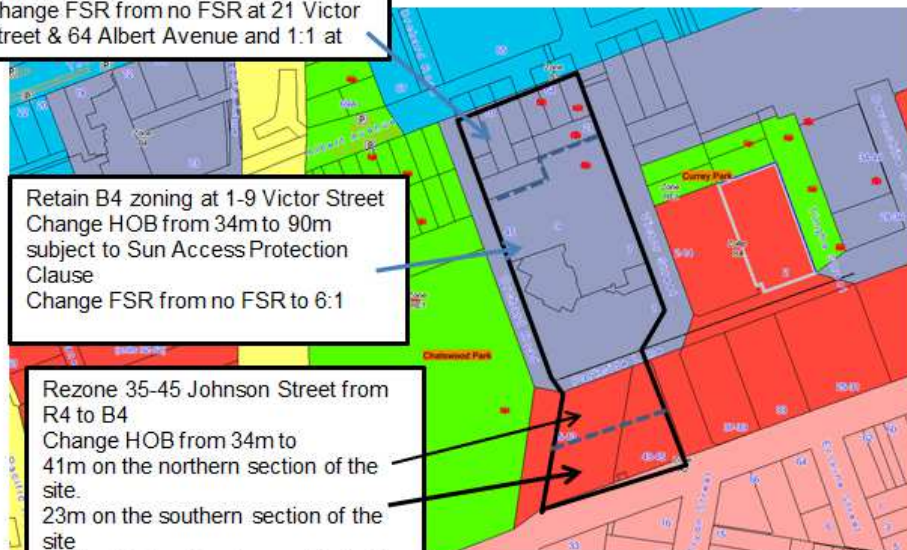
Description and Location (Chatswood CBD)	Proposed Change
<p>A21</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites</p>	<p>Zoning, height and FSR controls for:</p> <p>46 Albert Avenue / 28-40 Devonshire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

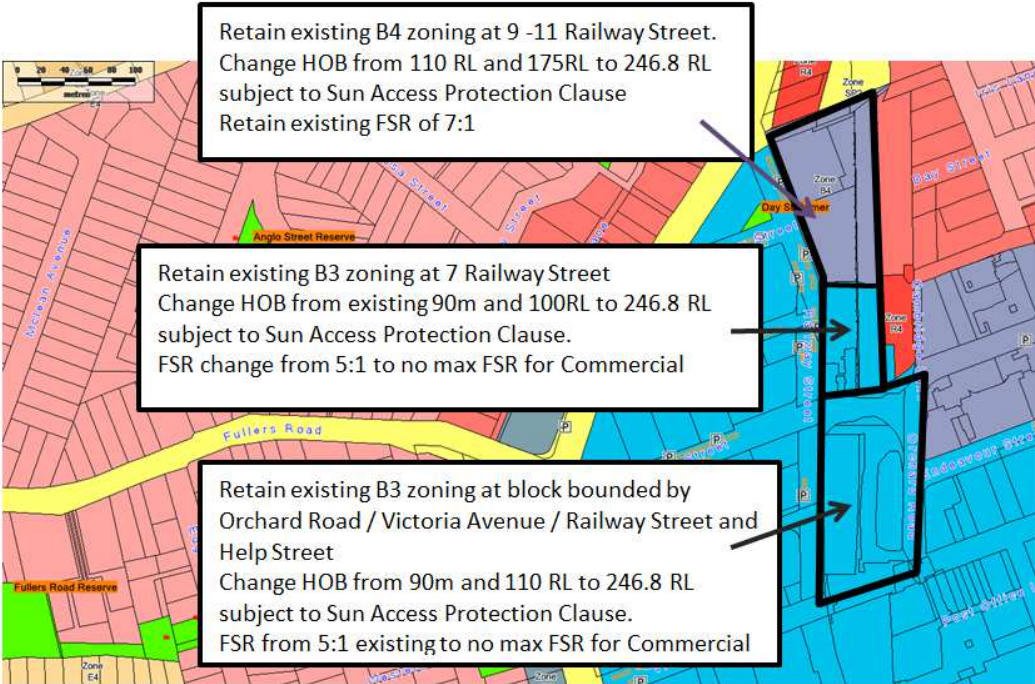
Description and Location (Chatswood CBD)	Proposed Change
<p>A22</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <p>Blocks Bounded by Albert Avenue / Victor Street / Johnson Street / Orchard Road</p>

Change zoning at 21 Victor Street / 64 - 70 Albert Avenue from B4 to B3  
 Change HOB from 14m & 34m to 90m subject to Sun Access Protection Clause  
 Change FSR from no FSR at 21 Victor Street & 64 Albert Avenue and 1:1 at

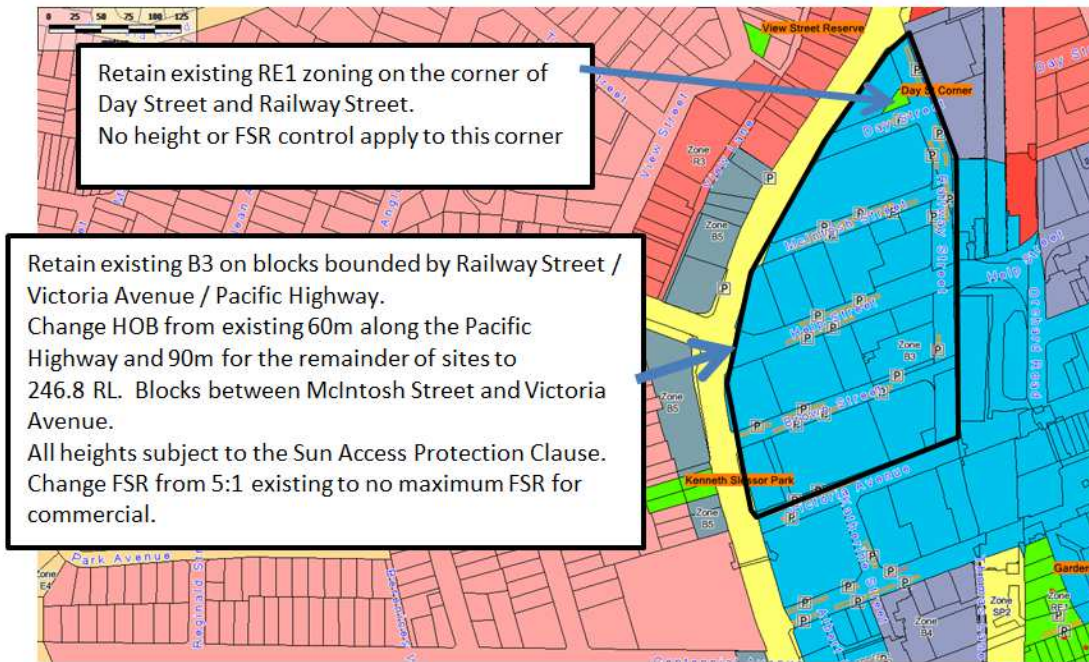
Retain B4 zoning at 1-9 Victor Street  
 Change HOB from 34m to 90m subject to Sun Access Protection Clause  
 Change FSR from no FSR to 6:1

Rezone 35-45 Johnson Street from R4 to B4  
 Change HOB from 34m to 41m on the northern section of the site.  
 23m on the southern section of the site  
 Subject to the Sun Access Protection Clause.  
 Change FSR from 1.7:1 to 3.6:1 across the whole site.



Description and Location (Chatswood CBD)	Proposed Change
<p>A23</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <p>Land bounded by O'Brien Street / railway line / Orchard Road / Victoria Avenue / Railway Street</p>
 <p><b>Retain existing B4 zoning at 9 -11 Railway Street.</b>  Change HOB from 110 RL and 175RL to 246.8 RL  subject to Sun Access Protection Clause  Retain existing FSR of 7:1</p> <p><b>Retain existing B3 zoning at 7 Railway Street</b>  Change HOB from existing 90m and 100RL to 246.8 RL  subject to Sun Access Protection Clause.  FSR change from 5:1 to no max FSR for Commercial</p> <p><b>Retain existing B3 zoning at block bounded by Orchard Road / Victoria Avenue / Railway Street and Help Street</b>  Change HOB from 90m and 110 RL to 246.8 RL  subject to Sun Access Protection Clause.  FSR from 5:1 existing to no max FSR for Commercial</p>	
Description and Location (Chatswood CBD)	Proposed Change

Description and Location (Chatswood CBD)	Proposed Change
<p>A24</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <p>Blocks bounded by Railway Street / Victoria Avenue / Pacific Highway (including Day Street, McIntosh Street, Help Street and Brown Street)</p>





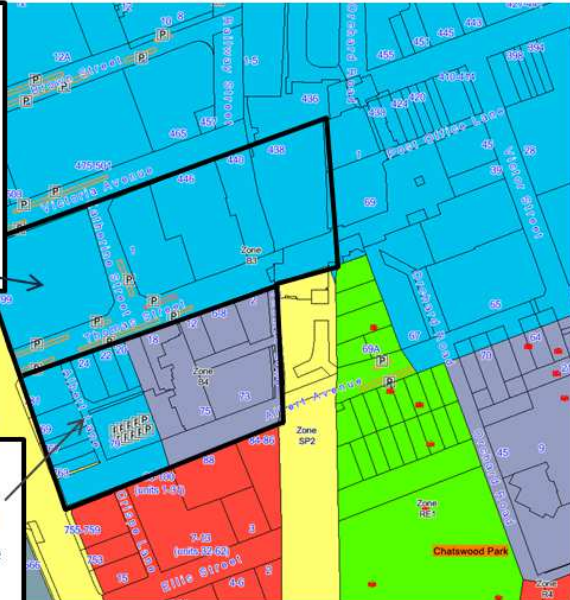
Description and Location (Chatswood CBD)	Proposed Change
<p>A25</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for:</p> <p>Blocks bounded by Railway Line / Albert Avenue / Pacific Highway / Victoria Avenue.</p>

Retain existing B3 zoning on blocks bounded by Victoria Avenue / Railway Line / Thomas Street and Pacific Highway

Change HOB from 60m 80m and 246 RL existing to 246.8 RL subject to Sun Access Protection Clause.  
Change FSR from 5:1 to no maximum FSR for commercial.

Retain existing B3 and B4 zoning

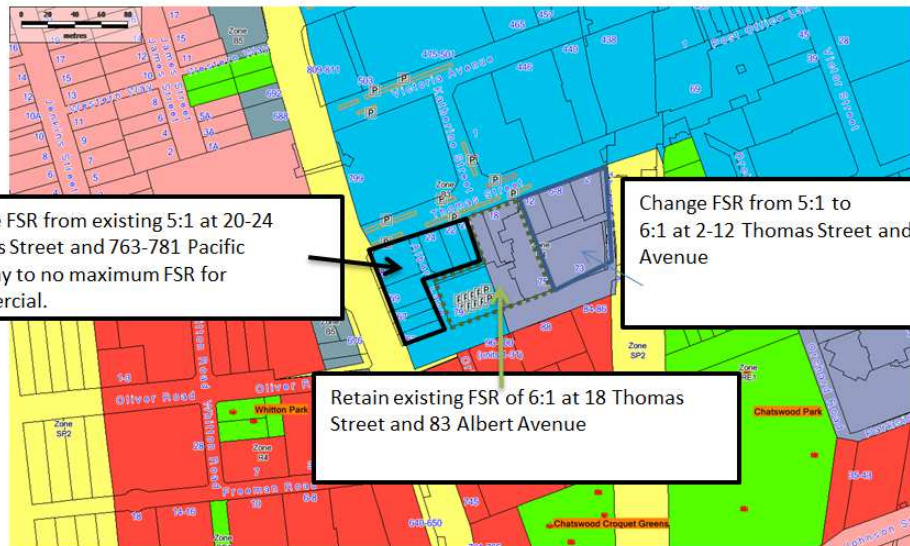
Change HOB from 60m along Pacific Highway and Thomas Street and from 34m along Albert Avenue to 90m  
subject to Sun Access Protection Clause.



Change FSR from existing 5:1 at 20-24 Thomas Street and 763-781 Pacific Highway to no maximum FSR for Commercial.

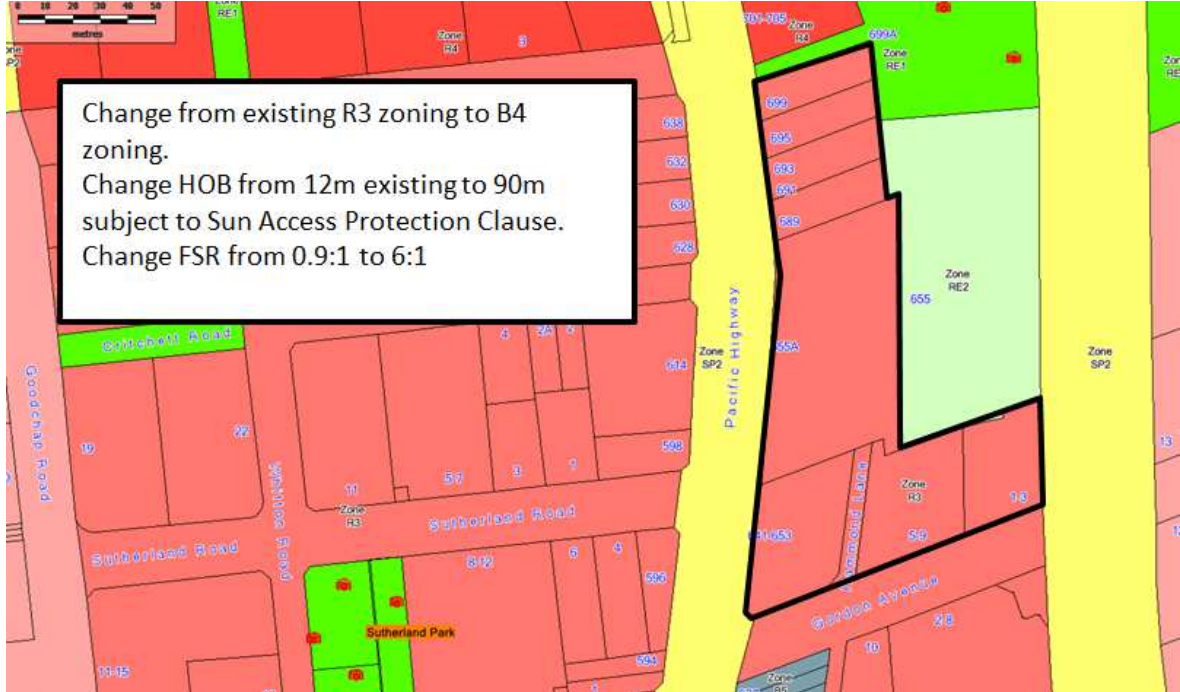
Change FSR from 5:1 to 6:1 at 2-12 Thomas Street and 73 Albert Avenue


Retain existing FSR of 6:1 at 18 Thomas Street and 83 Albert Avenue



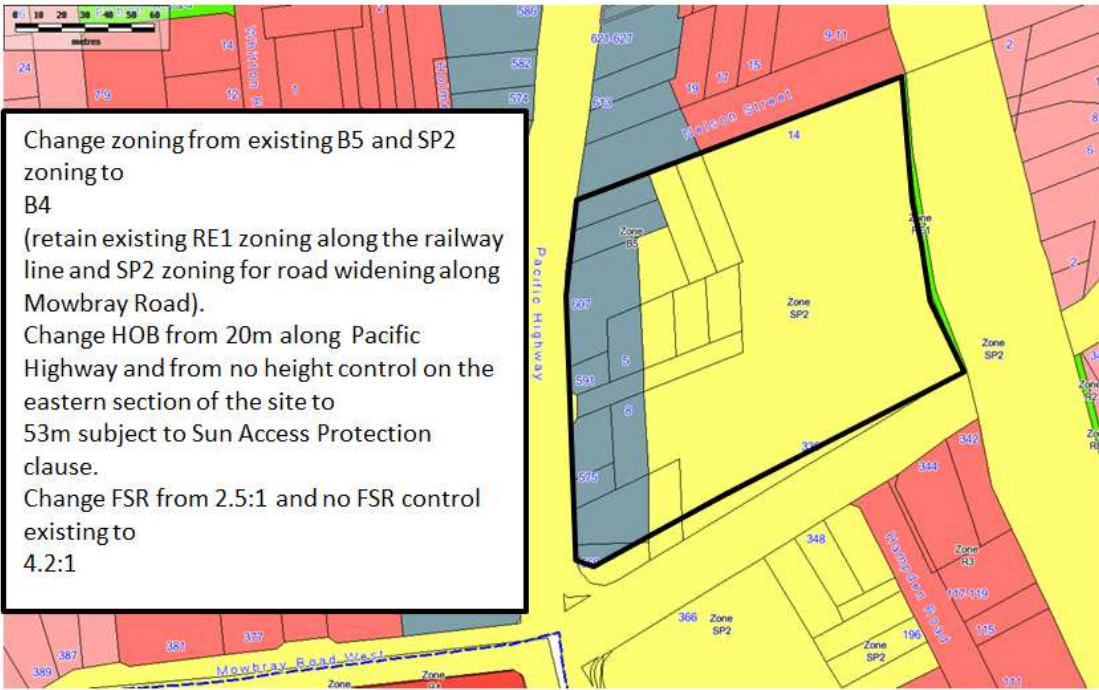




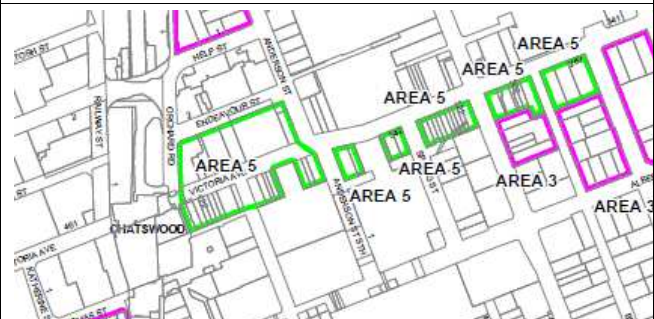
Description and Location (Chatswood CBD)	Proposed Change
<p>A27</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for: Land at 641-699 Pacific Highway and 1-9 Gordon Avenue</p>
	
<p>A28</p> <p>The proposed controls are in accordance with the Chatswood CBD Strategy.</p> <p>Sun Access and Design Excellence Clauses will also apply to these sites.</p>	<p>Zoning, height and FSR controls for: Blocks bounded by Gordon Avenue / Railway Line / Nelson Street / Pacific Highway</p>

Description and Location (Chatswood CBD)	Proposed Change
 <p>Change zoning from existing R4 and B5 to B4  Change HOB from 12m and 20m existing to 90m subject to Sun Access Protection Clause.  Change FSR from 0.9:1 and 2.5:1 existing to 6:1</p>	

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



Description and Location (Chatswood CBD)	Proposed Change
<p>The Chatswood CBD Strategy identifies this site as Mixed Use. A mixed use development is sought in regards this site, involving amalgamation with neighbouring site/s. The deletion of this clause is consistent with the Chatswood CBD Strategy.</p>	<p><del>Street, Chatswood, being Lot 1, DP 900390.</del></p> <p><del>(2) Development for the purposes of attached dwellings and multi dwelling housing is permitted with development consent.</del></p>
<p>1 Cambridge Lane is currently zoned R4. The R4 zoning does not permit business or office premises.</p> <p>It is proposed to rezone the site the B4 which does permit these uses. Therefore the Schedule 1 clause will no longer be required.</p>	<p><b>19. Use of certain land at Shops 1 and 2, 1 Cambridge Lane, Chatswood</b></p> <p><del>(1) This clause applies to land at Shops 1 and 2, 1 Cambridge Lane, Chatswood, being Lots 134 and 135, SP 79233.</del></p> <p><del>(2) Development for the purposes of office premises and business premises is permitted with development consent.</del></p>
<p>Currently certain B3 land along Victoria Avenue has an added permissible use for shop top housing.</p> <p>The CBD Strategy concluded to maintain B3 land for employment purposes. Additional dwelling provision will be achieved by the CBD edge areas which are proposed to be rezoned to B4.</p> <p>The CBD Strategy aims to protect the CBD Core around the interchange to promote employment opportunities.</p> <p>It is proposed to delete the additional provision for Victoria Avenue.</p> <p>The deletion of this clause and Area 5 from SPA map is consistent with the Chatswood CBD Strategy. Residential use is not permissible in the B3 zone under the Strategy. This clause is remnant from a previous strategic approach, which was to grow and enliven Chatswood Mall. 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><b>31 Use of certain land at Victoria Avenue, Chatswood</b></p> <p><del>(3) This clause applies to land at Victoria Avenue, Chatswood, being "Area 5" on the <a href="#">Special Provisions Area Map</a>.</del></p> <p><del>Development for the purpose of shop top housing is permitted with development consent if the ground level and first level of the development are used for the purpose of retail premises or business premises.</del></p>
	<p>Delete Area 5 from the Special Provisions Area Map</p>

Description and Location (Chatswood CBD)	Proposed Change
<p>A31</p> <p>A new exception to the FSR clause is proposed for the B4 zone. The clause relates to buildings used for shop top housing and requires a minimum percentage of FSR to be used for non residential purposes.</p> <p>The Chatswood CBD Strategy is seeking to increase and grow non-residential floor space within the Chatswood CBD to promote employment growth this being a Strategic Centre. This relates to both the B3 and B4 zones within the CBD boundary - which have been designed to provide different offerings. Key Element 15 of the Strategy addresses this issue. The objective of this Key Element is to achieve a satisfactory level of commercial in the B4 Mixed Use zone to deliver a reasonable amount of employment floor space, typically to be within the podium levels of a development. The specified 1:1 equates to 17% of FSR. Council has received advice from SGS Planning in this regard. The unrestricted commercial in the B3 zone and 17% FSR requirement in the B4 zone are intended to cater for different offerings and job provision - and is viable. .</p>	<p>Add the following clause to 4.4 Exceptions to Floor Space Ratio.</p> <p><b>4.4A (14) Minimum non-residential floor space in the Mixed Use Zone</b></p> <p>Land zoned B4 Mixed Use is to contain a minimum non-residential floor space component. This is calculated at 17% of FSR as indicated on the Floor Space Ratio Map.</p>
<p>A32</p> <p>A new clause is also proposed to enable certain types of residential flat buildings in the B4 zone. This is proposed to be included in Schedule 1 and limit the use only if the ground floor is used for non residential purposes.</p> <p>Currently the definition for shop top housing limits the ground floor component to retail or business premises. The intention of this clause is to still enable shop top housing but with a more flexible approach to the permitted uses on the ground floor.</p> <p>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 to happen, without allowing further residential accommodation not anticipated under the Chatswood CBD Strategy.</p>	<p>Add to Schedule 1</p> <p><b>XX Use of certain B4 land in, Chatswood</b></p> <ol style="list-style-type: none"> <li>(1) This clause applies to land zoned B4 in the Chatswood CBD.</li> <li>(2) Development for the purpose of residential flat building is permitted with development consent if the consent authority is satisfied that: <ol style="list-style-type: none"> <li>(a) the ground level is used for non residential purposes and</li> <li>(b) A minimum of 17% of the total FSR is provided for non residential purposes and</li> <li>(c) No residential dwelling is located at the ground floor.</li> </ol> </li> </ol>
<p>A33</p> <p>The new Sun Access clause supersedes the following existing clauses and should be deleted:</p> <p>4.3A (3)</p> <p>4.3A (4)</p>	<p>4.3A(3)</p> <p><del>Subject to subclause (4), the height of a building on land in Victoria Avenue, Chatswood that is identified as “Area 3” on the <a href="#">Height of Buildings Map</a> must not exceed, for the first 1 metre of the building back from the road frontage, 7 metres above ground level (existing) at the centre point of the lot boundary where it adjoins the road frontage</del></p>

Description and Location (Chatswood CBD)	Proposed Change
	<p>4.3A(4)</p> <p>If the building is on the northern side of Victoria Avenue, Chatswood on land that is identified as “Area 3” on the <a href="#">Height of Buildings Map</a>, any part of the building that is more than 1 metre back from the road frontage and higher than 7 metres above ground level (existing) at the centre point of the lot boundary where it adjoins the road frontage must be set back to conform to the sun plane angle at mid-winter between 12.00 pm and 2.00 pm</p> <p>Delete Area 3 from the HOB Map</p>
<p>A34</p> <p>Clause 4.3A (8)</p> <p>The new Sun Access Clause includes overshadowing of the public spaces currently included in Clause 4.3(8). Reference to these should be deleted.</p>	<p>4.3A(8)</p> <p><del>Development consent must not be granted to the erection of a building within 50 metres of The Concourse, Garden of Remembrance, Chatswood Park and Oval, Chatswood Mall and the <i>Angophora costata</i> on the Chatswood Police Station site if the development would cause increased overshadowing impacts on the space used by the public, or the tree canopy in the case of the <i>Angophora costata</i>, at mid-winter between 12.00 pm and 2.00 pm.</del></p> <p>Reworded to:</p> <p>Development consent must not be granted if the development would cause increased overshadowing to the tree canopy of the <i>Angophora costata</i> on the Chatswood Police Station at mid-winter between 12.00 pm and 2.00 pm.</p>
<p>A34</p>	
<p>Floor Space area clauses now superseded by the new Chatswood CBD controls.</p> <p>A number of areas are currently defined in the Chatswood CBD to have FSR exceptions subject to certain criteria.</p> <p>As there are new Height and FSR controls for these areas, the existing clauses and Map references should be deleted.</p> <p>The FSR provisions currently provided in Area 8 are proposed to be increased in accordance with the recommendations from the Chatswood CBD Strategy</p> <p>The intention of the Chatswood CBD Strategy was to simplify planning controls, in this case FSR, within the Chatswood</p>	<p>Delete the following Clauses:</p> <p>Clause 4.4A (12)</p> <p><del>The total floor space ratio for all buildings on land identified as “Area 8” on the <a href="#">Floor Space Ratio Map</a> may exceed 5:1 if—</del></p> <p><del>(a) the site area exceeds 2,500 square metres, and</del></p> <p><del>(b) the floor space ratio will not exceed 10.5:1, and</del></p>

Description and Location (Chatswood CBD)	Proposed Change
<p>CBD. The Strategy reviewed existing FSR controls and put forward new simplified controls to encourage commercial development within the B3 Commercial Core and mixed use development within the B4 Mixed Use zone. Unnecessary and superseded controls are proposed to be deleted. FSR is addressed in the Chatswood CBD Strategy in Key Element 11 (existing FSR) and 13 (proposed FSR).</p> <p>FSR controls for the Chatswood CBD are covered in the FSR maps. The SPA maps address the related matter of affordable housing, which under the Chatswood CBD Strategy, is within the FSR maximum identified on the FSR maps.</p>	<p>(c) <del>a minimum of 40% of the site is available for landscaping, publicly accessible space and through site links, and</del></p> <p><del>site coverage does not exceed 60%</del></p> <p>Delete Area 8 From the Floor Space Ratio Map</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>Clause 4.4A(13)</p> <p><del>The maximum floor space ratio for a building on land identified as “Area 9” on the <a href="#">Floor Space Ratio Map</a> may exceed 2.5:1 if —</del></p> <p><del>(a) the site area exceeds 3,000 square metres, and</del></p> <p><del>(b) the floor space ratio will not exceed 4:1.</del></p> <p>Delete Area 9 from the Floor Space Ratio Map</p> <p>Clause 4.4A (14)</p> <p><del>Development consent must not be granted for shop top housing on land in Zone B4 Mixed Use if —</del></p> <p><del>(a) for land bounded by Victoria Avenue, Hercules Street, Oscar Street and Albert Avenue, Chatswood—the floor space ratio for the housing will exceed 1.25:1, or</del></p> <p><del>(b) for all other land in that zone—the floor space ratio for the housing will exceed 1:1.</del></p>
<p>The FSR provisions currently provided in Area 11 are proposed to be increased in accordance with the recommendations from the Chatswood CBD Strategy.</p>	<p>Clause 4.4A(16)</p> <p><del>Development consent may be granted for the purpose of erecting a building on land that is identified as “Area 11” on the <a href="#">Floor Space Ratio Map</a>, known as 2–12 Thomas Street, 73–77 Albert Avenue and Fleet Lane, Chatswood, that would result in the floor space ratio not exceeding 7:1 if —</del></p>



Description and Location (Chatswood CBD)	Proposed Change
	<p>(a) the site area exceeds 4,000 square metres, and</p> <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>
<p>The FSR provisions currently provided in Area 14 are proposed to be increased in accordance with the recommendations from the Chatswood CBD Strategy.</p>	<p>Clause 4.4A (19)</p> <p><del>The maximum floor space ratio for a building on land identified as “Area 14” on the Floor Space Ratio Map may exceed 2.7:1 if —</del></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>(c) 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>
<p>A35</p> <p>Schedule 1</p> <p>Subclause 32 of Schedule 1 permits shop top housing for certain sites in the B3 zone .</p> <p>All of these sites are developed for that use.</p> <p>As this is not in line with the future vision of the B3 zone and as the sites are already developed, it is proposed to remove this provision.</p>	<p>32      Use of certain land at Chatswood in Zone B3</p> <p><del>(1) — This clause applies to the following land in Zone B3 Commercial Core —</del></p> <p>(a) — Chelsea, 8 Brown Street, Chatswood, being Lot 1, DP 1006341,</p> <p>(b) — High Tower, 14 Brown Street, Chatswood, being Lot 10, DP 1028406,</p> <p>(c) — Bentleigh, 1 Katherine Street, Chatswood, being Lot 100, DP 1009672,</p> <p>(d) — Leura, 809 Pacific Highway, Chatswood, being Lot 100, DP 1040224,</p> <p>(e) — Sebel, 37 Victor Street, Chatswood, being Lot 23, DP 868835,</p> <p>(f) — 39 Victor Street, Chatswood, being Lot 10, DP 1068549,</p> <p>(g) — Chatswood Transport Precinct Project, 436 Victoria Avenue, Chatswood, being Lots 106–108, DP 1094273.</p> <p><del>(2) — Development for the purpose of shop top housing is permitted with development consent.</del></p>

Description and Location (Chatswood CBD)	Proposed Change
<p>As a result of this deletion allowing shop top housing in the B3 zone, Clause 4.1B which allows strata subdivision of shop top housing will no longer be applicable.</p> <p>This is consistent with the Chatswood CBD Strategy which will no longer permit shop top housing.</p> <p>The Chatswood CBD Strategy (Key Element 12) proposes a minimum site area of 1,800sqm for commercial development in the B3 Commercial Core.</p> <p>Site amalgamation is encouraged to meet this minimum requirement. In addition sites are not intended to be left isolated. The objective of this Key Element is to enable a site to be redeveloped to achieve an optimum outcome as envisioned under the Strategy and detailed in the other Key Elements. In particular, to enable:</p> <ul style="list-style-type: none"> <li>a) Provision of required setbacks to achieve slender towers and building separation whether on-site or with neighbouring sites,</li> <li>b) Provision of ground level public realm or areas accessible by public on private land,</li> <li>c) Appropriate vehicle entry / exit point,</li> <li>d) Provision of parking and loading in basement with adequate on-site manoeuvrability,</li> <li>e) Maximising commercial floor space and street activation at ground level,</li> <li>f) Maximising landscaping and deep soil planting.</li> </ul> <p>It is proposed to address this via the minimum lot size map for all sites within the B3 Commercial Core.</p>	<p><del>4.1 — B Minimum subdivision lot size for shop top housing</del></p> <p><del>(1) — Despite clause 4.1, development consent may be granted for the subdivision of shop top housing on a lot —</del></p> <p><del>(a) — on which development for the purpose of shop top housing is permitted under Schedule 1, and</del></p> <p><del>(b) — that comprises land identified as “Area 1” on the Lot Size Map,</del></p> <p><del>even if the size of any or all lots resulting from the subdivision is less than the minimum size shown on the Lot Size Map in relation to that land.</del></p> <p><del>(2) — For the avoidance of doubt, the minimum size shown on the Lot Size Map in relation to that lot continues to apply to the subdivision of the premises on the ground floor and any other floor that does not contain shop top housing on that lot.</del></p>

## Section B: Willoughby Local Centres Strategy

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

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

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

**Table 2 Local Centres Amendments**

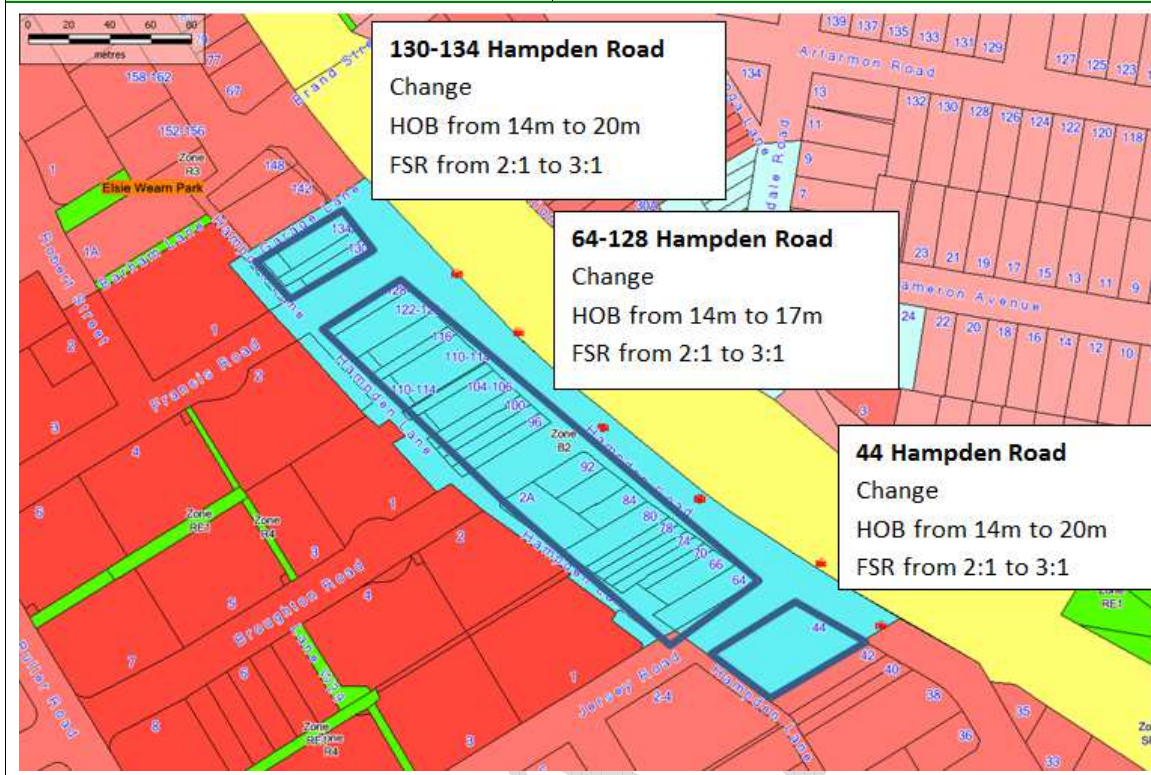
Note

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

Description and Location	Proposed Change
B1	
<p>Add objectives to the Land Use Table for the B1 and B2 zones to reflect the objectives of the Local Centres Strategy.</p> <p>These new objectives have been added to reflect the work carried out in the Local Centres Strategy by providing jobs and residential growth close to existing centres and services.</p> <p>Under Action 1.2, the LSPS required that local centres facilitate delivery of an increase in medium and high density dwellings in local centres.</p> <p>The LSPS also included a priority to plan for local centres to meet the everyday needs of the population (Priority 6). This in turn ties in with the North District Plan Priority N6 – Creating and renewing great places and local centres and respecting the District's heritage.</p> <p>This is also consistent with Ministerial Direction 7.1 to encourage employment growth in suitable locations</p> <p>The proposed new objectives reflect these sentiments..</p>	<p>Zone B1 Neighbourhood Centre</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> <li>• To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.</li> <li>• To minimise the effect of business uses on the amenity of adjacent areas having regard to building design, operation and activities, traffic generation and the car parking capacity of local roads.</li> </ul> <ul style="list-style-type: none"> <li>• To provide for services and employment within walking distance of residences</li> <li>• To allow residential accommodation while maintaining active retail, business or non-residential land uses at street level.</li> <li>• To generally conserve and enhance the unique sense of place of local centres by ensuring that new development displays architectural and urban design quality and integrates with the desired character and cultural heritage of these places.</li> </ul>
B2	

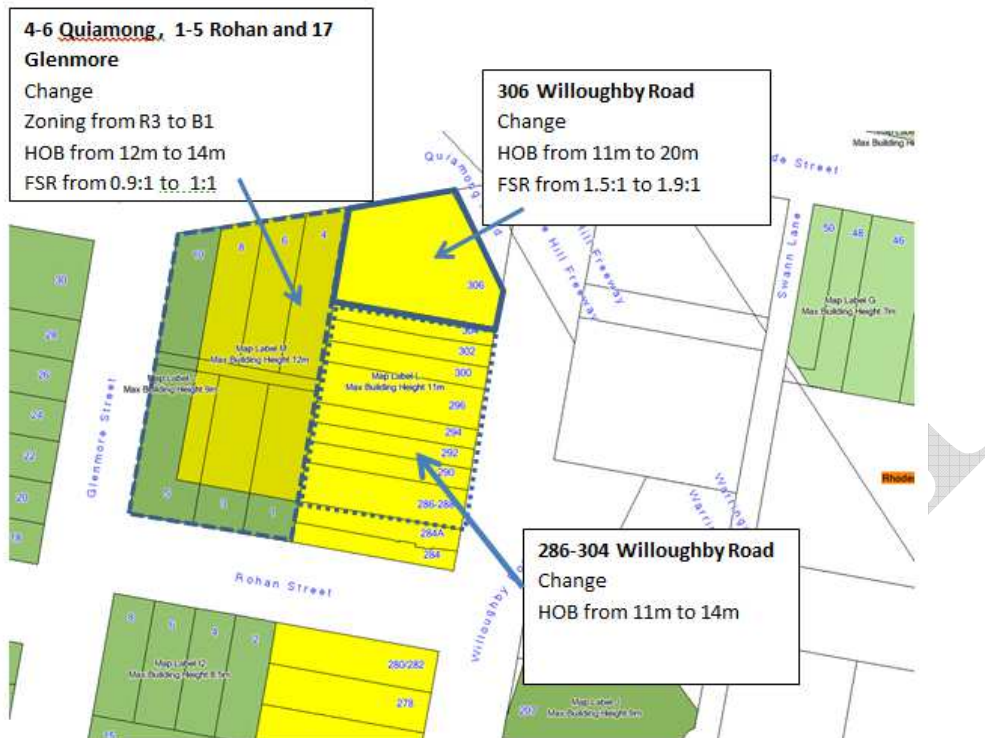
Description and Location	Proposed Change
<p>These new objectives have been added to reflect the work carried out in the Local Centres Strategy by providing jobs and residential growth close to existing centres and services.</p> <p>Under Action 1.2, the LSPS required that local centres facilitate delivery of an increased medium and high density dwellings in local centres.</p> <p>The LSPS also included a priority to plan for local centres to meet the everyday needs of the population (Priority 6). This in turn ties in with the North District Plan Priority N6 – Creating and renewing great places and local centres and respecting the District's heritage.</p> <p>This is also consistent with Ministerial Direction 7.1 to encourage employment growth in suitable locations</p> <p>The proposed new objectives reflect these sentiments..</p>	<p>Zone B2 Local Centre 1 Objectives of zone</p> <ul style="list-style-type: none"> <li>To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</li> <li>To encourage employment opportunities in accessible locations.</li> <li>To provide for services and employment within walking distance of residences</li> <li>To allow residential accommodation while maintaining active retail, business or non-residential land uses at street level.</li> <li>To generally conserve and enhance the unique sense of place of local centres by ensuring that new development displays architectural and urban design quality and integrates with the desired character and cultural heritage of these places.</li> <li>To maximise public transport patronage and encourage walking and cycling.</li> <li>To enhance the viability, vitality and amenity of local centres.</li> </ul>

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

Description and Location	Proposed Change
 <p><b>130-134 Hampden Road</b> Change HOB from 14m to 20m FSR from 2:1 to 3:1</p> <p><b>64-128 Hampden Road</b> Change HOB from 14m to 17m FSR from 2:1 to 3:1</p> <p><b>44 Hampden Road</b> Change HOB from 14m to 20m FSR from 2:1 to 3:1</p>	

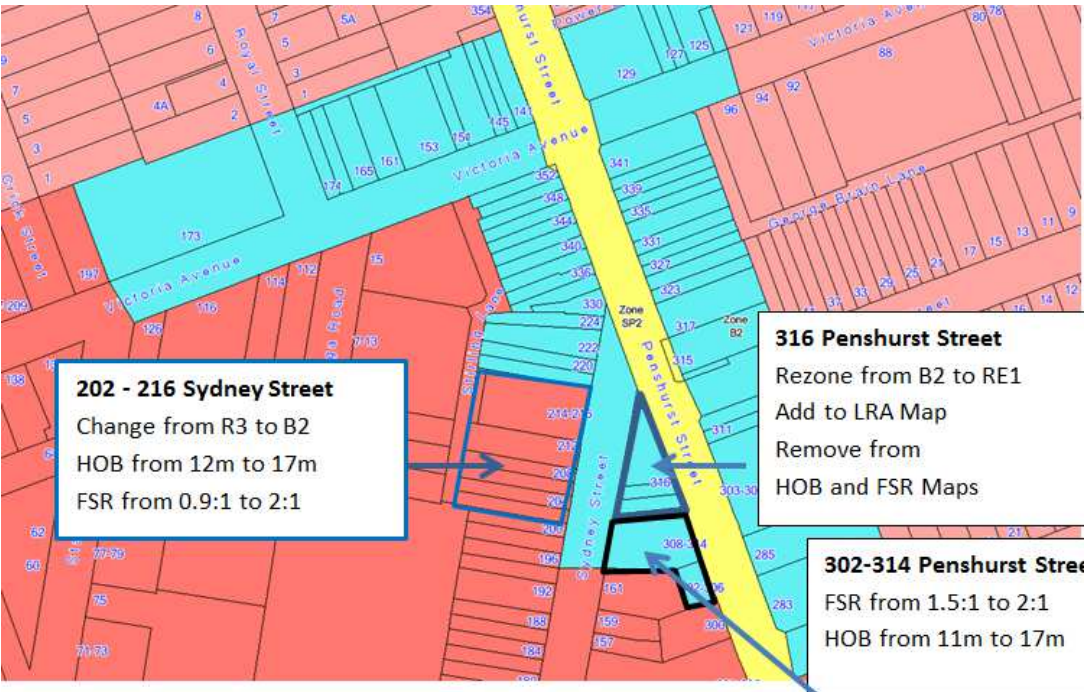


Description and Location	Proposed Change
B4	
Naremburn Local Centre	Change FSR and Height maps as follows





B5

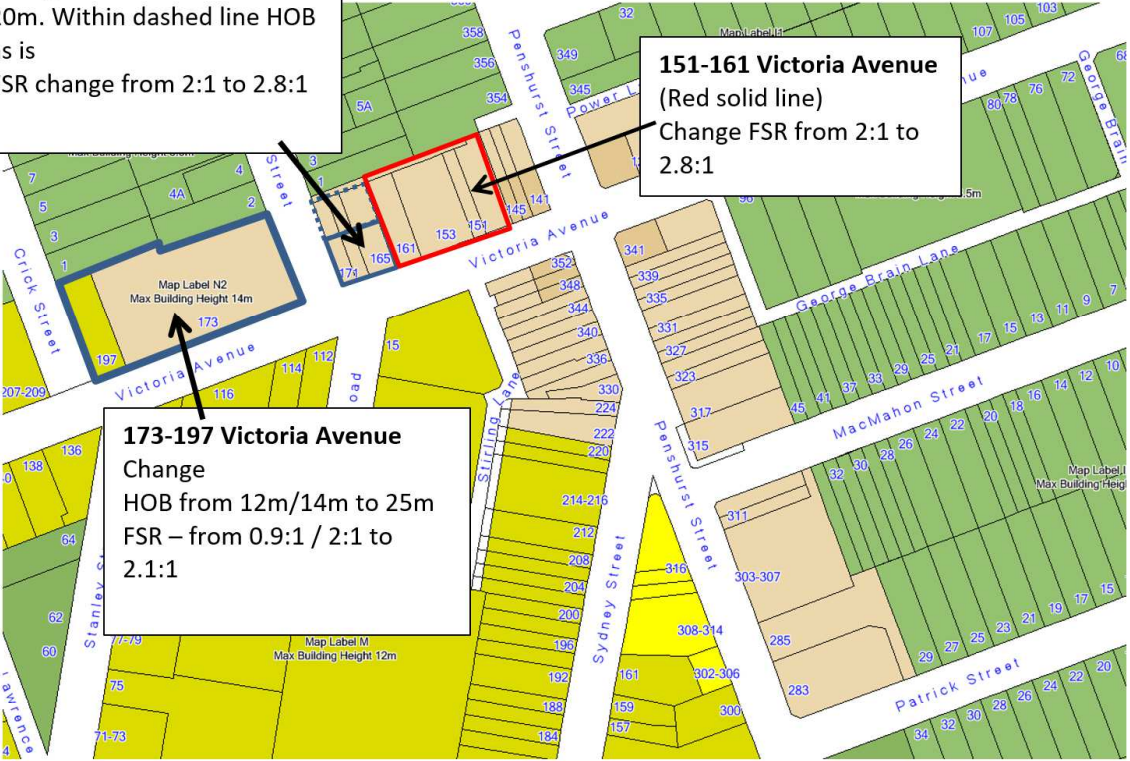


Description and Location	Proposed Change
B6	
North Willoughby Local Centre	Change map as follows
	
B7	
Amend the Active Street Frontages Map as follows	<p>The red dashed line shows what has to be added to the ASF map.</p> <p>The ASF line alongside 316 Pacific should be removed (shown in blue).</p> <p>Amend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

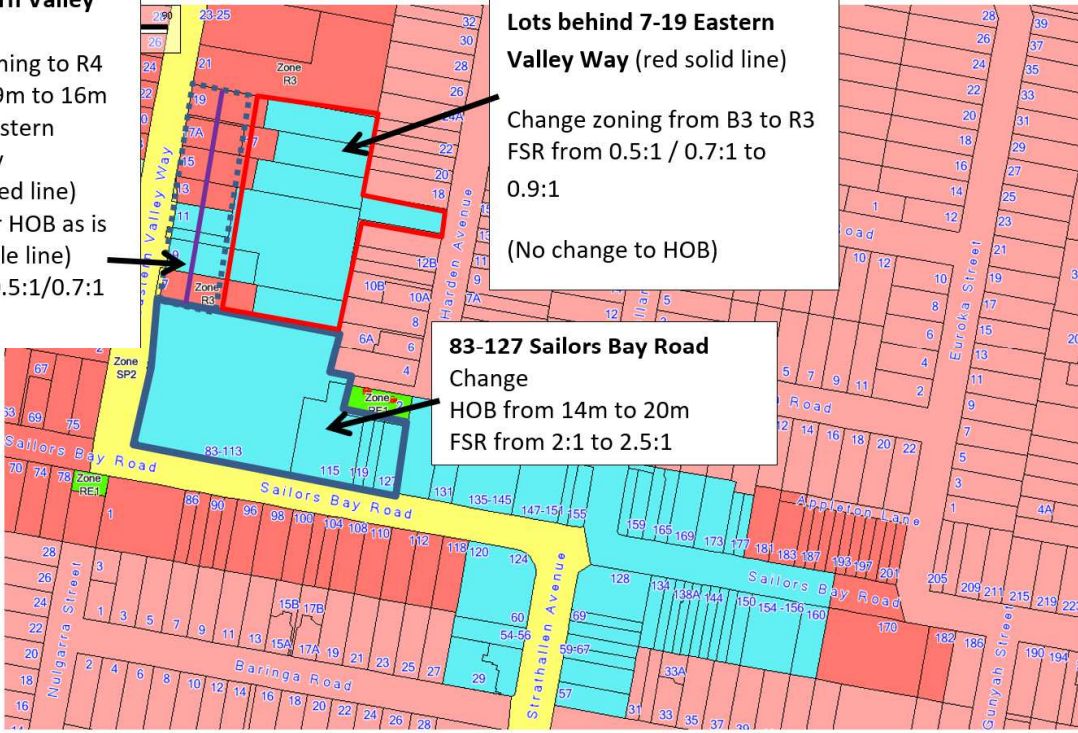


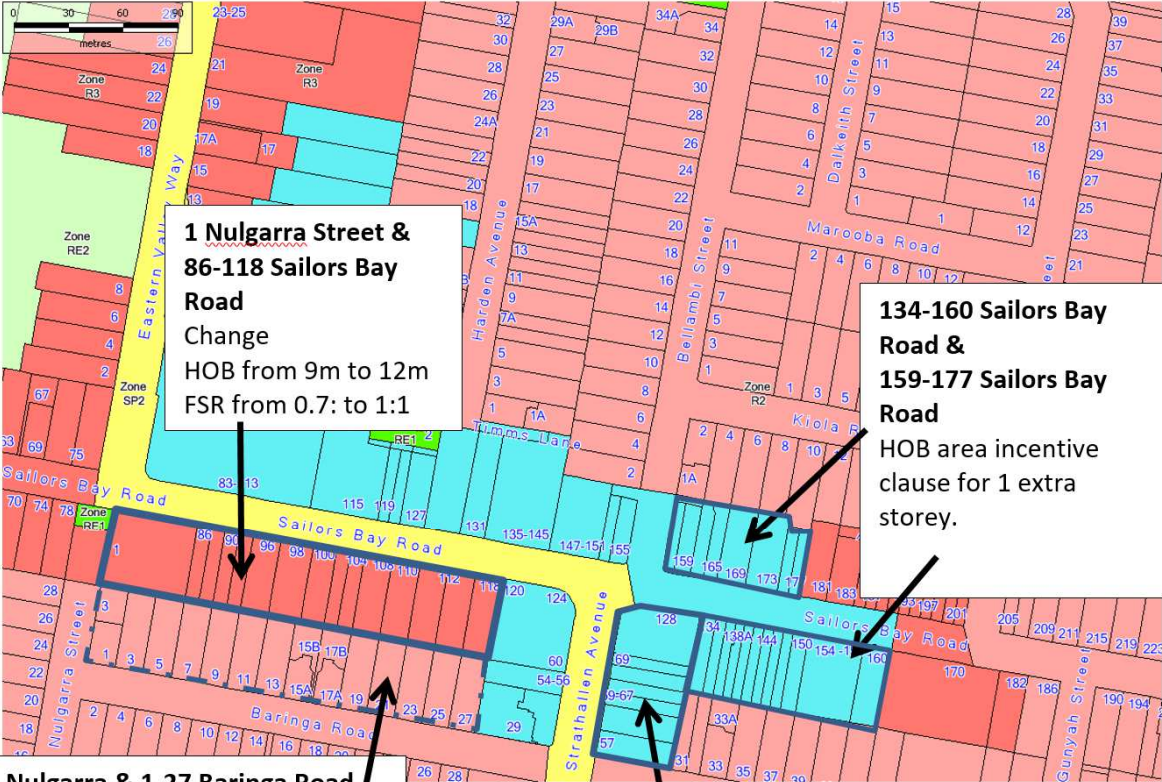
Description and Location	Proposed Change
	
B8	
Change the maps as follows	

Description and Location	Proposed Change
<p><b>141-145 Victoria Avenue</b>            Corner section            Within solid line - corner section of lot, Change            HOB from 15.5m to 20m            Within dashed line HOB as is            FSR from 2:1 to 2.8:1</p> <p><b>342-352 Penshurst Street</b>            Change            Front half of the lots change HOB from 14m /15.5m to 20m            Rear half of lots (in dash line) retain existing height control.            FSR from 1.5:1 / 2:1 to 2.8:1</p>	<p><b>129 Victoria Avenue</b>            Corner section            Within solid line - corner section of lot-change            HOB from 15.5m to 20m            Within dashed line HOB as is            FSR from 2:1 to 2.8:1</p> <p><b>125- 127 Victoria Avenue</b>            change            HOB from 14m to 17m</p> <p><b>335-341 Penshurst Street</b>            Change            Front half of the lots change HOB from 14m /15.5m to 20m. Rear half of lots (in dash line) retain existing height control.            FSR from 2:1 to 2.8:1</p> <p><b>218-340 Penshurst Street</b>            Change HOB to 17metres            FSR at 218-220 Sydney from 1.5:1 to 2:1.            Remainder FSR at existing 2:1</p> <p><b>283-285 Penshurst Street</b>            Change            Front half of the lots change HOB from 14m to 20m. Rear half of lots (in dash line) retain existing height control.            FSR from 2:1 to 2.8:1</p> 
B9	

Description and Location	Proposed Change
<div data-bbox="337 268 708 537"> <p><b>165-171 Victoria Avenue</b>            Within solid line            Change HOB from 14m to 20m. Within dashed line HOB as is            FSR change from 2:1 to 2.8:1</p> </div> <div data-bbox="1003 420 1325 579"> <p><b>151-161 Victoria Avenue</b>            (Red solid line)            Change FSR from 2:1 to 2.8:1</p> </div> <div data-bbox="467 793 837 1016"> <p><b>173-197 Victoria Avenue</b>            Change            HOB from 12m/14m to 25m            FSR – from 0.9:1 / 2:1 to 2.1:1</p> </div> 	



Description and Location	Proposed Change
B10	
Northbridge Local Centre	Change maps as follows:
<div data-bbox="277 457 550 829"> <p><b>7-19 Eastern Valley Way</b>  Change zoning to R4  HOB from 9m to 16m  – facing Eastern Valley Way  (Blue dashed line)  Remainder HOB as is  (solid purple line)  FSR from 0.5:1/0.7:1 to 2.5:1</p> </div> <div data-bbox="899 485 1245 772"> <p><b>Lots behind 7-19 Eastern Valley Way (red solid line)</b>  Change zoning from B3 to R3  FSR from 0.5:1 / 0.7:1 to 0.9:1  (No change to HOB)</p> </div> <div data-bbox="841 806 1182 947"> <p><b>83-127 Sailors Bay Road</b>  Change  HOB from 14m to 20m  FSR from 2:1 to 2.5:1</p> </div> 	
B11	

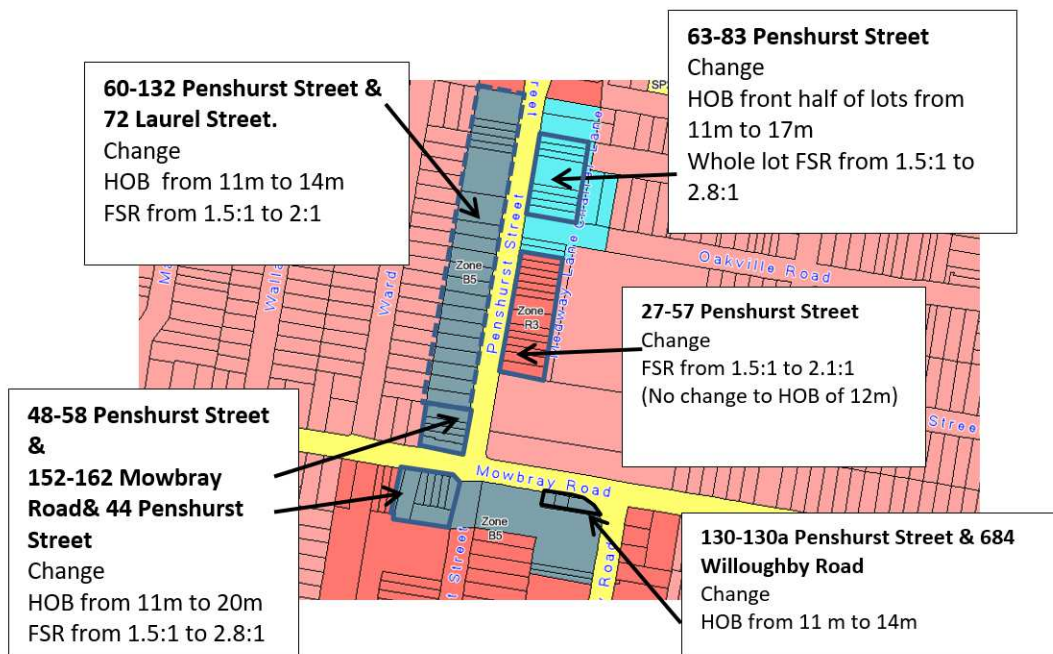
Description and Location	Proposed Change
 <p><b>1 Nulgarra Street &amp; 86-118 Sailors Bay Road</b> Change HOB from 9m to 12m FSR from 0.7: to 1:1</p> <p><b>134-160 Sailors Bay Road &amp; 159-177 Sailors Bay Road</b> HOB area incentive clause for 1 extra storey.</p> <p><b>3 Nulgarra &amp; 1-27 Baringa Road</b> Change Zoning from R2 to R3 HOB from 8.5m to 9m Variable FSR to 1:1 Remove from FSR Area 1 Remove from Lot Size Map (which only applies to R2 land)</p> <p><b>57-69 Strathallen Avenue &amp; 128 Sailors Bay Road</b> Change HOB from 14m to 17m (no change to FSR)</p>	
<p><b>B12</b></p> <p>New Height incentive clause relating to 134-160 Sailors Bay Road and 159-177 Sailors Bay Road</p> <p>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>The Local Strategic Planning Statement (LSPS) contains the following priorities with relevance to local centres:</p>	<p>Add to Clause 4.3A:</p> <p>(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 —</p> <p>(a) the first 2 storeys are wholly commercial, and</p> <p>(b) the Height will not exceed 17m.</p>



Description and Location	Proposed Change
<ul style="list-style-type: none"> <li>• <b>Priority 1:</b> Increasing housing diversity to cater to families, the aging population, diverse household types and key workers;</li> <li>• <b>Priority 2:</b> Increasing the supply of affordable housing;</li> <li>• <b>Priority 3:</b> Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features;</li> <li>• <b>Priority 4:</b> Ensuring that social infrastructure caters to the population's changing needs and is accessible to foster healthy and connected communities;</li> <li>• <b>Priority 5:</b> Respecting and enhancing heritage and local suburban character;</li> <li>• <b>Priority 6:</b> Planning for local centres which are vibrant places that meet the everyday needs of the population.</li> </ul> <p>The subject land is located within the Northbridge Local Centre. The proposed increase to the height limit will facilitate the provision of commercial floor space, residential diversity, affordable housing, and an activated street frontage along Strathallen Avenue and Sailors Bay Road. An activated street frontage would also enhance the walkability within the Northbridge Local Centre.</p> <p>The subject land is suitable for buildings five storeys in height. Future shop-top housing would be in character and scale with the existing shop-top housing in the local centre. Future development of the subject land would activate street frontages, provide pedestrian links, improve the pedestrian amenity of the local centre, and contribute to further housing.</p> <p>The proposal to increase the maximum height limit to 17.0m for the subject land whilst ensuring the first two levels of a building are dedicated as commercial floor space shall ensure the priorities identified within the LSPS are achieved.</p> <p>The <i>Willoughby Local Centres Strategy 2036</i> (WLCS) identifies the requirement for an additional 11,152sqm of commercial floor space in the Northbridge Local Centre by 2041. An increase in height limit for the subject land would provide incentive to encourage the provision of more commercial</p>	

Description and Location	Proposed Change
<p>floor space and assist with meeting the required commercial floor space target.</p>	
<p>B13</p>	
<p>Existing Clause 4.4A(9) applies to 79-113 Sailors Bay Road Northbridge which is the Northbridge Plaza site. This clause has been superseded by the planning controls proposed by the Local Centres Strategy.</p> <p>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 Local Strategic Planning Statement (LSPS) contains the following priorities with relevance to commercial zoned land in local centres:</p> <ul style="list-style-type: none"> <li>• <b>Priority 3:</b> Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features;</li> <li>• <b>Priority 4:</b> Ensuring that social infrastructure caters to the population's changing needs and is accessible to foster healthy and connected communities;</li> <li>• <b>Priority 5:</b> Respecting and enhancing heritage and local suburban character;</li> <li>• <b>Priority 6:</b> Planning for local centres which are vibrant places that meet the everyday needs of the population.</li> </ul> <p>The proposal to increase the maximum FSR allowance to 2.5:1 shall facilitate the redevelopment of this land which shall greatly assist with meeting the demand for commercial floor space in Northbridge as identified in the <i>Willoughby Local Centres Strategy 2036</i> (WLCS), which identifies the requirement for an additional 11,152sqm of commercial floor space in the Northbridge Local Centre by 2041.</p> <p>The existing building in the subject land contains street frontages to Sailors Bay Road and Eastern Valley Way that are low in amenity and streetscape presentation. The increase in FSR allowance shall facilitate a redevelopment of this land which shall activate street frontages along Sailors Bay Road and</p>	<p><b>4.4A (9)</b></p> <p><del>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.</del></p>

Description and Location	Proposed Change
<p>Eastern Valley Way, enhance walkability and provide a higher level of amenity to the local centre. The increase in commercial floor space shall also provide a larger variety of offerings that provides vibrancy to the local centre and meets the everyday needs of the community.</p> <p>The proposed clause is also consistent with Ministerial Direction 7.1 to encourage employment growth in business zones. The subject land is a highly suitable location for an uplift in commercial floor space whilst providing a built form that is sympathetic and compatible with the existing and the desired future local centre as depicted in the WLCS.</p> <p>The proposal to increase the maximum floor space ratio to 2.5:1 for the subject land whilst maintaining its B2 Local Centre zoning shall ensure the priorities identified within the LSPS are achieved.</p>	
<p>Reclassification of Council land</p> <p>Part of the car park to the rear of Northbridge Plaza Council is Council owned land.</p> <p>It includes a statutory trust which limits the land to the public purpose of parking and baby health centre. If the recommendations from the Local Centres Strategy are to proceed, the land will need to be reclassified from community to operational with the intended removal of the statutory trust.</p> <p>Council's land is proposed to be rezoned from B2 to part R3 Medium Density Residential and part R4 High Density Residential. (see section below).</p>	<p>Include in Schedule 4 Part 2:</p> <p>Eastern Valley Way, Northbridge</p> <p>Lot 2 DP200094</p> <p>Lot 4 DP200099</p> <p>Lot 6 DP200096</p> <p>Lot 8 DP200098</p> <p>Lot 15 DP4409</p> <p>Lot B DP323172</p>
B14	
<b>Penshurst Street Local Centre</b>	Make the following map changes



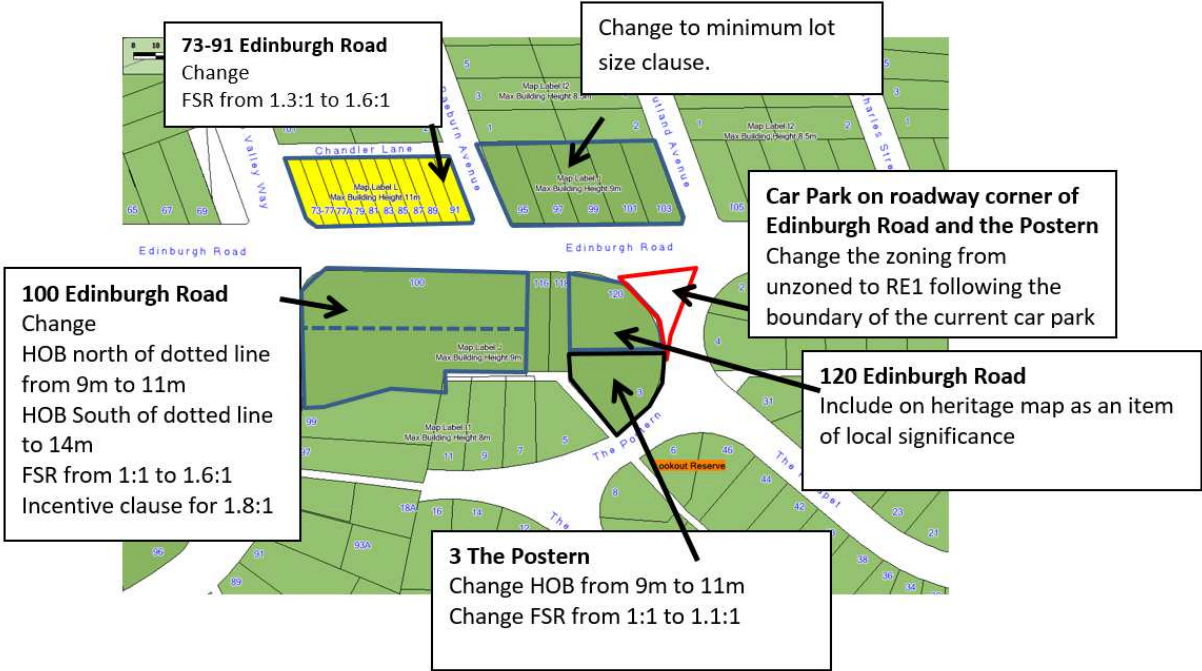
Description and Location	Proposed Change
<b>Willoughby South Local Centre</b>	
B15	Make the following map changes:
B16	
<p>FSR Incentive clause relating to 481-515 Willoughby Road, 60 Frenchs Road &amp; 1 Prentice Lane</p> <p>The subject land is located within the Willoughby South Local Centre and currently occupied by a row of shop-top housing, two storeys in height with the ground floor shops facing Willoughby Road.</p> <p>The Local Strategic Planning Statement (LSPS) contains the following priorities with relevance to local centres:</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 &amp; 1 Prentice Lane) on the Floor Space Ratio Map may exceed 2:1 if —</p> <ul style="list-style-type: none"> <li>(a) the site area exceeds 1,500m<sup>2</sup> and</li> <li>(b) the FSR will not exceed 3:1 with a minimum non residential floorspace of 1.5:1.</li> <li>(c) a public plaza is provided on the site.</li> </ul>



Description and Location	Proposed Change
<ul style="list-style-type: none"> <li>• <b>Priority 1:</b> Increasing housing diversity to cater to families, the aging population, diverse household types and key workers;</li> <li>• <b>Priority 2:</b> Increasing the supply of affordable housing;</li> <li>• <b>Priority 3:</b> Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features;</li> <li>• <b>Priority 4:</b> Ensuring that social infrastructure caters to the population's changing needs and is accessible to foster healthy and connected communities;</li> <li>• <b>Priority 5:</b> Respecting and enhancing heritage and local suburban character;</li> <li>• <b>Priority 6:</b> Planning for local centres which are vibrant places that meet the everyday needs of the population.</li> </ul> <p>The addition of clause 4.4A(X) seeks to facilitate the amalgamation of the subject land and provide an FSR allowance of 3:1 for a vast increase in commercial and residential floor space, as well as a public plaza to meet the future needs of the Willoughby South Local Centre and its community.</p> <p>The LSPS identifies the need for an increase in housing diversity, affordable housing, an enhancement of walking connections in local centres, and providing publicly accessible meeting spaces that are vibrant and encourage connection. The subject land is adequate in size to facilitate a development that achieves these priorities. Clause 4.4A(X) shall facilitate the provision of a development that provides a vast increase in residential and commercial floor space, as well as providing a public plaza that substantially improves the availability of quality public spaces in the Willoughby South Local Centre (WSLC).</p> <p>The <i>Willoughby Local Centres Strategy 2036</i> (WLCS) identifies an opportunity to improve active street frontages and the public domain, provide internal public plazas of high amenity, and improve pedestrian connections throughout the WSLC. The masterplan as shown in the WLCS show the subject land is capable of providing a development that is of high quality, sympathetic, activates street frontages, improves pedestrian connections and provides much needed public open space to the local centre.</p>	

Description and Location	Proposed Change
<p>The proposal to increase the maximum floor space ratio to 3:1 for the subject land shall result in orderly site amalgamation (without site isolation) and the provision of a public plaza shall to fulfil the priorities identified within the LSPS.</p>	

DRAFT

Description and Location	Proposed Change
B17	
Castlecrag Local Centre	Make the following map changes:
 <p><b>73-91 Edinburgh Road</b> Change FSR from 1.3:1 to 1.6:1</p> <p><b>100 Edinburgh Road</b> Change HOB north of dotted line from 9m to 11m HOB South of dotted line to 14m FSR from 1:1 to 1.6:1 Incentive clause for 1.8:1</p> <p><b>120 Edinburgh Road</b> Include on heritage map as an item of local significance</p> <p><b>3 The Postern</b> Change HOB from 9m to 11m Change FSR from 1:1 to 1.1:1</p> <p><b>Car Park on roadway corner of Edinburgh Road and the Postern</b> Change the zoning from unzoned to RE1 following the boundary of the current car park</p> <p>Change to minimum lot size clause.</p>	
B18	
<p>FSR area clause for 100 Edinburgh Road and define the area on the FSR Map.</p> <p>The subject land is located within the Castlecrag Local Centre currently occupied by the Quadrangle Shopping Centre.</p> <p>The Local Strategic Planning Statement (LSPS) contains the following priorities with relevance to local centres:</p> <ul style="list-style-type: none"> <li>• <b>Priority 1:</b> Increasing housing diversity to cater to families, the aging population, diverse household types and key workers;</li> <li>• <b>Priority 2:</b> Increasing the supply of affordable housing;</li> <li>• <b>Priority 3:</b> Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features;</li> <li>• <b>Priority 4:</b> Ensuring that social infrastructure caters to the</li> </ul>	<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>

Description and Location		Proposed Change			
<p>population's changing needs and is accessible to foster healthy and connected communities;</p> <ul style="list-style-type: none"> <li>• <b>Priority 5:</b> Respecting and enhancing heritage and local suburban character;</li> <li>• <b>Priority 6:</b> Planning for local centres which are vibrant places that meet the everyday needs of the population.</li> </ul> <p>The clause provides an incentive for bonus floorspace if it is located below the Edinburgh Road Frontage.</p>					
B19					
<p>Heritage item at 120 Edinburgh Road. During the exhibition phase of the Local Centres Strategy, a submission proposed that the Griffin Centre at 120 Edinburgh Road be made heritage item of local significance. This has been incorporated into the planning proposal and the heritage nomination can be viewed at Attachment 1</p>		<p>Include into Schedule 5 the following and include on the Heritage Map:</p>			
Suburb	Item name	Address	Property description		Significance Item no
Castlecrag	Griffin Centre	120 Edinburgh Road	Lot 1, DP 591269	Local	I253

## Section C: St Leonards and Crows Nest 2036

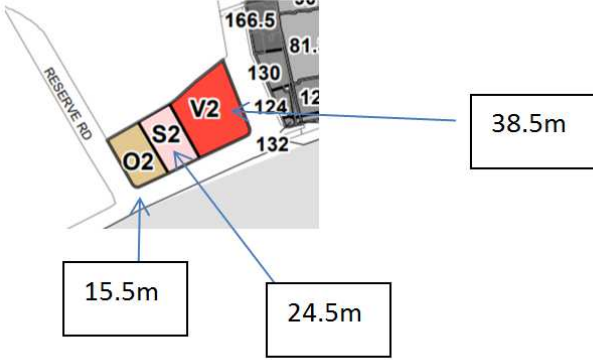
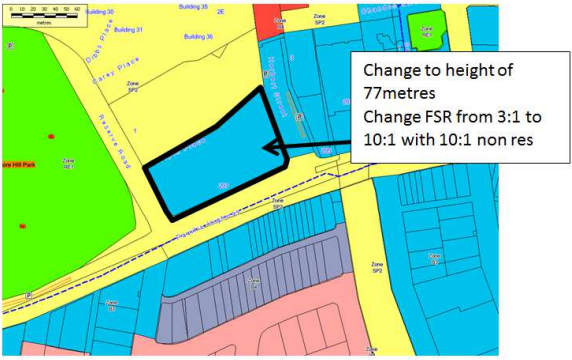
The following changes are incorporated as prescribed in the St Leonards and Crows Nest 2036 Plan. Height and floorspace changes are included for the following sites:

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


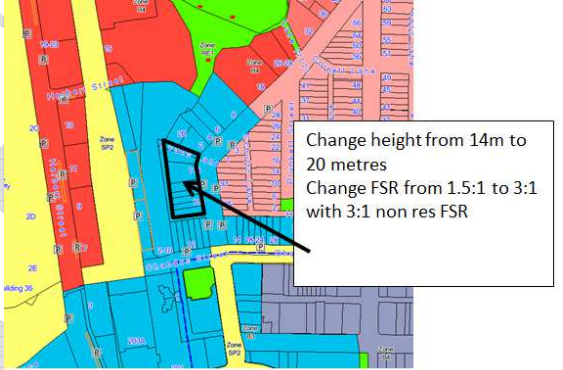
**Table 3 St Leonards Amendments**

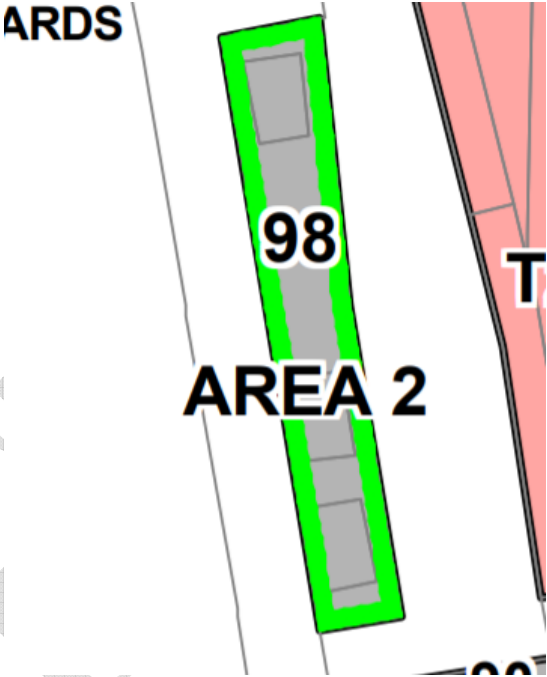
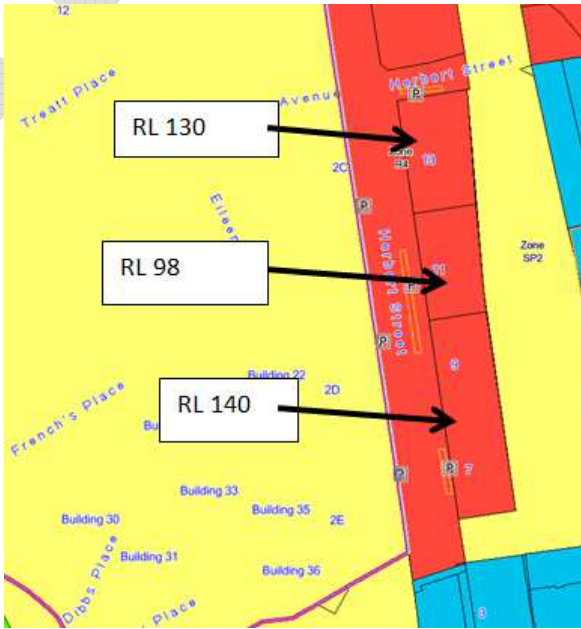
Note

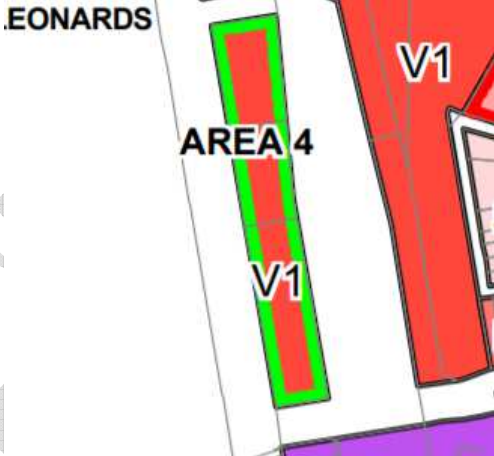
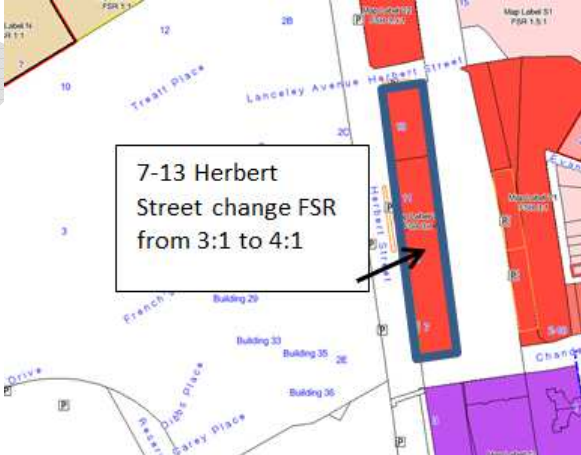
- the following Table includes maps that are not to scale
- The base map shown is the current zoning map in WLEP 2012
- Maps will be displayed in Standard Instrument format for exhibition purposes.
- In some cases the use of X is given in reference to a future clause or area on a map.
- Controls will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

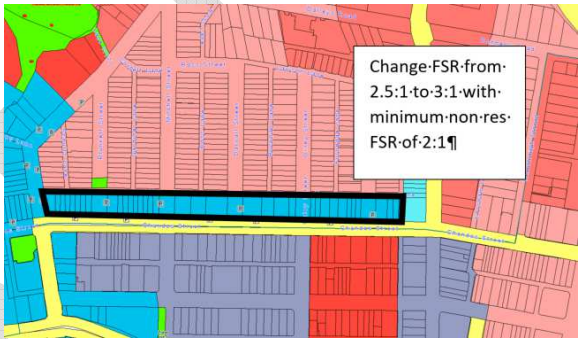
Description and Location	Proposed Change
<p>C1</p> <p>207 Pacific Highway St Leonards.</p> <p>The existing height of this site varies across the site.</p>  <p>The St Leonards 2036 Plan proposes 25 storeys across the site. (This equates to 77m). Currently the FSR of this site is 3:1 across the entire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



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

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

Description and Location	Proposed Change
<p>The St Leonards and Crows Nest Plan does not propose any changes for this site.</p>	<p>building is retained for adaptation, and (b) the floor space ratio does not exceed 4:1.</p>
<p>Delete Area 4</p>	
	 <p>A map of St Leonards showing a green rectangular area labeled 'AREA 4' and a red rectangular area labeled 'V1'.</p>
<p>C6</p>	
<p>Change FSR Map</p> <p>Change to 4:1 for 7-13 Herbert Street</p>	 <p>A map of the area around 7-13 Herbert Street. A blue rectangular area is highlighted with a black border. A text box with an arrow pointing to this area contains the text: '7-13 Herbert Street change FSR from 3:1 to 4:1'. Other labels on the map include 'Treatt Place', 'Lancelay Avenue', 'Herbert Street', 'Frenchville', 'Building 29', 'Building 33', 'Building 35', 'Building 36', 'Chandos Street', 'Map Label S1', and 'Map Label S1'.</p>
<p>C7</p>	
<p>Clause 4.4A(10) applies to 201-205 Pacific Highway which is the Forum site.</p> <p>The clause was written prior to the development of the site. As the Forum is in place the control is no longer relevant and should be deleted.</p> <p>There are no proposed changes for the site under the St Leonards and Crows Nest 2036 Plan</p>	<p><b>4.4A (10)</b></p> <p>The total floor space ratio for all shops on land in Zone B3 Commercial Core, known as Lots 2, 3 and 5, DP 879307, 201-205 Pacific Highway, St Leonards, being land bounded by Herbert Street, Pacific Highway, Sergeants Lane and Chandos Street, must not exceed 0.4:1.</p>

Description and Location	Proposed Change
C8	
<p>This clause is superseded by the controls in the St Leonards Crows Nest 2036 Plan and should be deleted.</p> <p>The St Leonards and Crows Nest 2036 Plan includes height and FSR changes for 2-10 Chandos Street.</p> <p>The controls is seen to be a historic clause that is no longer applicable to these sites.</p>	<p><b>4.4A (11)</b></p> <p><del>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.</del></p>
<p>C9</p> <p>Section along Chandos Street, St Leonards (14- 102 Chandos Street).</p> <p>The St Leonards Crows Nest 2036 Plan identifies this section of Chandos Street for a change in planning controls. However, the proposed 5 storeys identified can currently be accommodated in the existing LEP height limit of 20m.</p> <p>Therefore, the only change relates to FSR. The St Leonards Plan defines a 3:1 FSR with a minimum non residential of 2:1.</p> <p>This planning proposal will include a new FSR area to match this proposed change.</p>	<p>Include a new Area 16 to the FSR map which allows 3:1 with 2:1 non residential FSR as stated in the St Leonards Crows Nest 2036 Plan.</p> 

## Section D: Willoughby Industrial Lands Strategy

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

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

Changes arising from the Industrial Study incorporate the following changes:

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

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

**Table 4 Industrial Amendments**

Note

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

Description and Location	Proposed Change
D1	
To reinforce the main objective of the Industrial Strategy, to retain and manage, should be added as an aim of the Plan	Add to 1.2 Aims of Plan, part (g) for economic sustainability:  (iii) to retain and manage industrial land.
D2	
To clarify the role of Industrial areas as part of the North District Plan, reference should be made to the Eastern Economic corridor. This is consistent with Planning Priority N8 of the North District Plan – Eastern Economic Corridor is better connected and more competitive.	In the Land Use Tables for IN1 and IN2 Objectives of the Zone add To encourage employment opportunities as part of the Eastern Economic Corridor.

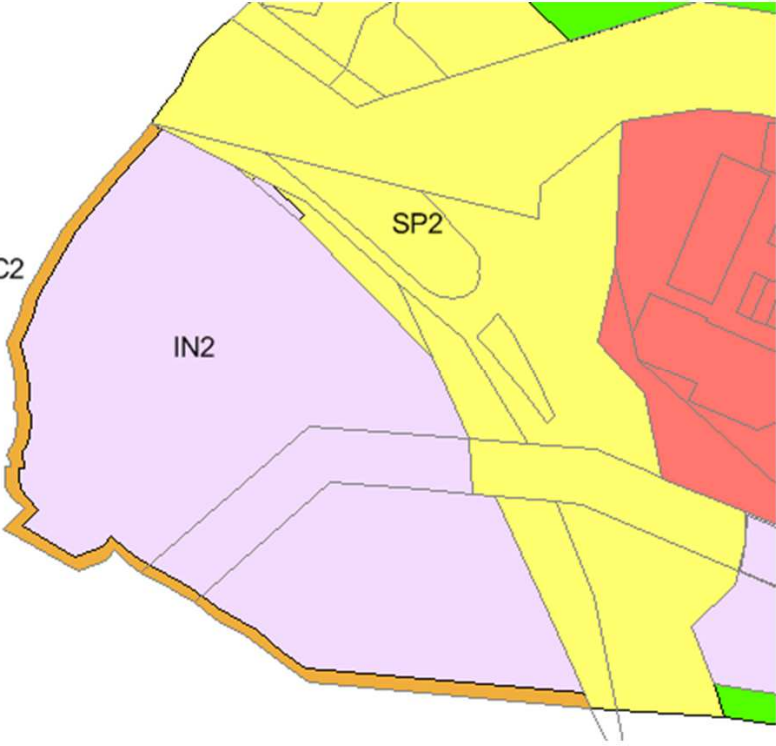


Description and Location	Proposed Change
<p>The Eastern Economic Corridor contains close to one-third of Greater Sydney's jobs and includes the industrial areas of Artarmon and Chatswood East and the strategic centres of Chatswood and St Leonards. St Leonards is also an important health and education precinct</p>	
D3	
<p>Floor space ratio area clause</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>(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>(</p> <p>The clause will change FSR from 1.5:1 to 2:1 in IN2 Light Industrial zone for sites greater than 1,000m<sup>2</sup> and will apply to land in Lane Cove North, as well as Artarmon and East Chatswood.</p> <p>(IN1 land currently covered by Area 5 will remain as is).</p> <p>The sub clause number and the area number is likely to change as a result of general renumbering).</p> <p>Support for increased FSRs and thus height, emerged strongly in submissions on the draft Willoughby Industrial Lands Strategy as did support for a wider range of industrial uses. The proposal has therefore carried through into the final Strategy and on to the new PP for the revised comprehensive LEP. In planning for a strong economy, there is a need to ensure that development controls allow for growth and development of new technological and urban service uses on Willoughby's industrial lands</p>	<p>Clause 4.4A <del>(5)</del> 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><del>(a) the site area is greater than 1,000 square metres, and</del></p> <p><del>(b) the floor space ratio will not exceed 1.5:1, and</del></p> <p><del>(c) if the building is on land in Area 6—the site coverage will not exceed 45% of the site area.</del></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 <a href="#">Floor Space Ratio Map</a> 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>

Description and Location	Proposed Change
<p>This is also consistent with the St Leonards Crows Nest 2036 Plan which identified The industrial area of Artarmon as one area identified as accommodating an abundance of work opportunities in these sectors in the future. The Plan for St Leonards and Crows Nest to 2036 supports the vision to retain the existing zoning in the Artarmon Industrial Area, while supporting the intensification of uses in the light industrial area including high technology and ancillary health uses on an individual basis.</p> <p>It is anticipated that development associated with the proposed St Leonards Health and Education Hub will result in the loss of sites for other traditional and innovative light industrial purposes. In order to help address this expected reduction in sites Council will promote the increased development potential of sites greater than 1000m2 through increasing the FSR across all IN2 areas to 2:1.</p> <p>This is also consistent with Priority 10 of the LSPS – Protecting the role of Willoughby's industrial lands as urban service hubs for the Lower North Shore.</p> <p>The proposed increased FSR for larger sites is consistent with the objectives of Ministerial Direction 7.1 Business and Industrial zones by providing strong support for the industrial zones in Willoughby in line with the North District Plan and Council's LSPS. This is further strengthened by Council's endorsed Willoughby Industrial Lands Strategy.</p>	
D4	
<p>Centre based child care centres in the IN1 and IN2 zones Currently, IN1 and IN2 zones allow centres based child care facilities.</p> <p>The Industrial Strategy concluded that Industrial areas are not ideal locations for childcare centres because of the potential hazards associated with industrial activities such as excessive noise, pollution and the operation of heavy machinery / vehicles in the area. It was encouraged that childcare centres to locate in locations which would provide a healthier, more appropriate environment for the wellbeing of children. Existing child care centres will continue with existing use rights.</p> <p>It is important for the future success of the Eastern Economic Corridor that productive industrial and urban service lands in Willoughby are strengthened for their future strategic role providing opportunities for existing and new technologies to locate and thrive. The danger</p>	<p>In the IN1 Land Use Table the prohibited section will be amended as follows:</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; <b>Centre-based child care facilities</b>; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Information and education facilities; Marinas; Mooring pens;</p>

Description and Location	Proposed Change
<p>is they are lost to uses such as housing and general commercial or office activities, which are provided for in other more appropriately zoned parts of the city. Childcare services fall into this category and have been occupying an increasing number of potentially productive industrial sites, resulting in the gradual erosion of these scarce sites for genuine industrial or urban service uses needed in our growing city. In the interests of ensuring adequate resources of appropriately located and zoned land in the Eastern Economic Corridor for Sydney's economic future, and ensuring the best outcomes for the health and welfare of children, centre-based childcare will be prohibited in IN1 and IN2 zones going forward.</p> <p>This is consistent with Planning Priority N11 of the North District Plan – Retaining and Managing Industrial and Urban Services Lane.</p> <p>It is also consistent with LSPS PRIORITY 10 - Protecting the role of Willoughby's industrial lands as urban service hubs for the Lower North Shore</p> <p>In addition Direction 8 of the Willoughby Industrial Strategy states:</p> <p>Prohibit childcare centres in all IN1 and IN2 zones in Willoughby. Alternative sites should be selected for childcare centres that will not compromise the health and wellbeing of children, and to avoid the displacement of other non-industrial and urban services uses in recognition of the strategic importance of industrial lands. Childcare centres would be more suitably located in residential zones, neighbourhood and local centre zones, and other business zones</p> <p>Ministerial Direction 7.1 Business and Industrial zones as it protects employment land</p>	<p>Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Sewage treatment plants; Signage; Tourist and visitor accommodation; Veterinary hospitals; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies</p> <p>In the IN2 Land Use Table the prohibited section will be amended as follows:</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; <b>Centre-based child care facilities</b>; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Educational</p>
<p>D5</p> <p><b>Additional permitted uses in the East Chatswood IN2 zone.</b></p> <p>The Industrial Strategy concluded that East Chatswood IN2 zone could accommodate animal day care without impacting amenity if located away from the residential areas.</p> <p>The IN2 zone within East Chatswood currently includes certain additional uses located away from residential areas under Schedule 1. Pet day care is proposed to be added.</p> <p>Addition of pet day care as a permissible use in the East Chatswood Industrial area responds to requests for a location these facilities in the North District.</p>	<p><b>34 Use of certain land at East Chatswood and Roseville</b></p> <p>(1) This clause applies to land in East Chatswood and Roseville that is in Zone IN2 Light Industrial, unless the land has direct frontage to or adjoins any residential area (other than land along Eastern Valley Way).</p> <p>(2) Development for the purposes of specialised retail premises, <del>garden centres,</del> <b>hardware and building supplies</b>, animal boarding or training establishment and landscaping</p>

Description and Location	Proposed Change
<p>There is no specific definition for pet day care and the broader “animal boarding or training establishment” is proposed to be included in the clause.</p> <p>As an administrative update, garden centres, hardware and building supplies will be removed from this Schedule. Since the inception of WLEP 2012, these uses have been added to the Standard Instrument and therefore permissible in the zone. They are no longer required to be included in Schedule 1.</p>	<p>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>
D6	
<p>Land at Lane Cove North Industrial Area</p> <p>The Industrial land Strategy made reference to the provision of a foreshore link at 168-170 Epping Road. This is intended to assist revegetation and foreshore rehabilitation along parts of the river frontage. The area also forms part of the Coastal Management SEPP where it is shown to be a proximity area for coastal wetlands.</p> <p>To assist this, it is proposed to rezone a the section of the land at 168-170 Epping Road from IN2 to C2 Environmental Conservation.</p> <p>The change will not result in the loss of developable industrial land. The C2 zoning will provide a protection buffer between the industrial site and the Lane Cove River.</p>	<p>Change the Zoning map as follows:</p>

Description and Location	Proposed Change
<p data-bbox="358 512 516 543">Proposed C2</p> 	

DRAFT



## Section D: LEP Efficiency Improvements

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

Broadly, these changes include:

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

### Clarification

#### FSR controls in the R2 zone

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

It is proposed to remove the FSR controls for the R2 zoned properties (not located in a conservation area) and replace them with the gross floor area controls as defined in the *Codes SEPP*. This is to deliver consistent controls for residents in the R2 zone.

No change is proposed for R2 properties located in conservation areas or properties in the C4 Environmental Living zone as these cannot undertake complying development.

It is proposed to complement this change by continuing with Council's existing controls for landscaping and not incorporating the *Codes SEPP* landscaping controls. The *Codes SEPP* controls result in a smaller landscaped outcome. Council's current DCP controls for dwellings in the R2 and C4 zones will be included as a new clause in the LEP. These landscape requirements will also apply to dual occupancy development.

#### Changes to Dual occupancy controls

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

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

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

#### New Urban heat clause

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

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

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

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

#### Updated Airspace clause

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

#### New design excellence clause

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

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

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

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

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

Given the timing, the finalisation of the comprehensive LEP will go beyond 2021 and as such it is proposed to propose the full 10% requirement for affordable housing and dispense with application of the interim 7%.

Council engaged SGS Economics and Planning to carry out a feasibility study for affordable housing and this is included as an attachment to this planning proposal. It is noted that the feasibility report concluded different rates across the LGA. However, for the purposes of the planning proposal exhibition, the proposed control will include a 10% requirement across all areas with a view to seeking public comment on an appropriate rate or different rates.

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

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

#### Rezoning of School sites to SP2

Currently all school sites are zoned as per the adjacent zoning (often residential). It is considered that this should be changed in light of the vital importance of local special

infrastructure such as schools in a growing city. Henceforth, it is proposed that the education use of the land will be safeguarded by the SP2 Zoning.

Other changes are explained in the following Tables

DCP controls will also be exhibited along with this planning proposal

**Table 5 LEP Efficiency Amendments**

Note

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

Description and Location	Proposed Change
<b>D1</b>	
<p><b>1.2 Aims of the Plan</b> replace reference in (2) (a) (ii) from the Willoughby City Strategy (now superseded) to the Community Strategic plan</p> <p>Willoughby City Strategy was the title of the community strategic plan when WLEP 2012 was gazetted in 2013.</p> <p>This document has been replaced with Our Future Willoughby 2028.</p> <p>As community strategic plan is the generic term of this document, it has been used to avoid confusion for any future variations.</p>	<p>(2) The particular aims of this Plan are as follows—</p> <p>(a) for planning framework—</p> <p>(i) to establish a broad planning framework for Willoughby, and</p> <p>(ii) to enable the achievement of the goals and outcomes of the <b>Community Strategic Plan the Willoughby City Strategy</b> through planning controls,</p>
<b>D2</b>	
<p>Include references to resilience and urban heat throughout the aims of the Plan in the context of climate change.</p> <p>This change is in response to actions from the LSPS including:</p> <ul style="list-style-type: none"> <li>• Ensure higher sustainability and resilience targets for all new dwellings in Willoughby City in order to lower life cycle costs for new residents</li> <li>• Increasing resilience to climate change, extreme weather and other shocks and stresses.</li> </ul> <p>With growth areas proposed in Chatswood, St Leonards and in the local centres, the importance of providing including resilience principles in the land use planning. This is also in accordance with the</p>	

Description and Location	Proposed Change
<p>sustainability principles set out in the North District Plan which talks about the resilience of communities to natural and urban hazards, shocks and stresses.</p> <p>In July 2021, Council exhibited a Draft Resilient Strategy which includes an action that our buildings are safe, well designed affordable and sustainable.</p> <p>The North District Plan includes Planning Priority N11 – Retaining and managing industrial and urban services land. This priority has been reflected in the St Leonards Crows Nest Plan Priority N11 and the LSPS Action 10.3 to maintain industrial zoning. It is considered that this should also be reflected in the aims of the LEP. Therefore “to retain and manage industrial land” is proposed to be added to the Aims of the Plan</p>	
D3	
<p>(b) for sustainability—</p> <ul style="list-style-type: none"> <li>(i) to conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of Willoughby, and</li> <li>(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</li> <li>(iii) to better manage the risks associated with climate change through mitigation and adaptation, and</li> <li>(iv) to manage and where possible minimize urban heat impacts on people and the environment, both indoors and outdoors, through innovative, effective and sustainable urban design and use of green infrastructure</li> <li>(v) to reduce resource consumption through the planning and control of land use and development, and</li> </ul> <p>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> <ul style="list-style-type: none"> <li>(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</li> <li>(ii) to allow development at a scale that is sensitive to environmental constraints, and</li> <li>(iii) to control and manage any adverse environmental impacts of development, and</li> <li>(iv) to minimise carbon emissions from buildings, transport, commerce and other activities.</li> <li>(v) to prevent loss of life and property by bush fires <u>and other natural disasters</u> , by</li> </ul>	



Description and Location	Proposed Change
	<p>discouraging the establishment of incompatible uses in <u>vulnerable areas bush-fire-prone areas</u> and incorporating as part of compatible developments protective measures that minimise <u>bush-fire risk without disaster impacts on people and the environment whilst avoiding</u> unacceptable environmental degradation, including—</p> <p>(A) construction techniques and materials to <u>mimimise impacts on people, property and the environment</u> <del>maximise their resistance to bush fire</del>, and</p> <p>(B) adequate measures to enable the safe evacuation of people from <u>areas impacted by natural disasters</u> <del>the land</del> and <u>ensure enable</u> access to that land by emergency services <del>during a bush fire</del>,</p> <p>(d) for urban design—</p> <p>(i) to ensure development embraces the principles of quality urban design, and encourages innovative, high quality architectural design <del>with long-term</del> <u>which delivers measurable</u> durability, <u>resilience</u> and environmental sustainability <u>outcomes over the long term</u>, and</p> <p>(ii) to promote development that is designed and constructed—</p> <p>(A) to enhance or integrate into the natural landform and the existing character of distinctive locations, neighbourhoods and streetscapes, and</p> <p>(B) to contribute to the desired future character of the locality concerned, and</p> <p>(iii) to ensure development design contributes positively to, and <del>wherever possible</del> facilitates improvements to, the public domain, and</p> <p>(iv) to preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark locations, including significant gateways, views and vistas, and</p> <p><u>(v) 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 in accessible locations, and</p> <p>(ii) to facilitate the provision of adaptable and affordable housing,</p> <p><u>(iii) to support housing which maximizes thermal comfort (indoors and outdoors) and minimises urban heat impacts</u></p>

Description and Location	Proposed Change
<p>(g) for economic sustainability—</p> <p>(i) to provide opportunities for a range of employment opportunities in Willoughby, and</p> <p>(ii) to strengthen the viability, <u>resilience , vitality</u> and role of the city centres of Willoughby as places for commercial and cultural activities and services, and</p> <p><del>(iii) to maintain and encourage a diversity of industry and services in Willoughby,</del></p> <p><u>to retain and manage industrial land.</u></p>	
<p>D4</p> <p><b>Changes to the R2 zone floor space ratio controls</b></p> <p>The following clause and map changes will change the building controls for R2 zoned properties not located in a conservation area.</p> <p>The controls will remove the current FSR controls and replace them with Gross Floor area controls.</p> <p>This will provide continuity with what can be achieved in the R2 zone under the Exempt and Complying Development Codes.</p> <p>Conservation areas will continue to have the existing FSR controls</p> <p>This change is consistent with the LSPS Priority 1 increasing housing diversity to cater for families, the aging population, diverse household types and key workers.</p> <p>It also complies with North District Plan N5 providing housing supply, choice and affordability with access to jobs, services and public transport. The change is also consistent with Ministerial Directive 6.1 in that it encourages a variety and choice of housing types. The encouragement of housing choice is also consistent.</p> <p>DAs for Heritage items in the R2 zone will be required to adhere to the GFA calculation but will also be assessed in design and materials</p>	<p>Delete the existing Clause 4.4A (1) and (3) which relates to FSR requirements for R2 zoned land:</p> <p>(all FSR maps will be changed to reflect this).</p>
<p><b>4.4A Exceptions to floor space ratio</b></p> <p><del>(1) The maximum floor space ratio for all buildings on a lot in Zone R2 Low Density Residential in the area identified as “Area 1” on the Floor Space Ratio Map, the total area of which is specified in Column 1 of the Table to this subclause, is the floor space ratio specified opposite that area in Column 2 of that Table.</del></p> <p><del>Maximum floor space ratio for Zone R2 in Area 1</del></p>	

Description and Location		Proposed Change								
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									
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									
D5	<div>These 3 FSR subclauses are replaced with the following GFA clauseAs mentioned in the clarification section at the beginning of Section D, It is proposed to remove the FSR controls for the R2 zoned properties (not located in a conservation area) and replace them with the gross floor area controls as defined in the <i>Codes SEPP</i>. This is to bring about consistent controls for residents in the R2 zone.</div> <div>No change is proposed for R2 properties located in conservation areas or properties in the C4 Environmental Living zone as these cannot undertake complying development.</div> <div>4.4A(1) REPLACED BY NEW CLAUSE – EITHER 4.7 OR IN PART 6</div> <div>FSR Areas 1 and 3 are combined.</div> <div>4.7 Gross Floor Area for certain R2 zoned land</div> <div>(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—</div> <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>&gt;250m²–300m²</td><td>75% of lot area</td></tr></table>		Lot area	Maximum GFA	Under 200m²	65%	200m²–250m²	78% of lot area	>250m²–300m²	75% of lot area
Lot area	Maximum GFA									
Under 200m²	65%									
200m²–250m²	78% of lot area									
>250m²–300m²	75% of lot area									

Description and Location	Proposed Change																		
<p>This change is consistent with the LSPS Priority 1 increasing housing diversity to cater for families, the aging population, diverse household types and key workers.</p> <p>It also complies with North District Plan N5 providing housing supply, choice and affordability with access to jobs, services and public transport. The change is also consistent with Ministerial Directive 6.1 in that it encourages a variety and choice of housing types. The encouragement of housing choice is also consistent.</p>	<table border="0"> <tr> <td>&gt;300m<sup>2</sup>–350m<sup>2</sup></td><td>235m<sup>2</sup></td></tr> <tr> <td>&gt;350m<sup>2</sup>–450m<sup>2</sup></td><td>25% of lot area + 150m<sup>2</sup></td></tr> <tr> <td>&gt;450m<sup>2</sup>–560m<sup>2</sup></td><td>290m<sup>2</sup></td></tr> <tr> <td>&gt;560m<sup>2</sup>–600m<sup>2</sup></td><td>25% of lot area + 150m<sup>2</sup></td></tr> <tr> <td>&gt;600m<sup>2</sup>–740m<sup>2</sup></td><td>335m<sup>2</sup></td></tr> <tr> <td>&gt;740m<sup>2</sup>–900m<sup>2</sup></td><td>25% of lot area + 150m<sup>2</sup></td></tr> <tr> <td>&gt;900m<sup>2</sup>–920m<sup>2</sup></td><td>380m<sup>2</sup></td></tr> <tr> <td>&gt;920m<sup>2</sup>–1,000m<sup>2</sup></td><td>25% of lot area + 150m<sup>2</sup></td></tr> <tr> <td>&gt;1,000m<sup>2</sup></td><td>400m<sup>2</sup></td></tr> </table> <p>(the GFA includes all attached and detached buildings but excludes the area of one car space (18m<sup>2</sup>) within a garage)</p>	>300m <sup>2</sup> –350m <sup>2</sup>	235m <sup>2</sup>	>350m <sup>2</sup> –450m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>	>450m <sup>2</sup> –560m <sup>2</sup>	290m <sup>2</sup>	>560m <sup>2</sup> –600m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>	>600m <sup>2</sup> –740m <sup>2</sup>	335m <sup>2</sup>	>740m <sup>2</sup> –900m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>	>900m <sup>2</sup> –920m <sup>2</sup>	380m <sup>2</sup>	>920m <sup>2</sup> –1,000m <sup>2</sup>	25% of lot area + 150m <sup>2</sup>	>1,000m <sup>2</sup>	400m <sup>2</sup>
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<p>The existing FSR map should remove Areas 1 and 3 with a notation that refers to the new GFA clause.</p>																			
<p>The following landscaping clause will also be introduced to the LEP to complement the new GFA clause</p>																			
<p>D6</p>																			
<p><b>New Clause relating to landscaping requirements</b></p> <p>This Clause has been introduced as a result of the changes to the Floor space ratio clauses for the R2 zone. Whilst this is to provide a consistency with the Codes SEPP, it is considered that Council's current landscaping controls provide a better outcome for the local landscaping character of the area.</p> <p>The transfer of R2 land to a gross floor area clause in line with the Codes SEPP will result in these properties having slightly more floor space than currently under WLEP 2012. Allowing for this increase in FSR it is considered important to reduce the outcomes in the urban heat island effect. To achieve this, it will be necessary to maintain Council's existing WDCP landscaping controls</p> <p>Whilst the FSR controls for 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</p>	<p><b>Clause 6.23 Landscaped areas</b></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 border="0"> <thead> <tr> <th>Site Area(m<sup>2</sup>)</th><th>Soft landscaping (m<sup>2</sup>) required minimum</th></tr> </thead> <tbody> <tr> <td>Under 200</td><td>025 x site area</td></tr> <tr> <td>200-400</td><td>(0.35 x site area)-20m<sup>2</sup></td></tr> <tr> <td>401-600</td><td>(0.6 x site area) -120m<sup>2</sup></td></tr> </tbody> </table>	Site Area(m <sup>2</sup> )	Soft landscaping (m <sup>2</sup> ) required minimum	Under 200	025 x site area	200-400	(0.35 x site area)-20m <sup>2</sup>	401-600	(0.6 x site area) -120m <sup>2</sup>										
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Description and Location	Proposed Change																		
<p>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. The requirement for the applicant to demonstrate that compliance with the standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify variation sends a strong message of the importance of landscape provision and places onus on the applicant to justify non-compliance. It also provides the additional test of ensuring any such variation is in the public interest and that the objectives of both the standard and zone are satisfied.</p> <p>This is consistent with the North District Plan Planning priority N15 - Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways by Reducing the cumulative impacts of development by minimising the extent of hard surface areas will assist in improving the health of the adjoining waterways of Middle Harbour and Lane Cove River.</p> <p>It is also consistent with NDP -Planning Priority N16 – Protecting and enhancing bushland and biodiversity by ensuring appropriate provision of natural landscaped areas is an effective mechanism to manage urban development to protect and enhance biodiversity.</p> <p>There is also consistency with NDP Planning Priority N17 – Protecting and enhancing scenic and cultural landscapes as the LEP controls will ensure the landscape character of the Willoughby LGA is maintained contributing to the scenic values of the area as viewed from streetscapes, waterways and surrounding areas.</p> <p>NDP Planning Priority N19 urban tree canopy cover and delivering Green Grid connections is also achieved by the provision of large areas of natural landscaping which supports opportunities for growth of canopy trees consistent with the objective of increasing urban tree canopy cover and reducing the urban heat effect.</p> <p>The new clause also</p> <p>The Willoughby Local Strategic Planning Statement incorporates themes, priorities and actions. The following demonstrates the alignment of incorporating landscaping controls for low density residential areas into the LEP with the LSPS:</p> <p>Theme 1 – A Liveable City</p>	<table> <tr> <td>601-1000</td><td>(0.525 x site area) - 75m<sup>2</sup></td></tr> <tr> <td>1001-1500</td><td>(0.6 x site area) - 150m<sup>2</sup></td></tr> <tr> <td>Over 1500</td><td>(0.5 x site area)</td></tr> </table> <p>ii) Residential C4 Environmental Living Zone Areas</p> <table> <tr> <th>Site Area(m<sup>2</sup>)</th><th>Soft landscaping (m<sup>2</sup>) required minimum</th></tr> <tr> <td>Under 400</td><td>0.35 x site area</td></tr> <tr> <td>400-600</td><td>(0.5 x site area) - 60m<sup>2</sup></td></tr> <tr> <td>601-1000</td><td>(0.65 x site area) - 150m<sup>2</sup></td></tr> <tr> <td>1001-1500</td><td>(0.65 x site area) - 150m<sup>2</sup></td></tr> <tr> <td>Over 1500</td><td>(0.55 x site area)</td></tr> </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>	601-1000	(0.525 x site area) - 75m <sup>2</sup>	1001-1500	(0.6 x site area) - 150m <sup>2</sup>	Over 1500	(0.5 x site area)	Site Area(m <sup>2</sup> )	Soft landscaping (m <sup>2</sup> ) required minimum	Under 400	0.35 x site area	400-600	(0.5 x site area) - 60m <sup>2</sup>	601-1000	(0.65 x site area) - 150m <sup>2</sup>	1001-1500	(0.65 x site area) - 150m <sup>2</sup>	Over 1500	(0.55 x site area)
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Description and Location	Proposed Change
<p>Priority 5 – Protecting and enhancing heritage and local suburban character</p> <p>Action 5.1 – Generally protect the existing character of low-density suburbs in the LGA.</p> <p>Alignment:</p> <p>Strengthening landscape controls will assist in ensuring the landscape character of the Willoughby LGA is maintained.</p> <p>Theme 3 – A Sustainable City</p> <p>Priority 13 – Protecting Willoughby’s bushland and biodiversity</p> <p>Action 13.2 – Protect high value ecosystems in the private domain through planning controls to enhance biodiversity and protect environmental values.</p> <p>Alignment:</p> <p>Incorporating landscaping controls for both the R2 and C4 zones ensures greater ability to enforce the controls ensuring the environmental qualities of the residential areas, including areas of significant bushland adjoining Middle Harbour and Lane Cove River are maintained and the biodiversity of the area enhanced.</p> <p>Priority 14 – Increasing Willoughby’s tree canopy coverage</p> <p>Action 14.3 – Protect existing trees in the LGA through planning controls, and require all developments to retain existing trees and plant mature trees where appropriate.</p> <p>Alignment:</p> <p>To improve the tree canopy coverage throughout the LGA sufficient area is required to enable trees to grow to maturity. As DCP provisions are interpreted as guidelines these can readily be undermined whereas the incorporation as LEP controls establishes a higher bar to justify variation.</p>	
D7	
<p><b>Dual occupancy</b></p> <p>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.</p> <p>The new clauses are based on Clauses 3B.10 and 3B.23 of the <i>Codes SEPP</i>.</p>	

Description and Location	Proposed Change						
<p>This change is consistent with the LSPS Priority 1 increasing housing diversity to cater for families, the aging population, diverse household types and key workers.</p> <p>It also complies with North District Plan N5 providing housing supply, choice and affordability with access to jobs, services and public transport. The change is also consistent with Ministerial Directive 6.1 in that it encourages a variety and choice of housing types. The encouragement of housing choice is also consistent.</p> <p>It is also consistent with the Codes SEPP.</p>							
<p>4.7</p> <p><b>(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).</b></p> <p>Maximum gross floor area of all buildings</p> <p>The maximum gross floor area of all buildings on a lot is shown in the following table—</p> <table data-bbox="261 993 1101 1125"> <tr> <th>Lot area of parent lot</th><th>Maximum GFA</th></tr> <tr> <td>700m<sup>2</sup>–2,000m<sup>2</sup></td><td>25% of lot area + 300m<sup>2</sup></td></tr> <tr> <td>&gt;2,000m<sup>2</sup></td><td>800m<sup>2</sup></td></tr> </table> <p><b>Minimum gross floor area for dual occupancies in the R2 zone where part of a dwelling is located above part of another dwelling.</b></p> <p>Maximum gross floor area of all buildings</p> <p>The maximum gross floor area of all buildings on a lot is 25% of the lot area plus 150m<sup>2</sup>, to a maximum of 400m<sup>2</sup>.</p>	Lot area of parent lot	Maximum GFA	700m <sup>2</sup> –2,000m <sup>2</sup>	25% of lot area + 300m <sup>2</sup>	>2,000m <sup>2</sup>	800m <sup>2</sup>	
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<p>D8</p> <p>As the controls for dual occupancy have changed to reflect the GFA controls in the Exempt and Complying SEPP, a GFA control as outlined in D7 above will provide the GFA requirement for dual occupancy development.</p> <p>This will replace the FSR controls currently contained in Clauses 4.4A(7) and (8).</p> <p>This change is consistent with the LSPS Priority 1 increasing housing diversity to cater for families, the aging population, diverse household types and key workers.</p> <p>It also complies with North District Plan N5 providing housing supply, choice and affordability with access to jobs, services and public transport. The change is</p>	<p><b>4.4A (7)</b></p> <p><del>Development consent must not be granted to the erection of a dual occupancy on land in Zone R2 Low Density Residential if the floor space ratio of the dual occupancy would exceed 0.4:1.</del></p> <p><b>4.4A (8)</b></p> <p><del>Development consent may be granted to the alteration of a dwelling house to create a dual occupancy if the floor space ratio of the 2 buildings, as altered, will not exceed the floor space ratio of the dwelling house before the alteration.</del></p>						

Description and Location	Proposed Change
<p>also consistent with Ministerial Directive 6.1 in that it encourages a variety and choice of housing types. The encouragement of housing choice is also consistent.</p> <p>It is also consistent with the Codes SEPP.</p>	
D9	
<p>As the new provisions for dual occupancy only allows development to occur at a street frontage this clause is now superseded and should be deleted.</p> <p>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><del>4.3A(5) The height of a dual occupancy (detached) must not exceed 5.7 metres if —</del></p> <ul style="list-style-type: none"> <li><del>(a) there is an existing dwelling house on the lot, or</del></li> <li><del>(b) the dual occupancy is the furthest from the street frontage, or</del></li> <li><del>(c) in relation to a corner lot — the dual occupancy is the furthest from the junction of the two streets.</del></li> </ul>
D10	
<p><b>Dwelling configuration on lot for Dual occupancy</b></p> <p>WLEP 2012 currently permits a “battle axe” style of dual occupancy where one dwelling is located behind another dwelling on the same lot.</p> <p>The <i>Codes SEPP</i> does not allow battle axe dual occupancy; only for each dual occupancy to be facing a public road.</p> <p>To be consistent with the Codes SEPP the following clause clarifies that for attached and detached dual occupancy, each dwelling must face a public road.</p> <p>Most heritage items appear on the Dual occupancy restriction map and are prohibited from dual occupancy</p> <p>This is consistent with Ministerial Direction 6.1 in that it encourages a variety and choice of housing types.</p>	<p><b>Dwelling configuration on lot</b></p> <p>Add 6.10 (3)(b)(1)</p> <p>For dual occupancy development:</p> <ul style="list-style-type: none"> <li>(1) Each dwelling must face a public road.</li> <li>(2) No dwelling must be located behind another dwelling on the same lot (except on a corner lot or a parallel road lot where each dwelling fronts a different road).</li> </ul>
D11	
<p>Subdivision of a dual occupancy.</p> <p>The existing clause relating to subdivision needs to be amended to relate to the GFA clause for the R2 zone and still refer to the FSR for the C4 zone.</p> <p><i>WLEP 2012</i> only allows subdivision of dual occupancies 5 years after occupation certificate, whereas the Code enables a dual occupancy subdivision without any time delay. It is proposed to amend the current controls within WLEP 2012 to</p>	<p><b>4.1C Minimum subdivision lot size for dual occupancies</b></p> <p><del>(1A) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot on which there is a dual occupancy except in accordance with this clause.</del></p> <p>(1B) Development consent may be granted to the subdivision of a lot on which there is a dual occupancy if the size of any lot resulting from the subdivision is not to</p>

Description and Location	Proposed Change
<p>align with the type of dual occupancy development permissible under the Codes SEPP. This means that dwellings with an attached dual occupancy will need to both have street frontages to reflect Part 6 of the Codes SEPP allows Torrens Title subdivision of dual occupancies that have been approved under Part 3B of the SEPP.</p> <p>. Detached will only occur on corner lots or on a parallel road lot where each dwelling faces a different road. With these changes the 5 year interval for subdivision after occupancy will be removed.</p> <p>Most heritage items appear on the Dual occupancy restriction map and are prohibited from dual occupancy.</p>	<p><del>be less than the minimum size shown on the Lot Size Map in relation to that lot.</del></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><del>—(i) 0.4:1, or</del></p> <p><del>(ii) any floor space ratio specified under clause 4.4A for a building on the lot, whichever is the lesser, and</del></p> <p><del>(e) a final occupation certificate was issued for the dual occupancy at least 5 years before the development consent is granted.</del></p> <p>(2) (Repealed)</p>
<p>D12</p> <p><b>Replacement of Airspace Operations Clause 6.6.</b></p> <p>Currently Clause 6.6 provides an 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>Sydney Airport state that the existing clause only recognises two airspace protection surfaces and that there are several other airspace protection surfaces that collectively comprise Sydney Airport’s prescribed airspace.</p> <p>Further information on this can be viewed at Sydney Airport’s <a href="#">webpage</a>.</p> <p>A letter received from Sydney Airport can be viewed at Annexure 3.</p>	<p><b>6.6 Airspace Operations</b></p> <p>(1) The objective of this clause is to protect airspace around airports.</p> <p>(2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the <i>Airports Act 1996</i> of the Commonwealth unless the applicant has obtained approval for the controlled activity under regulations made for the purpose of that Division.</p> <p><b>Note</b></p> <p>Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the <i>Airports Act 1996</i> of the Commonwealth.</p>
<p>D13</p>	
<p><b>Affordable Housing Clause</b></p>	

Description and Location	Proposed Change						
<p>Clause 6.8 Affordable Housing Clause is proposed to be amended to increase the affordable housing requirement from 4% of floorspace to 10% of floorspace.</p> <p>The requirement to provide affordable housing applies currently to sites within Area 3 of the Special Provisions Area Map. This is proposed to be extended to include rezoned areas included in the Chatswood CBD Strategy and the Local Centres Strategy.</p> <p>An amended requirement is to include the affordable housing floor space into the FSR calculation rather than excluding it.</p>							
<p><b>6.8 Affordable Housing</b></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 border="0"> <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 finishes, solar access and privacy.</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%						
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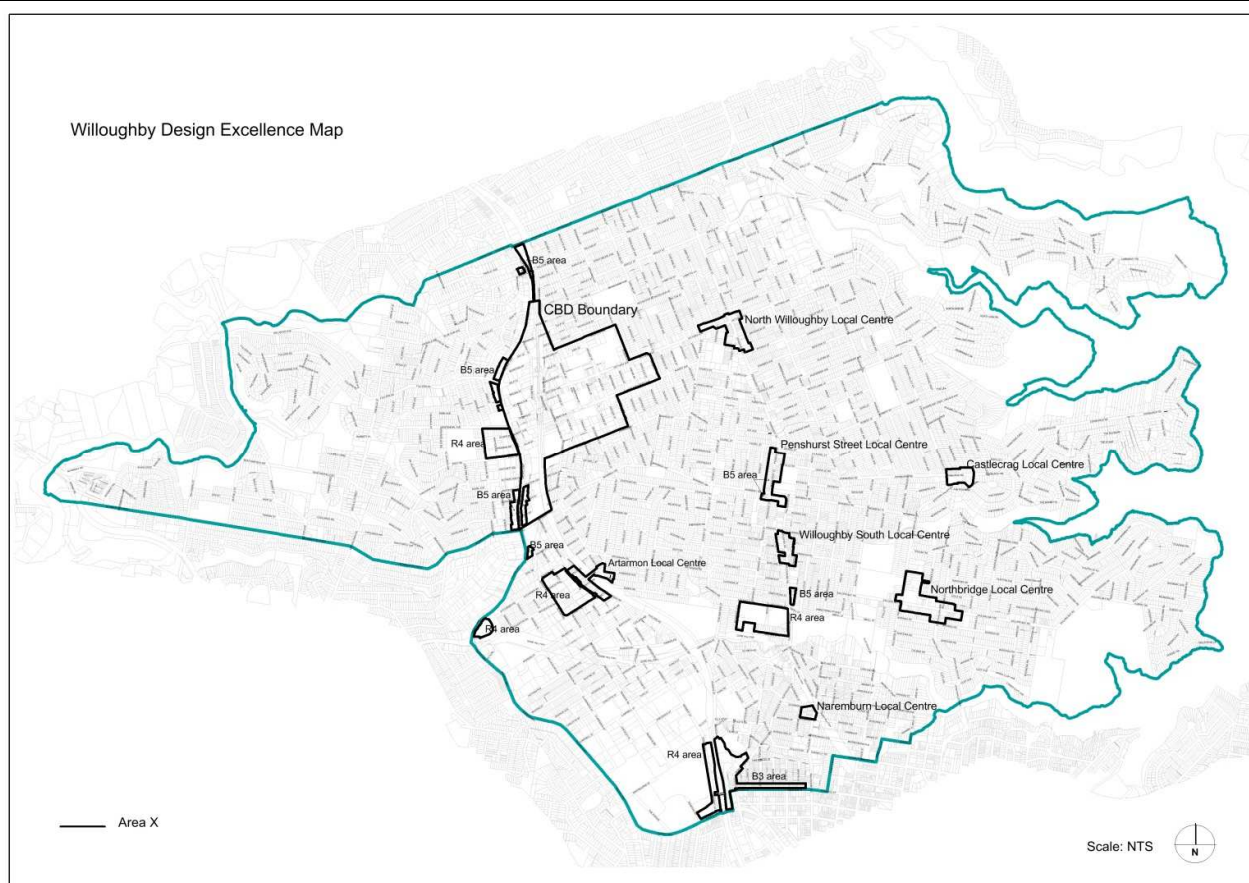
Description and Location	Proposed Change
<p>(2) Development consent must not be granted to the erection of residential accommodation on land identified as “Area 3” on the Special Provisions Area Map unless the consent authority has taken the following into consideration—</p> <p>(a) the Willoughby Affordable 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 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 <del>10%</del> <del>4%</del> 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 <del>10%</del> <del>4%</del> 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 <del>10%</del> <del>4%</del> 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>(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 <del>10%</del> <del>4%</del> 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>(c) group homes,</p>	

Description and Location	Proposed Change
<p>(d) hostels,</p> <p>(e) public housing (as defined in section 3 of the Housing Act 2001).</p> <p>(6) An affordable housing condition must not be imposed in relation to an amount of accountable total floor space if the consent authority is satisfied that such a condition has previously been imposed under this clause in relation to the same or an equivalent amount of accountable total floor space on the site.</p> <p>(7) In this clause—</p> <p><b>accountable total floor space</b> means <del>the gross floor area of the residential component of the development to which the development application relates.</del></p>	<p>a) If in Area 3 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application relates, including any residential floor area of the building that is used for affordable housing purposes.</p>
<p>Amend current Area 3 of the Special Provisions Area Map to include all current sites and additional sites identified in :</p> <p>Chatswood CBD Strategy</p> <p>Willoughby Local Centres Strategy:</p> <ul style="list-style-type: none"> <li>• Artarmon</li> <li>• North Willoughby</li> <li>• Naremburn</li> <li>• Castlecrag</li> <li>• Northbridge (including the reclassification of Council owned land)</li> <li>• Penshurst Street</li> <li>• Willoughby South</li> </ul>	
<p>Amend Clause 4.4(2A) (b) which allows a bonus floor space for affordable housing</p> <p>The amendment will include the floor space for affordable housing purposes to be part of the gross floor area of the building for determining the maximum floor space ratio.</p> <p>Previously, affordable housing floor space was allowed over and above the appropriate FSR control. Increases in heights and floor space have been prepared in accordance with the CBD Strategy and Local Centres Strategy. These controls have been prepared in consultation with the community. To allow floor space over and above the lep controls would lead to an outcome the public has not agreed to.</p>	

Description and Location	Proposed Change
<p>This proposed change is intended to provide more clarity.</p> <p>The proposal is consistent with LSPS Priority 2 in - Increasing the supply of affordable housing. It is also in alignment with Ministerial Direction 6.1 in that it is intended to encourage a choice of housing types for existing and future housing needs</p>	
<p>(1) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <a href="#">Floor Space Ratio Map</a>.</p> <p>(2A) Despite subclause(2)—</p> <p>(a) the maximum floor space ratio for a building on land in Zone R2 Low Density Residential or Zone C4 Environmental Living is to be determined as if the area of the access laneway of a battle-axe lot were not part of the area of the lot, and</p> <p>(b) any part of the floor area of a building that—</p> <p>(i) is to be used for community facilities or <del>affordable housing purposes</del>, or</p> <p>(ii) is a heritage item,</p> <p>is taken not to be part of the gross floor area of the building for determining the maximum floor space ratio of the building.</p>	
D14	
<b>Design excellence clause</b>	<p>A design excellence clause is being introduced to require specific projects to achieve design excellence and outcomes. The clause currently applies to one site in Willoughby and will be extended to include further areas. The clause applies across the LGA and was a guiding concept in the preparation of the Chatswood CBD Strategy.</p>
<p><b>6.19 Design excellence at certain sites at Willoughby</b></p> <p>(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.</p> <p>(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “Area 5 42” on the <a href="#">Special Provisions Area Map</a>.</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>	

Description and Location	Proposed Change
	<p>(5) The consent authority must also have regard to how the development addresses the following matters—</p> <ul style="list-style-type: none"> <li>(a) the suitability of the land for development,</li> <li>(b) existing and proposed uses and use mix,</li> <li>(c) heritage and streetscape constraints,</li> <li>(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,</li> <li>(e) bulk, massing and modulation of buildings,</li> <li>(f) street frontage heights,</li> <li>(g) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</li> <li>(h) achieving the principles of ecologically sustainable development,</li> <li>(i) pedestrian, cycle, vehicular and service access, circulation and requirements,</li> <li>(j) the impact on, and proposed improvements to, the public domain,</li> <li>(k) the impact on special character areas,</li> <li>(l) achieving appropriate interfaces at ground level between the building and the public domain,</li> <li>(m) excellence and integration of landscape design.</li> </ul> <p>(6) In addition, development consent must not be granted to development to which this clause applies unless—</p> <ul style="list-style-type: none"> <li>(a) for a building that is <del>less than</del> <b>more than 12 metres but not greater than</b> 35 metres above ground level (existing)— <ul style="list-style-type: none"> <li>(i) a design excellence panel reviews the development, and</li> <li>(ii) the consent authority takes into account the findings of the design excellence panel, or</li> </ul> </li> <li>(b) for a building that is, or exceeds, 35 metres above ground level (existing)— <ul style="list-style-type: none"> <li>(i) an architectural design competition has been held in relation to the development, and</li> <li>(ii) the design of the development is the winner of the architectural design competition.</li> </ul> </li> </ul> <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> <ul style="list-style-type: none"> <li>(a) subclause (6)(b) does not apply, and</li> <li>(b) development consent must not be granted for the development unless— <ul style="list-style-type: none"> <li>(i) a design excellence panel reviews the development, and</li> <li>(ii) the consent authority takes into account the findings of the design excellence panel.</li> </ul> </li> </ul> <p><b>(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</b></p> <p><del>(8)</del><b>(9)</b> In this clause—</p> <p><b><i>architectural design competition</i></b> means a competitive process conducted in accordance with the Design Excellence Guidelines.</p> <p><b><i>Design Excellence Guidelines</i></b> means the guidelines entitled <i>Guidelines for Design Excellence Review and Competitions</i>, published by the Council on 9 December 2019.</p> <p><b><i>design excellence panel</i></b> means a panel, consisting of 2 or more persons, established by the consent authority for the purposes of this clause.</p>
<b>Design excellence map</b> Map to include	

Description and Location	Proposed Change
Chatswood CBD St Leonards Priority Precinct area Artarmon North Willoughby Naremburn Castlecrag Northbridge Penshurst Street Willoughby South R4 High Density Residential land B5 Business Development land	








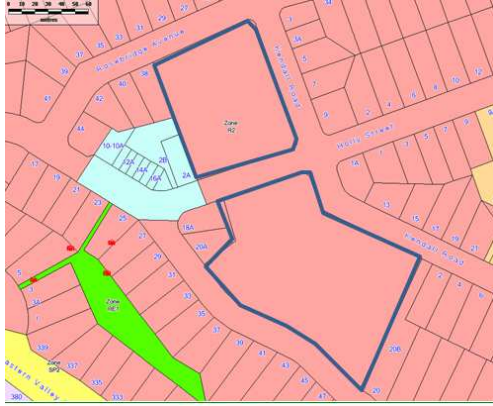
D15	
<p>Manor houses</p> <p>Manor houses is a new definition which was introduced by the commencement of the Low Rise Housing Diversity Code in July 2020.</p> <p>The land use of manor houses should be added to the Land Use Table for the R3 zone only.</p>	<p>Add manor houses as permitted with consent to the R3 land use table.</p> <p>Add Manor houses as Prohibited in the R4 land use table.</p> <p>Add manor houses to Clause 6.10 with a minimum lot size of 1100m<sup>2</sup></p> <p>Add the SEPP definition for manor houses to the</p>





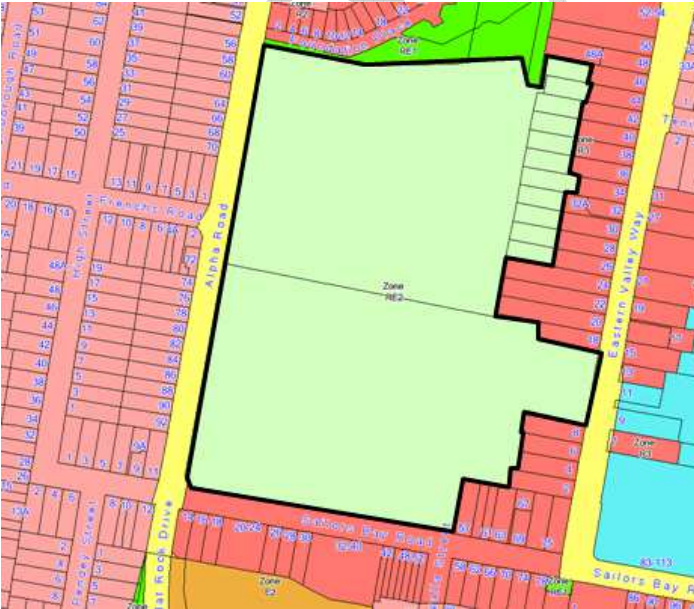
Description and Location	Proposed Change
<p>For clarification purposes, manor houses should be added to the prohibited column in the R4 zone. It is only intended that manor houses are only permissible in the R3 zone in concurrence with the Codes SEPP. Manor houses have not been added to the R4 zone. Manor houses are a 2 storey “two up, two down” type building. As R4 is a high density zone, it is considered that allowing manor houses will underutilise the zone. It diminishes the ability of the land to redevelop for a higher density use which the height and FSR controls allow for. For that reason, it is considered that manor houses are more suitable in the medium density zone.</p> <p>Manor houses should also be added to Clause 6.10 requiring a minimum lot size of 1100m<sup>2</sup> in line with other residential flat buildings.</p> <p>WLEP 2012 does not currently include a minimum lot size for manor houses.</p> <p>With this omission, the minimum lot size for manor houses within the Codes SEPP prevails, being 600m<sup>2</sup>.</p> <p>As manor houses are a form of residential flat building, it is proposed that the use be included in the existing minimum lot size clause for residential flat building, being 1100m<sup>2</sup>.</p> <p>This change is consistent with the LSPS Priority 1 increasing housing diversity to cater for families, the aging population, diverse household types and key workers.</p> <p>It also complies with North District Plan N5 providing housing supply, choice and affordability with access to jobs, services and public transport. The change is also consistent with Ministerial Directive 6.1 in that it encourages a variety and choice of housing types. The encouragement of housing choice is also consistent.</p>	<p>dictionary:</p> <p><b>manor house</b> means a residential flat building containing 3 or 4 dwellings, where—</p> <ul style="list-style-type: none"> <li>(a) each dwelling is attached to another dwelling by a common wall or floor, and</li> <li>(b) at least 1 dwelling is partially or wholly located above another dwelling, and</li> <li>(c) the building contains no more than 2 storeys (excluding any basement).</li> </ul>
<p>D16</p> <p>New Clause 6.21 on Urban Heat Island Effect.</p> <p>As explained at the beginning of this section, the LSPS includes an Action in finding ways to minimise the effects of the building materials and the urban heat island effect. A clause prepared by WSROC is proposed to be included in the LEP. This clause will apply to the whole LGA.</p> <p>The Clause is consistent with the LSPS Action 15.7 Encourage the use of cool building materials in any new development to reduce the urban heat island effect, and where appropriate integrate water features both natural and man-made into urban design.</p>	<p><b>6.21 Urban Heat</b></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"> <li>(a) reduce and remove urban heating from the environment, and</li> <li>(b) protect community health and wellbeing.</li> </ul> <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"> <li>(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</li> </ul>

Description and Location	Proposed Change
<p>Western Sydney Regional Organisation of Councils (WSROC) have carried out research in how to reduce the Urban heat island effect.</p> <p>Urban heat island effect is a scientific term that describes the tendency of cities to be much hotter than surrounding rural areas. As a city develops trees and vegetation make way for roads, roofs and footpaths. These hard, man-made surfaces are very good at absorbing and holding on to heat, raising the temperature in our towns. (Source: WSROC).</p> <p>The objective is to ensure new development incorporates effective design and ongoing operation to reduce and remove urban heating from the environment and protects community health and wellbeing.</p> <p>This is also in accordance with the sustainability principles set out in the North District Plan which talks about the resilience of communities to natural and urban hazards, shocks and stresses.</p> <p>In July 2021, Council exhibited a Draft Resilient Strategy which includes an action that our buildings are safe, well designed affordable and sustainable.</p> <p>The new clause means that development applications will need to incorporate design considerations on how design issues such as materials used, layout, planting will impact urban heat. It also aims to ensure buildings and outdoor areas are thermally comfortable during summer. This may include light coloured surfaces to promote reflectivity, increasing natural ventilation and vegetation for shade purposes..</p>	<p>(b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and</p> <p>(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</p> <p>(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</p> <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><b>deep soil zone—</b></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><b>green infrastructure</b> 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><b>solar heat</b> means radiant heat contained in the full spectrum of sunlight.</p>
D17	
<p>School Sites</p> <p>Currently, school sites are zoned to match whatever the adjoining zone is.</p> <p>It is proposed to rezone land owned and used by schools for infrastructure purposes to reflect their primary use, consistent with current zoning practices adopted by Council;</p> <p>The SP2 rezoning is a prescribed zone under the SEPP (Educational Establishments and Child Care Facilities) 2017 and will not affect a schools ability to utilise the SEPP.</p> <p>The zoning is consistent with neighbouring North Sydney, Lane Cove, Ryde and Ku-ring-gai Councils who all zone their school sites SP2 Education.</p>	<p>Rezone the following sites to SP2 Education</p>

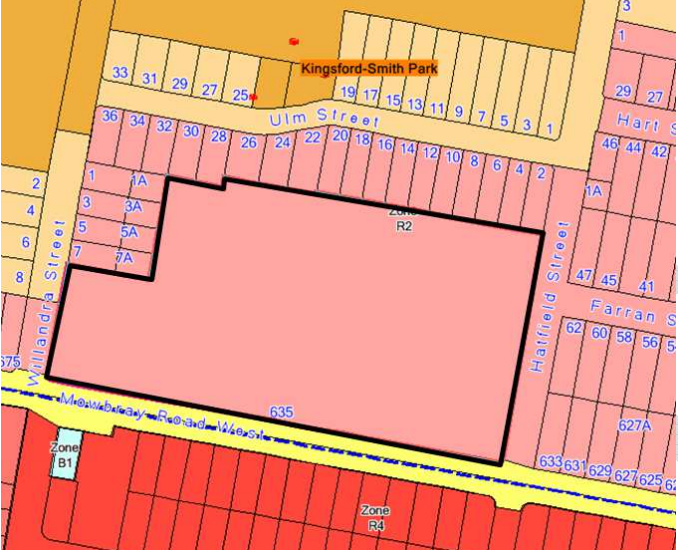


Description and Location	Proposed Change
<p>Future development for all of the following sites will be in accordance with the the SEPP (Educational Establishments and Child Care Facilities) 2017 or on a site specific merits based assessment</p>	
<p>D17 (a) St Thomas Primary School Rezone from R2 to SP2 Education Remove from Lot Size, Height, FSR and dual occupancy restriction maps</p> 	<p>D17 (b) Naremburn School, 250 Willoughby Rd, Naremburn Rezone from R3 to SP2 Education Remove from HOB and FSR Maps:</p> 

Description and Location	Proposed Change
<p>D17 (c) Willoughby Girls High School, 151 Mowbray Rd, Willoughby Willoughby Public School, Oakville Rd, Willoughby</p> <p>Rezone from R2 to SP2 Education. Retain RE1 zoning within the site. Remove from: Lot size, HOB and FSR maps.</p> 	<p>D17 (d) Artarmon Public School, 1 Abbott Rd, Artarmon</p> <p>Rezone from R3 to SP2 Education. Remove from HOB and FSR maps. Remove site from Area 3 of the Special Provisions Area Map as it no longer will have a residential zoning.</p> 
<p>D17 (e) Chatswood Public School, 5 Centennial Ave, Chatswood</p> <p>Rezone from R2 to SP2 Education Remove from Lot size, HOB and FSR maps.</p> 	<p>D17 (f) Castle Cove Public School, Holly St, Castle Cove</p> <p>Rezone from R2 to SP2 Education. Remove from Lot Size, HOB and FSR Maps.</p> 



Description and Location	Proposed Change
<p>D17 (g) Northbridge Public School, Sailors Bay Road, Northbridge</p> <p>Rezone from R2 to SP2 Education Remove from Lot Size, HOB, FSR and dual occupancy restriction maps.</p> 	<p>D17 (h) Gleneanon Rudolf Steiner School 5a Glenroy Avenue, Middle Cove</p> <p>Rezone from C4 to SP2 Education Remove from Lot size, HOB, FSR and dual occupancy restriction maps. (retain C2 zoning on the site),</p> 
<p>D17 (i) Shore Preparatory School, Sailors Bay Road, Northbridge</p> <p>Rezone from RE2 to SP2 Education</p> <p>Rezoning of this site will no longer require the need for an additional permitted use in Schedule 1.</p> 	<p>Delete clause 42 from Schedule 1:</p> <p><b><del>42 Use of certain land at Sailors Bay Road, Northbridge</del></b></p> <p><del>(1) This clause applies to land at Sailors Bay Road, Northbridge, being Lot 100, DP 1096773.</del></p> <p><del>(2) Development for the purpose of a school is permitted with development consent.</del></p>



Description and Location	Proposed Change
<p>D17 (j) Mowbray Public School 635 Mowbray Road West, Lane Cove North.</p> <p>Rezone from R2 to SP2</p> <p>Remove from FSR, Lot Size and HOB maps</p> 	<p>D17 (k) St Philip Neri School</p> <p>65-71 Baringa Road Northbridge</p> <p>Rezone from R2 to SP2 Education</p> <p>Remove from Lot size, HOB, FSR, Dual occupancy restriction maps</p> 
<p>D17 (l) Glenaeon Rudolf Steiner school 121 Edinburgh Road Castlecrag</p> <p>Rezone from R2 to SP2 Education</p> <p>Remove from Lot size, HOB, FSR, maps</p> 	
D18	
Schedule 2	
<p>Schedule 2 Exempt Development</p> <p>Schedule 2 allows exempt development to take place in addition to that which is exempt in the SEPP Exempt and Complying development codes.</p>	<p>Delete the following from Schedule 2</p> <p><b>Clothing bins</b></p> <p><del>(1) Must not be located in Zone R2</del>  Low Density Residential, Zone R3  Medium Density Residential, Zone</p>

Description and Location	Proposed Change
<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><del>R4 High Density Residential or Zone C4 Environmental Living, other than on existing premises occupied as a place of public worship.</del></p> <p><del>(2) Must be associated with a registered charity.</del></p> <p><del>(3) Must not be located on a road reserve.</del></p> <p><del>(4) Must be maintained in a presentable and satisfactory state of repair.</del></p>
<p><b>DRAFT</b></p>	<p><b>Signage—general requirements</b></p> <p><del>(1) Must relate to the land on which the signage is located or to premises on the land and specify one or more of the following particulars—</del></p> <p><del>(a) the purpose for which the land or premises is or are used,</del></p> <p><del>(b) the identification of a person residing or carrying on an occupation or business on the land or premises,</del></p> <p><del>(c) a description of an occupation or business referred to in paragraph (b),</del></p> <p><del>(d) particulars of the goods or services dealt with or provided on the land or premises.</del></p> <p><del>(2) Must not be located in a crown of trees protected under clause 5.9.</del></p> <p><del>(3) Must not be located on a site occupied by a heritage item.</del></p> <p><b>Signage—generally</b></p> <p><b>Must meet the general requirements for signage and be one of the following—</b></p> <p><del>(a) located on a site and not visible from outside the site (such as an internal business identification</del></p>

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

Description and Location	Proposed Change
	<p>Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone C4 Environmental Living, or of 5m<sup>2</sup> in all other zones, and</p> <p>iii. <del>removed within 14 days after sale or lease,</del></p> <p>(h) <del>a business identification sign in Zone R2 Low Density Residential, 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.</del></p> <p>(i) <del>a top hamper sign that is attached to the transom of a doorway or display window of a building and—</del></p> <p>i. <del>is not illuminated, and</del></p> <p>ii. <del>does not exceed the length or width of the window or door or more than 0.2m beyond any building alignment, and</del></p> <p>iii. <del>does not extend below the head of the doorway or window to which it is attached, and</del></p> <p>iv. <del>has a maximum height of 0.5m above the top of the window or doorhead,</del></p>

Description and Location	Proposed Change
	<p><del>(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 —</del></p> <p><del>(i) 1 sign per premises and at least 3m from a similar sign,</del></p> <p><del>(ii) minimum clearance to underside of sign of 2.6m above footpath level,</del></p> <p><del>(iii) maximum dimensions not exceeding 2.5m length and 0.5m height,</del></p> <p><del>(iv) must not project beyond the awning,</del></p> <p><del>(v) front alignment must be at least 1.5m from the side boundary of the premises,</del></p> <p><del>(l) replacement signage of the same dimensions and material as the Council-approved signage it is replacing.</del></p>



## Section E: Housekeeping Issues / Anomalies

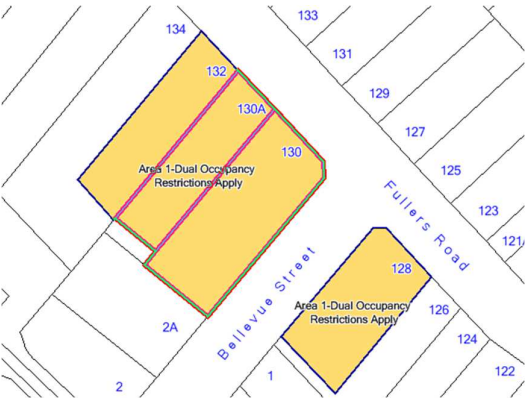
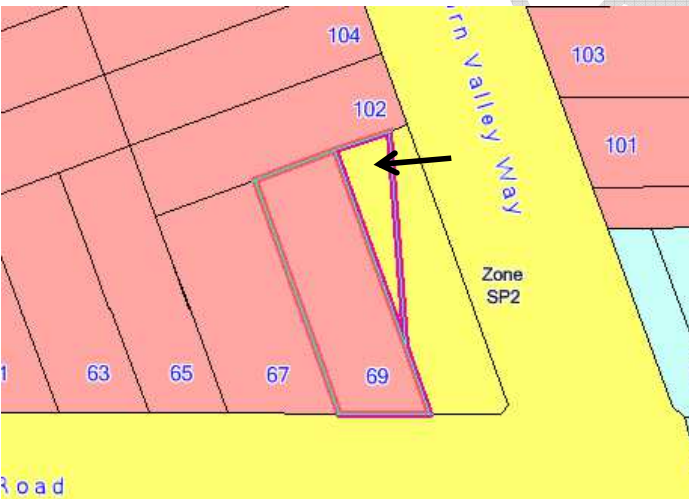
Council staff list any issues or errors that arise from a number of sources such as development application assessment, owners requests or customer enquiries. The following Table includes such issues that need to be addressed

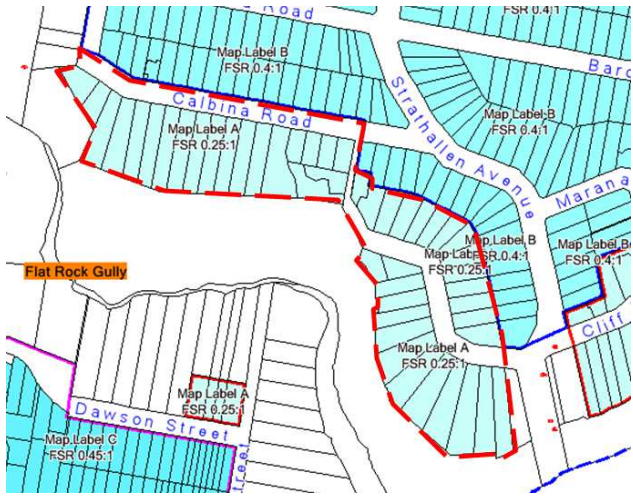
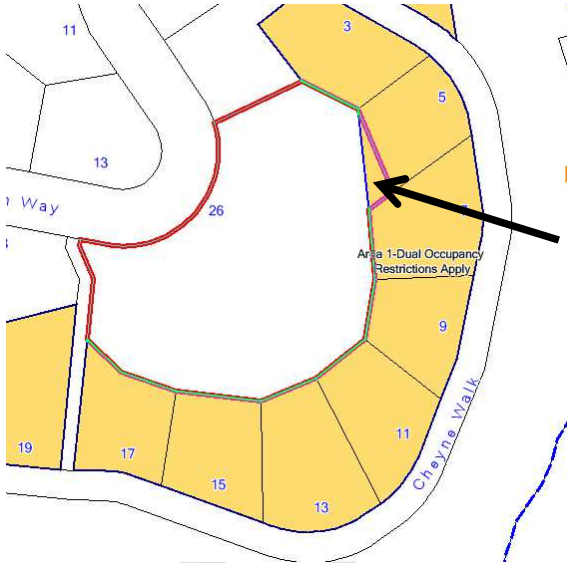
**Table 6 Housekeeping Amendments**


Note

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


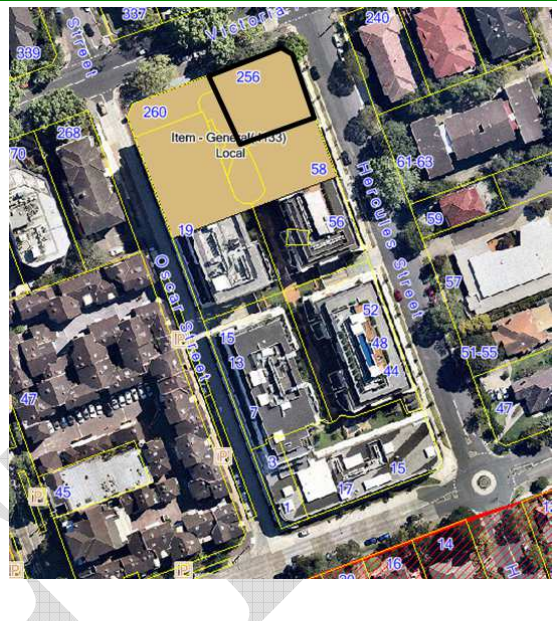
Description and Location	Proposed Change
E1	
<p><b>Zone R2 Land use Table</b></p> <p>Include secondary dwellings in 3 Permitted with consent.</p> <p>Secondary dwellings are currently permitted in the R2 zone via the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>.</p> <p>This cross referencing to another environmental planning instrument to confirm permissibility is confusing.</p> <p>Adding to the Land Use Table (LUT) will clarify this.</p>	<p><b>3 Permitted with consent</b></p> <p>Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; <b>Secondary dwellings</b>; Tank-based aquaculture</p>
E2	
130A Fullers Road, Chatswood West	<p>Property at 130A Fullers Road is not a heritage item or in a conservation area but appears on the Dual Occupancy Restriction Map. It is located in between 2 heritage items.</p> <p>Remove property at 130A Fullers Road from Dual Occupancy Restriction Map. Any clauses referring to the Dual Occupancy Restriction Map will no longer apply to this property.</p> <p>All dual occupancy clauses will apply to the property.</p>

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


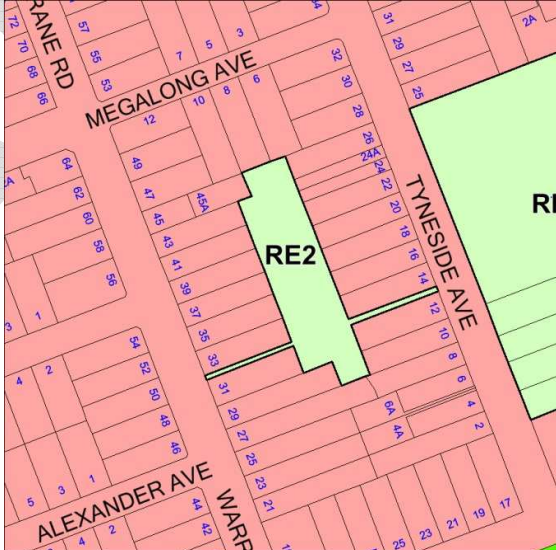
Description and Location	Proposed Change
	
<p>E5</p> <p>26 Linden Way</p>	<p>Small portion of the property incorrectly appears on the Dual Occupancy Restriction Map and should be removed.</p>
	
<p>E6</p> <p>250 Sailors Bay Road Northbridge</p>	<p>Site is zoned R2 and had existing use rights for a hairdresser shop that expired.</p> <p>Owner has requested an additional permitted use to enable a hair dressing salon</p> <p>The request is to add office and business premises as an additional permitted use in Schedule 1.</p> <p><b>70—68 Use of certain land at 250 Sailors Bay Road, Northbridge</b></p> <p>(d) This clause applies to land at</p>

Description and Location	Proposed Change
	<p>250 Sailors Bay Road, Northbridge being Lot 16 DP 7749</p> <p>(e) Development for the purposes of office premises and business premises is permitted with development consent.</p>
E7	
233a Edinburgh Road	<p>Heritage Item 125– description in Schedule 5 is correct but map should extend further south to reflect the property which expands over 2 lots. Description should also mention 233 and 233a</p> <p>Description currently only refers to 233a Edinburgh Road but the dwelling overlaps onto 233 Edinburgh Road.</p> <p>(picture below)</p>
	
E8	
256 Victoria Avenue	<p>Heritage map should be updated to reflect the location of the heritage item post completion of recent surrounding development.</p>

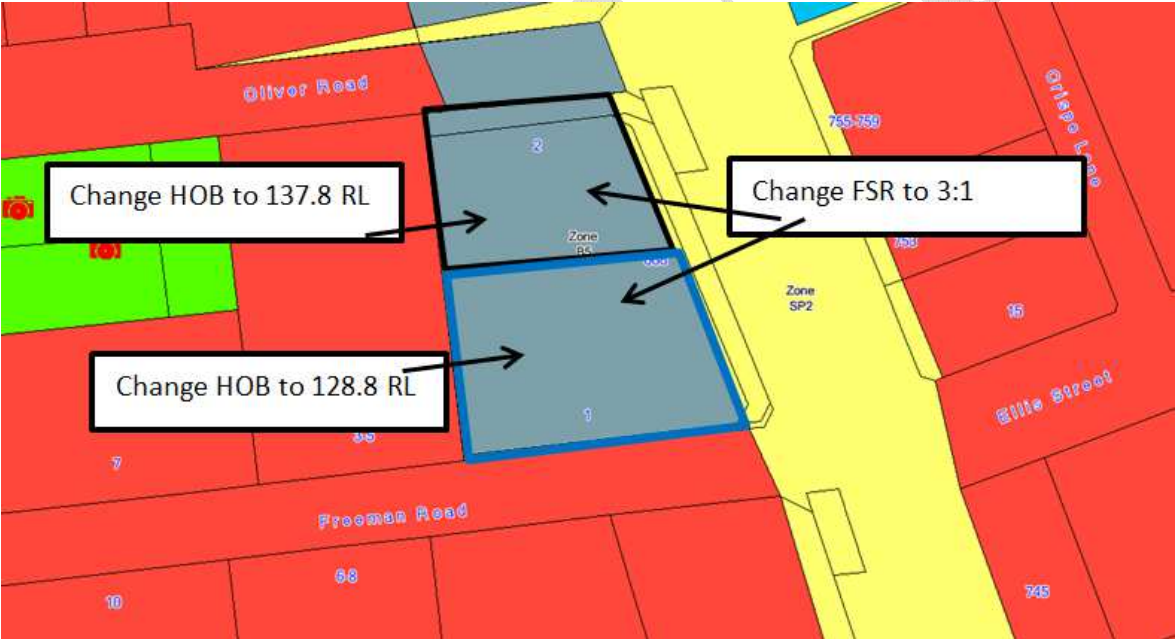


Description and Location	Proposed Change
	
E9	
<p>26A / 28 Oakville Road Willoughby</p>	<p>Applicant request to amend Schedule 5 to include the updated Lot and DP of the future consolidated lot.</p> <p>Applicant to advise when consolidation is complete.</p> <p>The heritage item will continue to only apply to 28 Oakville. Once the consolidation occurs the description will refer to part of the Lot and DP</p>
E10	
<p>Council acquired properties at Tyneside Tennis Courts and Artarmon Bowling Club.</p> <p>Both of these sites are currently zoned RE2 Private Recreation. Both have been acquired by Council and should be rezoned RE1 Public Recreation to reflect Council's ownership</p> <p>In addition the site at Artarmon Bowling Club is included as a proposed heritage item on the basis of its historic, social and representative significance.</p>	<p>Artarmon Bowling Club rezone from RE2 Private Recreation to RE1 Public Recreation</p> <p>Add the site to the Heritage Map as an item of local significance. In addition, add to Schedule 5.</p>

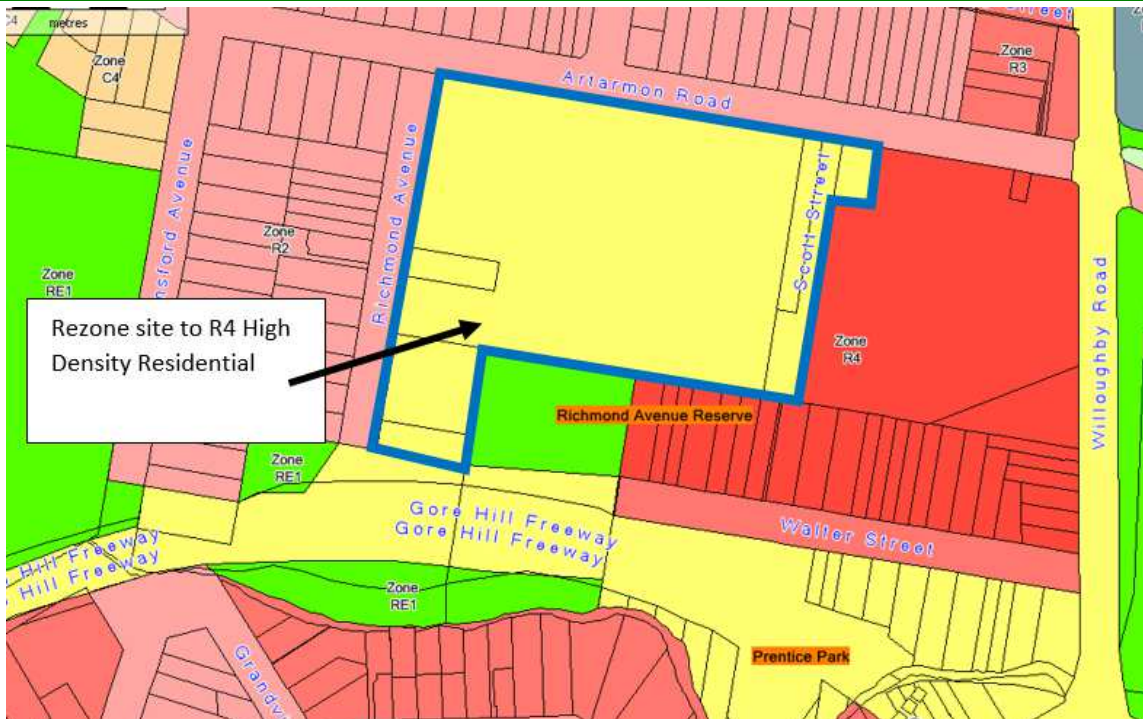


Description and Location	Proposed Change
	
E11	<p>Tyneside Tennis Courts rezone from RE2 Private Recreation to RE1 Public Recreation</p> 
E12	<p>6.14</p> <p>Willoughby Market Gardens</p> <p>(1) This clause applies to the land that is identified as “Area 1” on the <a href="#">Special Provisions Area Map</a> and known as the Willoughby Market Gardens.</p>



Description and Location	Proposed Change
	<p><del>(2) A development control plan for development on the land to which this clause applies must be prepared under section 3.44 of the Act before development consent may be granted to any development on that land.</del></p> <p><del>(3) Development consent must not be granted to any development on the land to which this clause applies unless that consent is granted in accordance with the development control plan made under subclause (2).</del></p> <p><del>(4) Development consent must not be granted to any development on the land to which this clause applies if the granting of that consent would result in the total number of dwellings on that land exceeding 80.</del></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>
E13	
<p>Clause 6.21 provides planning controls for a site that is now under construction. The Height and FSR controls provided in this clause should be transferred to the appropriate maps</p> <p>Delete Area 7 of the Special Provisions Area Map.</p>	<p><b>6.21</b></p> <p><b>Bonus height and floor space ratio available for development on consolidated sites on Pacific Highway, Freeman Road and Oliver Road, Chatswood</b></p> <p>This clause applies to the following land at Chatswood—</p> <p>(a) Lot 1, DP 1068007, 654–656 Pacific Highway,</p> <p>(b) Lot 1, DP 121830, 658–666 Pacific Highway,</p> <p>(c) Lot 1, DP 839309, 1 Freeman Road,</p> <p>(d) Lot 2, DP 839309, 2A Oliver Road,</p> <p>identified as “Area 7” on the <a href="#">Special Provisions Area Map (Area 7)</a>.</p>

Description and Location	Proposed Change
	<p>(2) <del>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—</del></p> <p>(a) <del>a height of any building on the land not exceeding—</del></p> <p>(i) <del>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</del></p> <p>(ii) <del>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</del></p> <p>(b) <del>a floor space ratio—</del></p> <p>(i) <del>of the development—not exceeding 3.0:1, and</del></p> <p>(ii) <del>of any shop top housing—not exceeding 2.14:1.</del></p>
Change FSR and Height Maps and delete Area 7 of the Special Provisions Area Map:	
	
Schedule 1 amendments	
E14	
<p>Item 35 - Use of certain land at 41–43 Farran Street, Lane Cove North.</p> <p>The property within the R2 zone has a change of use consent for a child care centre and is no longer a place of public worship.</p>	<p><del>35 Use of certain land at 41–43 Farran Street, Lane Cove North</del></p> <p>(1) <del>This clause applies to land at 41–43 Farran Street, Lane Cove North, being Lots 67 and 68, DP 9985.</del></p>

Description and Location	Proposed Change
	(2) <del>Development for the purpose of a place of public worship is permitted with development consent.</del>
E15	
<p>Item 54 Use of certain land at 14 Artarmon Road, Willoughby.</p> <p>This property is the Channel 9 site. It is currently zoned SP2 Telecommunications Facility.</p> <p>The site was given approval by the State Government under the former Part 3A State significant development process. It now has consent for residential purposes. The helipad once part of the Channel 9 business function is no longer required as the entire site will be redeveloped for residential.</p> <p>The site also has development approval for high density housing.</p> <p>Given this change to the special uses site, the site should be rezoned to R4 High Density Residential</p> <p>This change is consistent with the LSPS Priority 1 increasing housing diversity to cater for families, the aging population, diverse household types and key workers.</p> <p>It also complies with North District Plan N5 providing housing supply, choice and affordability with access to jobs, services and public transport. The change is also consistent with Ministerial Directive 6.1 in that it encourages a variety and choice of housing types. The encouragement of housing choice is also consistent</p>	<p><del>54 Use of certain land at 14 Artarmon Road, Willoughby</del></p> <p>(1) <del>This clause applies to land at 14 Artarmon Road, Willoughby, being Lot 1, DP 820327 and Lot 1, DP 748215.</del></p> <p>(2) <del>Development for the purpose of a helipad is permitted with development consent.</del></p>

Description and Location	Proposed Change
 <p>Rezone site to R4 High Density Residential</p>	
E16	
<p>The following clauses provide larger minimum lot sizes for residential development than the normal 1100m<sup>2</sup></p> <p>These sites have been reassessed and it is considered that the lot requirement should be amended to 1100m<sup>2</sup>.</p> <p>This amendment is consistent with Ministerial Direction 6.1 Residential zones in that it encourages a variety and choice of housing types.</p>	<p>Delete the following from Clause 6.10</p> <p>Clause 6.10 (4)(a): 1,300 square metres for land at 58-78 Sailors Bay Road, etc</p> <p>Clause 6.10 (4)(c): 2,500 square metres for land at 95-103 Edinburgh Road, etc.</p> <p>Clause 6.10 (4)(e): 2,500 square metres for land fronting Borlaise Street, Edward Street, etc.</p>





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

Description and Location	Proposed Change
	
E20	
<p>Realign Heritage map at South Chatswood Conservation area to match property boundaries</p>	
	

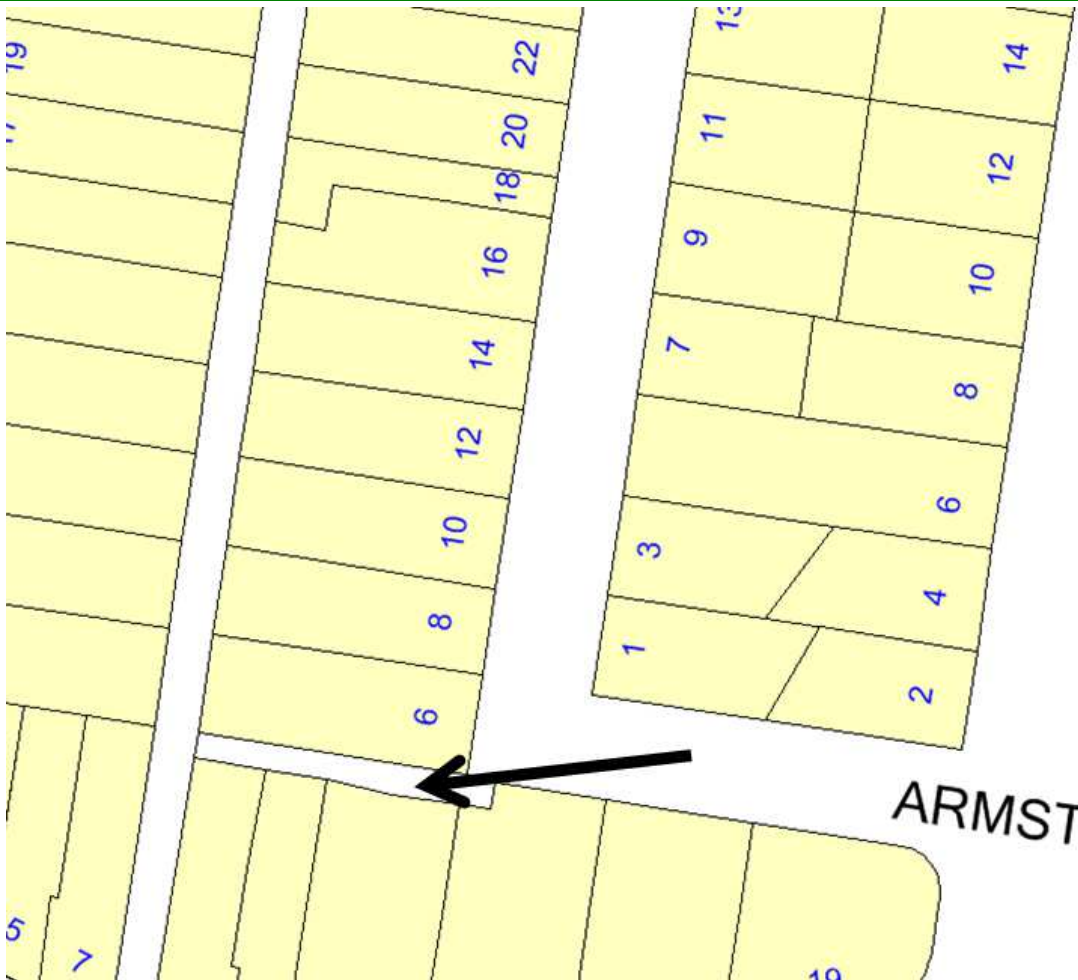


Description and Location	Proposed Change
E21	
<p>Land to the rear of 453 Willoughby Road which has been dedicated for road widening. It is integrated into Nathan Lane.</p> <p>Zoning should reflect the R2 lane way zoning. And the small section should be removed from the FSR and Height maps.</p>	<p>All maps relating to this small section are to be updated.</p>
	
E22	
<p>Corner of 52 Mowbray Place</p> <p>Zoning, height and FSR should follow the property boundary and not include the splay corner which lies out of the ownership boundary. It forms part of the road reserve.</p>	<p>All maps relating to this small section are to be changed.</p>

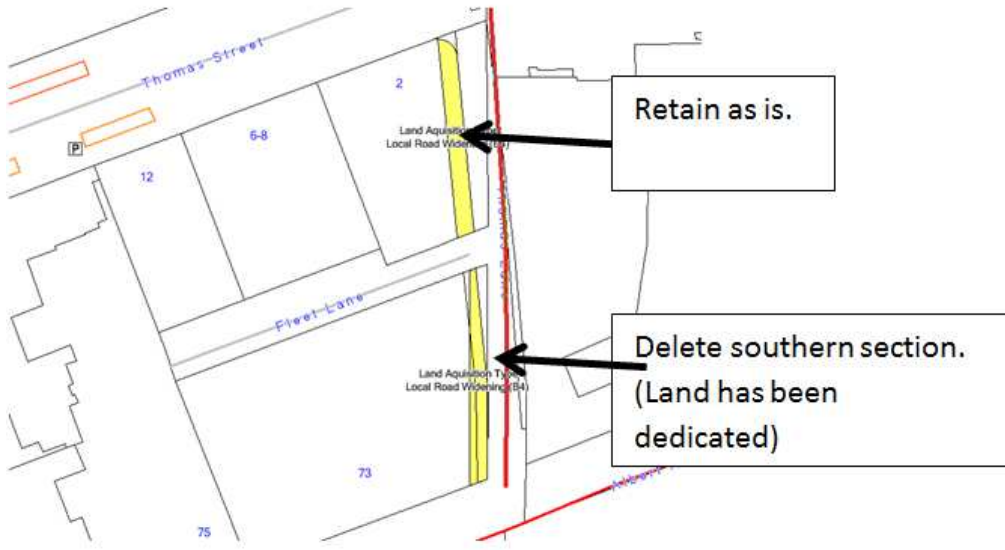

Description and Location	Proposed Change
	
<p>E23</p> <p>Rear of 36a Park Road and 21-23 Station Road</p> <p>Lane way dedication has created a new lot that should no longer appear on the FSR and Height maps.</p>	<p>All maps will be amended to reflect this change.</p>


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





Description and Location	Proposed Change
	
<p>E25</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>Use of certain land at Albert Avenue, Chatswood</p> <p>(1) This clause applies to land at Albert Avenue, Chatswood, being <del>Lots A and B, DP 381223 and Lots 13 and 23-30, DP 2983</del>. Lot 22 DP 1215977.</p> <p>(2) Development for the purpose of a car park is permitted with development consent.</p>



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

Description and Location	Proposed Change
In order to enable a turning area, it is proposed to include 1-3 Koorringa Road to the acquisition map.	
	

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


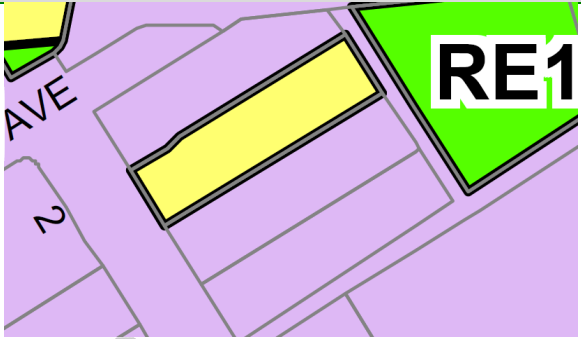
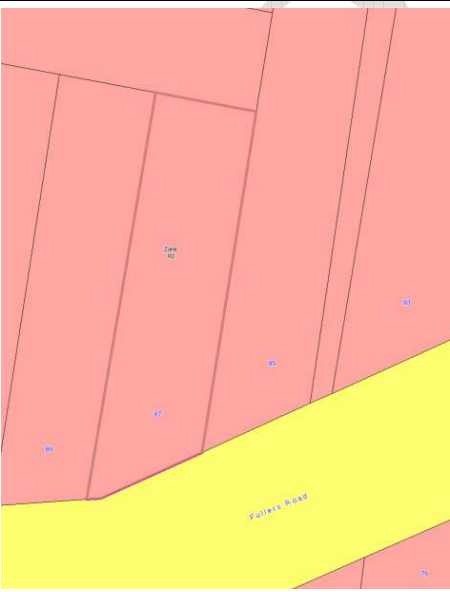
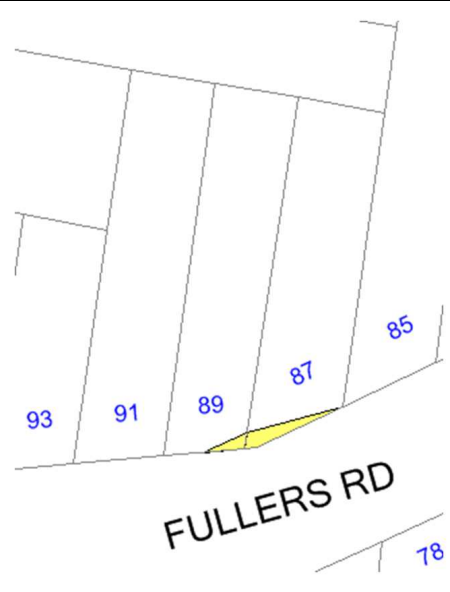
Description and Location	Proposed Change
Numbers 15a, 17, 19, 23, 25, 29 and 31 Kooba Avenue have been acquired by DPIE. They should no longer be included on the LRA Map	
	

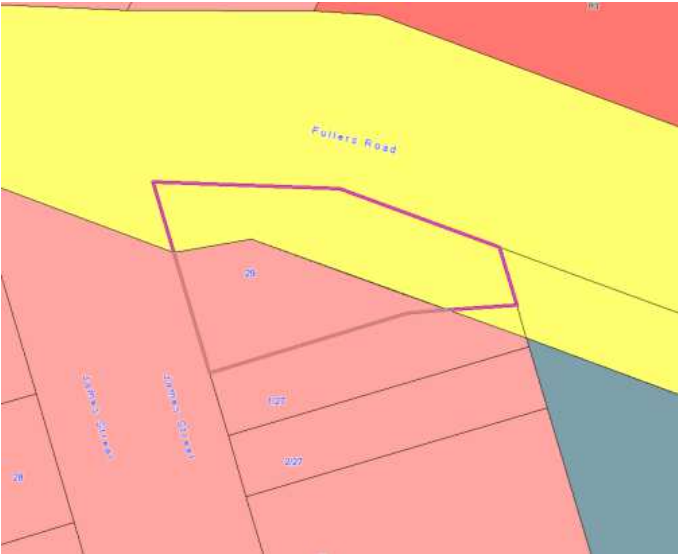
### TfNSW Acquisition sites


TfNSW have provided preliminary advice on road acquisitions. The following Table lists only the changes to the existing acquisitions, ie where new sites have been added or sites have been removed.

Description and Location	Proposed Change
<b>NSW DIPE acquisition sites</b>	
H1	
5 Waltham Street Site has been identified for acquisition by TfNSW.	Rezone site from IN1 to SP2 Include site on the Land Reserved for Acquisition Map


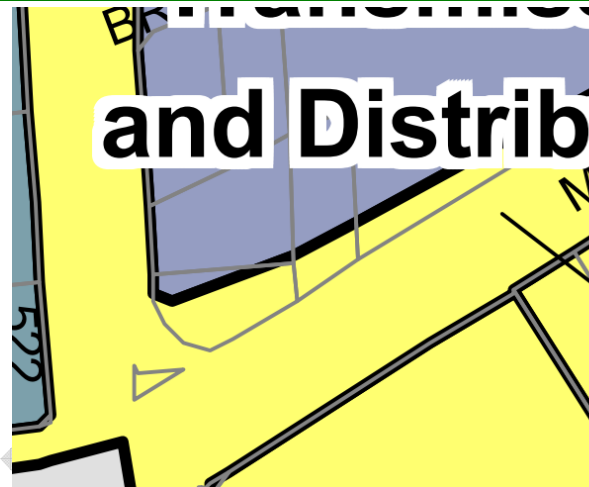

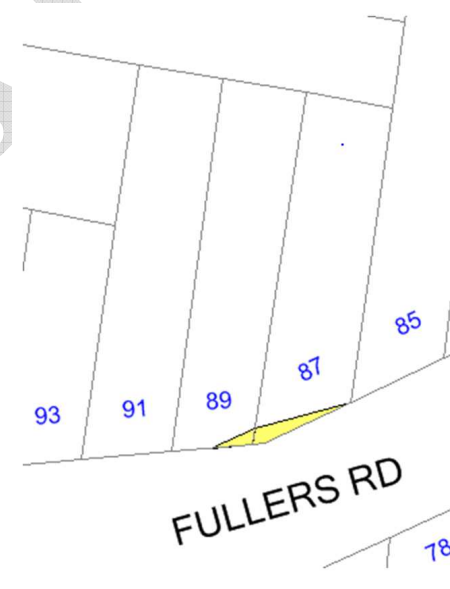


Description and Location	Proposed Change
	
H2	
<p>87 Fullers Road Chatswood</p> <p>Section of the site has been identified for future road widening by TfNSW.</p>	<p>Rezone section from R2 to SP2 and include in the section on the Land Reserved for Acquisition Map</p>
	
H3	
<p>29 James Street Chatswood</p> <p>Property is already identified for road widening.</p>	<p>Adjust existing acquisition boundary to match updated boundary required by TfNSW</p>


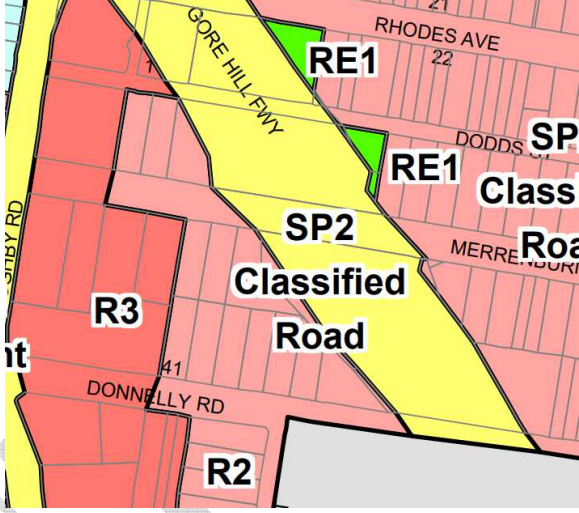
Description and Location	Proposed Change
	
H4	
<p>728 Pacific Highway Chatswood Property is already identified for road widening.</p>	<p>Adjust existing acquisition boundary to match updated boundary required by TfNSW</p>
	
H5	
<p>734 Pacific Highway, Chatswood Property is already identified for road widening</p>	<p>Adjust existing acquisition boundary to match updated boundary required by TfNSW</p>

Description and Location	Proposed Change
	
H6	
<p>Triangular site off Flat Rock Drive Site has been identified by TfNSW for future road widening</p>	<p>Rezone site from C2 to SP2 and add to Land Reserved for Acquisition Map. (Prior to 1 December 2021, Zone was known as E2)</p>
	
H7	
<p>15 Ellis and 753- 759 Pacific Highway Chatswood Currently identified for roadwidening. TfNSW has advised this is no longer required.</p>	<p>Remove road widening section from the LRA map and rezone property (these properties are subject to a rezoning to B4)</p>

Description and Location	Proposed Change
	
H8	
<p>Section off Flat Rock Drive</p> <p>Site has been identified by TfNSW for future road widening</p>	<p>Rezone site from RE1 and C2 to SP2 and add to Land Reserved for Acquisition Map.</p> <p>(Prior to 1 December 2021, Zone was known as E2)</p>
	
H9	
<p>569 Pacific Highway Chatswood</p> <p>Property is already identified for road widening</p>	<p>Adjust existing acquisition boundary to match updated boundary required by TfNSW</p>

Description and Location	Proposed Change
	
<p>H10</p> <p>89 Fullers Road Chatswood</p> <p>Section of the site has been identified for future road widening by TfNSW.</p>	<p>Rezone section from R2 to SP2 and include in the section on the Land Reserved for Acquisition Map MAP TO BE INCLUDED</p>
	
<p>H11</p> <p>Freeway boundary at Merrenburn Avenue Naremburn</p> <p>Property is already identified for road purposes</p>	<p>Adjust existing acquisition boundary to match updated boundary required by TfNSW</p>

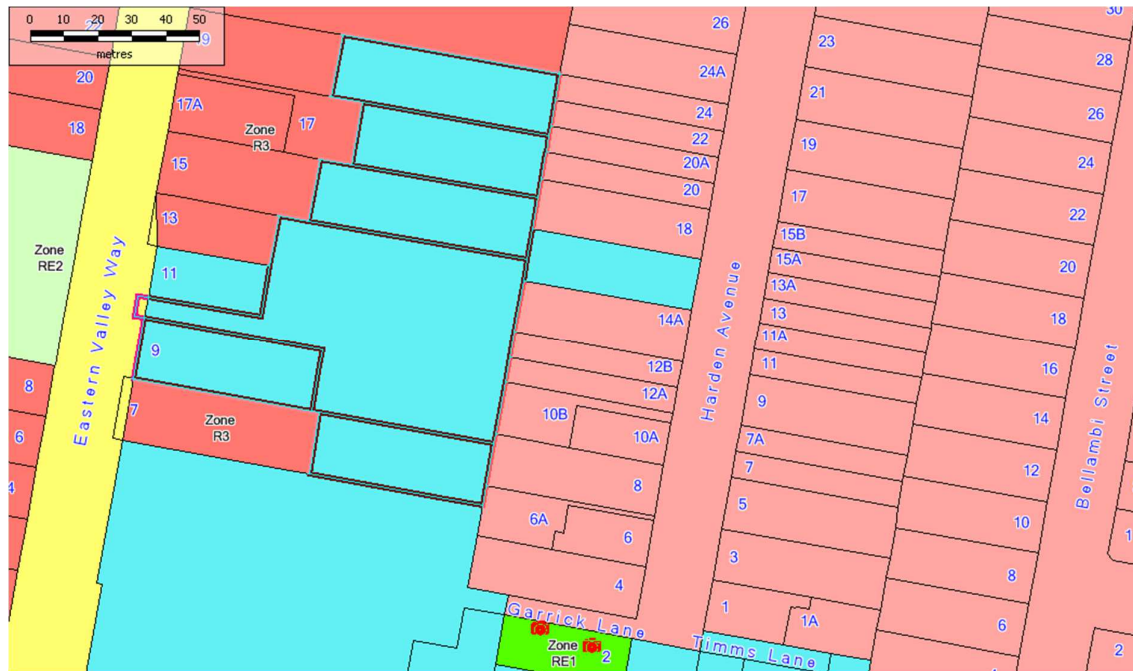


Description and Location	Proposed Change
	

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## Section G: Reclassification of Council Land

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



The site is currently used as a carpark serving Northbridge Plaza, and a vacant baby health clinic is also located towards the western boundary.

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

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

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

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

## Department of Planning & Environment - Employment Zones Reform Framework

The Department of Planning and Environment are running a separate exhibition which will change the names of business and industrial zones –known as Employment zones reforms.. At the time of writing, it was understood that the employment zones reform exhibition will commence from April 2022. This will overlap with the timing of this public exhibition. The following tables explain in summary, how this will effect the zone names and clauses for Willoughby.

As this planning proposal was prepared prior to these proposals. The existing zone names are included. However, it should be noted that there is a tandem process occurring which could impact further changes.

Existing Zone Name	Proposed new Zone Name
B1 Neighbourhood Centre and B2 Local Centre	E1 Local Centre
B3 Commercial Core	E2 Commercial Centre
B4 Mixed Use	MU1 Mixed Use
B5 Business Development and B7 Business Park	E3 Productivity Support
IN1 General Industrial and IN2 Light Industrial	E4 General Industrial

What are the main changes?

- Zones B1 and B2 will combine to the same zone name and land use table
- Zones B5 and B7 will combine to the same zone and land use table (shop top housing will still only occur in the area covered by the existing B5 zone)
- Zones IN1 and IN2 will combine to the same zone and land use table

A draft package of how these changes will affect the Willoughby zones and clauses are attached at Annexure 5. This is an initial draft demonstrating how land use table, sites specific clauses and additional permitted uses are likely to change. However, these may change depending on the exhibition of the Department's Employment Zone Review exhibition. Once Council has been notified of that exhibition, a link will be placed on Council's web page. Also view the [Department of Planning's web page](#) for any updates on this project.

## Part 3 – Justification

### Section A – Need for the Planning Proposal

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

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

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

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

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

### Section B –Relationship to strategic planning framework

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

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

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

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

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

#### North District Plan 2018

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

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

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

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

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

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

#### Our Future Willoughby 2028

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

#### Willoughby Housing Strategy 2036

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

Recommendations from the Housing Strategy include:



Recommendation from Willoughby Housing Strategy	How included in the planning proposal
<ul style="list-style-type: none"> <li>Additional housing be located on the edge of Chatswood CBD as part of mixed use developments as recommended in the Chatswood CBD Planning and Urban Design Strategy to 2036.</li> </ul>	<p>Substantial height / FSR and zoning changes are proposed in this planning proposal for Chatswood CBD which includes a geographic extension to the existing CBD.</p>
<ul style="list-style-type: none"> <li>Additional housing to be located in the local centres as identified in the Local Centres Strategy.</li> </ul>	<p>Height and FSR changes are included in this planning proposal in accordance with the recommendations in the Local Centres Strategy.</p>
<ul style="list-style-type: none"> <li>Higher densities in Local centres should ensure that amended planning controls retain employment lands to provide local services and employment for residents.</li> </ul>	<p>Proposed controls and retention of existing business zones are included in this planning proposal to retain employment land</p>
<ul style="list-style-type: none"> <li>Protection of the existing R2 zones in the interests of housing choice and diversity.</li> </ul>	<p>Only a small section of R2 land has been proposed to be rezoned to R3 in accordance with the Local Centres Strategy.</p> <p>Generally, the planning proposal does not changes to the R2 land. It does propose to change development proposals from a floor space ratio to a gross floor area calculation. Changes to dual occupancy development are also proposed.</p>
<ul style="list-style-type: none"> <li>Review of the WDCP requirements for townhouse development in the R3 zone.</li> </ul>	<p>The draft DCP is currently on exhibition with this planning proposal. It includes a new section with controls for manor houses, attached dwellings, and multi dwelling housing.</p>
<ul style="list-style-type: none"> <li>Review the current dual occupancy controls.</li> </ul>	<p>The review of dual occupancy has been incorporated into this planning proposal with new controls proposed in accordance with the Codes SEPP.</p>
<ul style="list-style-type: none"> <li>Investigate number of bedroom mix requirement in the WDCP for residential flat buildings or shoptop developments.</li> </ul>	<p>This was investigated. It was concluded that the current practice of a demand / development lead analysis of bedroom mix allowed a more flexible approach. No change is proposed.</p>
<ul style="list-style-type: none"> <li>New up zoning of land to include an amended Affordable Housing Provision of 7% in the short term rising to 10% by 2026.</li> </ul>	<p>This is included in the planning proposal and a feasibility analysis is included.</p>
<ul style="list-style-type: none"> <li>Further engagement with infrastructure providers to discuss the housing forecasts in detail to enable matching and phasing, particularly regarding school provision and extra bus services along the “spine” roads servicing the local centres.</li> </ul>	<p>This will form part of the consultation process of the planning proposal and will be ongoing.</p>
<ul style="list-style-type: none"> <li>Work with the Greater Sydney Commission regarding targets and infrastructure provision.</li> </ul>	<p>This has been and will continue to be an ongoing process.</p>

<ul style="list-style-type: none"> <li>• Establish annual and 5 yearly review to monitor progress of housing delivery. (5 yearly reviews to align with updates of District and Regional plan)</li> </ul>	<p>This work has commenced and will continue to be analysed following completion of this planning proposal.</p>
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### Willoughby Industrial Lands Strategy 2036

With regard to industrial land, the uplift in FSR from 1.5:1 to 2:1 for land zoned light industrial is considered to have a minimal impact on the capacity of the local road network.

The Roads and Maritime Services (RMS) (now Transport for NSW) Guide to Traffic Generating Developments (2002) defines traffic generation rates for 'factories' and 'warehouses' of 5 and 4 daily vehicle trips (per 100m<sup>2</sup> GFA) respectively. These are the two most frequent land uses in the IN2 Light Industrial zone.

These rate are corroborated in the RMS's TDT 2013/04a Guide to Traffic Generating Developments – Updated traffic surveys (2013) which defines a rate of 4.60 daily vehicle trips for 'business parks and industrial estates'. These traffic generation rates are among the lowest compared to other commercial and industrial uses e.g. 'office blocks' (11 per 100m<sup>2</sup> GFA), 'bulky good retail stores' (17 per 100m<sup>2</sup> GFA) and 'major hardware and building supply stores' (33 per 100m<sup>2</sup> GFA).

It is thus evident that the types of developments that predominate in the IN2 Light Industrial zone are generally low traffic-generating uses. In Council's view, any increase in vehicle trips that may eventuate from future (re)development of sites under an increased FSR would have only a minor impact in the context of existing traffic volumes. Furthermore, the areas of the Willoughby LGA zoned IN2 represent only a small proportion of the overall area of the LGA and such an uplift would allow a more efficient use of what is already scarce and valuable land. This would contribute to achieving the objectives of Willoughby Industrial Lands Strategy 2036.

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

[Chatswood CBD Planning and Urban Design Strategy 2036](#)

[Willoughby Housing Strategy 2026](#)

[Willoughby Local Centres Strategy 2036](#)

[Willoughby Industrial Lands Strategy 2036](#)

[Willoughby Integrated Transport Strategy](#)

[St Leonards / Crows Nest Plan to 2036](#)

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

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

SEPP title	Consistency	Explanation
State Environmental Planning Policy No. 19 – Bushland in Urban Areas	YES	<p>The planning proposal does not contain provisions that would affect the application of this SEPP.</p> <p>The proposed rezoning of industrial land at Lane Cove North to C2 will provide watercourse protection as well as protecting recreational potential to this section of the Lane Cove River.</p> <p>The planning proposal does not contain any changes which would affect existing bushland at the peninsulars of Middle Cove, Castlecrag, Castle Cove and Northbridge.</p>
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	N/A	
State Environmental Planning Policy No. 50 – Canal Estate Development	N/A	
State Environmental Planning Policy No. 55 – Remediation of Land	YES	As the planning proposal includes rezoning of land, assessment of individual sites will be investigated at development assessment stage.
State Environmental Planning Policy No. 64 – Advertising and Signage	N/A	
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	YES	<p>The planning proposal is consistent with the SEPP as it aims to replicate certain provisions for the R2 Low Density zone</p> <p>The planning proposal aims to replicate the GFA controls within the SEPP relating to new dwellings in the R2 zone (non conservation areas).</p> <p>It also aims to replicate controls relating to Dual occupancy development in that attached dual occupancies need to be side by side and detached dual occupancies can only occur on corner or a parallel road lot where each dwelling faces a different road.</p>
State Environmental Planning Policy (Housing) 2021	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	YES	<p>The planning proposal does not contain provisions that would affect the application of this SEPP.</p> <p>The proposed rezoning of industrial land at Lane Cove North alongside the Lane Cove River to C2 is intended as a means of protection.</p>
State Environmental Planning Policy Educational Establishments and Childcare Centres 2017	YES	<p>The deletion of child care centres from the industrial zones IN1 and IN2 land use tables is not inconsistent with this clause.</p> <p>The object of this clause is to minimise land use conflicts with existing developments on surrounding land and to ensure the safety and health of people using or visiting a centre-based child care facility on land in Zone IN1 General Industrial or Zone IN2 Light Industrial.</p> <p>The consent authority must consider the following matters before determining a development application for development for the purpose of a centre-based child care facility on land in Zone IN1 General Industrial or Zone IN2 Light Industrial—</p> <p>(a) whether the proposed development is compatible with neighbouring land uses, including its proximity to restricted premises, sex services premises or hazardous land uses,</p> <p>(b) whether the proposed development has the potential to restrict the operation of existing industrial land uses,</p>

		<p>(c) whether the location of the proposed development will pose a health or safety risk to children, staff or visitors.</p> <p>In the interests of ensuring the successful implementation of the strategic direction in the NDP, Council's LSPS and the WILS, the protection of industrial lands is reinforced with the proposal to prohibit child care centres on IN1 and IN2 zoned land.</p> <p>The matters for consideration listed in Clause 24 of the SEPP have been examined and it has been concluded that they will invariably result in a mutually negative response for both childcare centres and industrial areas. In addition, with it a clear State strategic direction that industrially zoned lands in the North District are protected for productive and technological uses as the City grows, the prohibition of childcare centres on these lands will only serve to strengthen Council's ability to achieve this strategic outcome while reducing the unnecessary bureaucracy of assessing DAs for such uses in Industrial areas.</p> <p>Rezoning of school sites to SP2</p> <p>The rezoning of school sites to SP2 Education is consistent with this SEPP in that will not affect a schools ability to utilise the SEPP.</p>
State Environmental Planning Policy (Coastal Management) 2018	YES	The planning proposal includes the proposed rezoning of industrial land to C2 Environmental Conservation. This land adjoins coastal wetlands as represented in Coastal Management SEPP Maps
Draft Design and Place State Environmental Planning Policy	YES	The planning proposal will not preclude any of the principles or concepts contained within the Draft SEPP. The planning proposal's proposed landscaping and urban heat clauses in particular will support design considerations contained within the Draft SEPP.

Note – at the time of writing, the above SEPPs were in place. From 1 March 2022, the existing 45 SEPPs are being consolidated into 11. These are:

State Environmental Planning Policy (Planning Systems) 2021 -

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Industry and Employment) 2021



State Environmental Planning Policy (Resources and Energy) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021

State Environmental Planning Policy (Precincts – Central River City) 2021

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

State Environmental Planning Policy (Precincts – Regional) 2021

A detailed explanation of these SEPP changes can be viewed at [NSW Planning's website](#).

Consistency with the individual SEPPs referred to previously, confirms coherence with the new SEPP which consolidates it.

The Table below summarises which SEPPs the above listed consolidate

New SEPP Name	Previous SEPPS
State Environmental Planning Policy (Planning Systems) 2021	<ul style="list-style-type: none"><li>• SEPP (State and Regional Development) 2011 (State and Regional Development SEPP)</li><li>• SEPP (Aboriginal Land) 2019 (Aboriginal Land SEPP)</li><li>• SEPP (Concurrences and Consents) 2018 (Concurrence SEPP)</li></ul>
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<ul style="list-style-type: none"><li>• SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)</li><li>• SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)</li><li>• SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)</li><li>• Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)</li><li>• SEPP No 19—Bushland in Urban Areas (SEPP 19)</li><li>• SEPP No 50—Canal Estate Development (SEPP 50)</li><li>• SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)</li><li>• Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)</li><li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)</li><li>• Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)</li><li>• Willandra Lakes Regional Environmental Plan No 1 – World</li></ul>

	Heritage Property (Willandra Lakes REP)
State Environmental Planning Policy (Resilience and Hazards) 2021	<ul style="list-style-type: none"> <li>• SEPP (Coastal Management) 2018 (Coastal Management SEPP)</li> <li>• SEPP 33 – Hazardous and Offensive Development (SEPP 33)</li> <li>• SEPP 55 – Remediation of Land (SEPP 55)</li> </ul>
State Environmental Planning Policy (Transport and Infrastructure) 2021	<ul style="list-style-type: none"> <li>• SEPP (Infrastructure) 2007 (Infrastructure SEPP)</li> <li>• SEPP (Educational Establishments and Childcare Facilities) 2017 (Education and Childcare SEPP)</li> <li>• SEPP (Major Infrastructure Corridors) 2020 (Corridor SEPP)</li> <li>• SEPP (Three Ports) 2013 (Three Ports SEPP)</li> </ul>
State Environmental Planning Policy (Industry and Employment) 2021	<ul style="list-style-type: none"> <li>• SEPP (Western Sydney Employment Area) 2009 (Western Sydney Employment SEPP)</li> <li>• SEPP 64 – Advertising and Signage (SEPP 64)</li> </ul>
State Environmental Planning Policy (Resources and Energy) 2021	<ul style="list-style-type: none"> <li>• SEPP (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP)</li> <li>• Sydney Regional Environmental Plan No. 9 – Extractive Industries (No 2 – 1995) (Extractive Industries SREP)</li> </ul>
State Environmental Planning Policy (Primary Production) 2021	<ul style="list-style-type: none"> <li>• SEPP (Primary Production and Rural Development) 2019 (Primary Production and Rural Development SEPP)</li> <li>• Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) (Central Coast Plateau SREP).</li> </ul>
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	<ul style="list-style-type: none"> <li>• SEPP (State Significant Precincts) 2005</li> <li>• Darling Harbour Development Plan No. 1</li> <li>• Sydney Regional Environmental Plan No 26 – City West</li> <li>• Sydney Regional Environmental Plan No 16 – Walsh Bay</li> <li>• Sydney Regional Environmental Plan No 33 – Cooks Cove</li> <li>• SEPP No 47 – Moore Park Showground</li> </ul>
State Environmental Planning Policy (Precincts – Central River City) 2021	<ul style="list-style-type: none"> <li>• SEPP (State Significant Precincts) 2005</li> <li>• SEPP (Sydney Region Growth Centre) 2006</li> <li>• Sydney Regional Environmental Plan 24 – Homebush Bay Area</li> <li>• SEPP (Kurnell Peninsula) 1989</li> <li>• SEPP (Urban Renewal) 2010</li> </ul>
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	<ul style="list-style-type: none"> <li>• SEPP (State Significant Precincts) 2005</li> </ul>

	<ul style="list-style-type: none"> <li>• SEPP (Sydney Region Growth Centre) 2005</li> <li>• SEPP (Western Sydney Aerotropolis) 2020</li> <li>• SEPP (Penrith Lakes Scheme) 1989</li> <li>• Sydney Regional Environmental Plan No 30 – St Marys</li> <li>• SEPP (Western Sydney Parklands) 2009</li> </ul>
State Environmental Planning Policy (Precincts – Regional) 2021	<ul style="list-style-type: none"> <li>• SEPP (State Significant Precincts) 2005</li> <li>• SEPP (Activation Precincts) 2020</li> <li>• SEPP (Kosciuszko National Park– Alpine Resorts) 2007</li> <li>• SEPP (Gosford City Centre) 2018</li> </ul>

(No changes have been made to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 as part of this process and it will remain as a standalone SEPP).

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

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

No	Title of Direction and objectives	Comment	Compliance
<b>Focus Area I: Planning Systems</b>			
<b>1.1</b>	<p>Implementation of Regional Plans</p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p>	The planning proposal is consistent with A Metropolis of Three Cities – The Greater Sydney Region Plan.	YES
<b>1.2</b>	<p>Development of Aboriginal Land Council Land</p> <p>The objective of this direction is to provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019 {now known as SEPP Planning Systems 2021} when planning proposals are</p>	The planning proposal does not include land shown on the Land Application Map of SEPP (Aboriginal Land) 2019.	N/A

No	Title of Direction and objectives	Comment	Compliance
	prepared by a planning proposal authority.		
1.3	<p>Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	The planning proposal will be subject to consultation with state authorities as required by the Gateway Determination.	YES
1.4	<p>Site Specific Provisions:</p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p>	Any site specific provisions are in accordance with previously exhibited and approved strategic studies.	YES
<b>Focus Area 1: Planning Systems – Place- based</b>			
1.5	<p>Parramatta Road Corridor Urban Transformation Strategy</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> <li>(a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Ki and the Parramatta Road Corridor Urban Transformation Update 2021,</li> <li>(b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and</li> <li>(c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.</li> </ul>	This Direction does not apply to the Willoughby LGA	N/A
1.6	<p>Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority</p>	This Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
	Growth Area Land Use and Infrastructure Strategy (the Strategy).		
1.7	<p>Implementation of Greater Parramatta Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan)</p>	This Direction does not apply to the Willoughby LGA	N/A
1.8	<p>Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.</p>	This Direction does not apply to the Willoughby LGA	N/A
1.9	<p>Implementation of Glenfield o Macarthur Renewal Corridor</p> <p>The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.</p>	This Direction does not apply to the Willoughby LGA	N/A
1.10	<p>Implementation of the Western Sydney Aerotropolis Plan</p> <p>The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan dated September 2020.</p>	This Direction does not apply to the Willoughby LGA	N/A
1.11	Implementation of Bayside West Precincts 2036 Plan	This Direction does not apply to the Willoughby LGA	N/A



No	Title of Direction and objectives	Comment	Compliance
	<p>The objective of this direction is to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).</p>		
1.12	<p>Implementation of Planning Principles for the Cooks Cove Precinct</p> <p>The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.</p>	<p>This Direction does not apply to the Willoughby LGA</p>	N/A
1.13	<p>Implementation of St Leonards and Crows Nest 2036 Plan</p> <p>The objective of this direction is to ensure development within the St Leonards and Crows Nest Precinct is consistent with the St Leonards and Crows Nest 2036 Plan.</p>	<p>Changes for Willoughby as proposed by the St Leonards and Crows Nest 2036 Plan have been included in this comprehensive LEP</p>	YES
1.14	<p>Implementation of Greater Macarthur 2040</p> <p>The objective of this direction is to ensure that development within the Greater Macarthur Growth Area is consistent with the Greater Macarthur 2040 dated November 2018</p>	<p>This Direction does not apply to the Willoughby LGA</p>	N/A
1.15	<p>Implementation of the Pyrmont Peninsula Place Strategy</p> <p>The objectives of this direction are to:</p> <p>(a) facilitate development within the Pyrmont Peninsula that is consistent with the Pyrmont Peninsula Place Strategy (Place Strategy) and the Economic Development Strategy,</p> <p>(b) align the planning framework with the Eastern City District Plan Planning Priority E7 Growing a Stronger and More Competitive Harbour CBD and actively support the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan, and</p> <p>(c) guide growth and change balanced with character, heritage and infrastructure considerations (amongst others) across the Peninsula under the Place Strategy</p>	<p>This Direction does not apply to the Willoughby LGA</p>	N/A

No	Title of Direction and objectives	Comment	Compliance
1.16	<p>North West Rail Link Corridor Strategy</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)</li> <li>(b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.</li> </ul>	This Direction does not apply to the Willoughby LGA	N/A
1.17	<p>Implementation of the Bays West Place Strategy</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) facilitate development within the Bays West precinct that is consistent with the Bays West Place Strategy (Place Strategy) and the Urban Design Framework (which includes the Sustainability Framework and Connecting with Country Framework),</li> <li>(c) actively support the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan, and</li> <li>(d) guide growth and change balanced with character, Indigenous and European heritage, working harbour and infrastructure considerations across the Bays West precinct under the Place Strategy.</li> </ul>	This Direction does not apply to the Willoughby LGA	N/A
<p>Focus Area 2: Design and Place</p> <p>[This Focus Area was blank when the Directions were made]</p>			
<b>Focus Area 3: Biodiversity and Conservation</b>			
3.1	<p>Conservation Zones:</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	<p>The planning proposal seeks to protect environmentally sensitive areas.</p> <p>The planning proposal does not alter the existing environmental</p>	YES

No	Title of Direction and objectives	Comment	Compliance
		protection to land within an environmental protection zone	
3.2	Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The planning proposal includes 2 new heritage items of local significance	YES
3.3	Sydney Drinking Water Catchment  The objective of this Direction is to protect water quality in the Sydney drinking water catchment.	The Direction does not apply to the Willoughby LGA	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs  The objective of this direction is to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.	The Direction does not apply as the planning proposal does not relate to any of the identified LGAs.	N/A
3.5	Recreation Vehicle Areas  The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.	N/A
<b>Focus Areas 4: Resilience and Hazards</b>			
4.1	Flooding  (a) The objectives of this direction are: to ensure that development of flood prone land is consistent with the NSW Government's Flood	"Upzoned" land which is identified in any flood studies will be subject to water management controls within the Willoughby Development Control Plan.	YES

No	Title of Direction and objectives	Comment	Compliance
	<p>Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of a local environmental plan that apply to flood prone land are commensurate with flood behaviour and include consideration of the potential flood impacts on and off the subject land.</p>		
4.2	<p>Coastal Management</p> <p>The objective of this direction is to protect and manage coastal areas of NSW.</p>	<p>The planning proposal includes the proposed rezoning of industrial land to C2 Environmental Conservation. This land adjoins coastal wetlands as represented in Coastal Management SEPP Maps</p> <p>The planning proposal is consistent with the Direction as it will not impede the attainment of the objectives of the Coastal Management Act.</p> <p>The rezoning of land from industrial to C2 will protect coastal wetlands from intensive land use.</p>	YES
4.3	<p>Planning for Bushfire Protection</p> <p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	<p>The planning proposal aims to target new development away from natural hazards such as bushfire prone land.</p> <p>The planning proposal introduces new wording in the Aims of the Plan to elevate resilience for natural hazards.</p>	YES
4.4	<p>Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities</p>	<p>Proposed B5 to B4 land at Chatswood CBD have been subject to proponent led planning proposals in advance of this comprehensive LEP.</p> <p>PP_2021_2923 at 613 – 627 Pacific Highway Chatswood and</p>	YES

No	Title of Direction and objectives	Comment	Compliance
		<p>PP-2021-2470 at 629 -639 Pacific Highway Chatswood have had subject to preliminary site investigation studies.</p> <p>The remaining B5 land is government owned site currently being used as the “dive site” for the Sydney metro. It is presumed that a preliminary site investigation would have already been carried out at that site.</p> <p>A preliminary site investigation has also been submitted for the planning proposal submitted to Council for 100 Edinburgh Road, Castlecrag.</p> <p>Any further sites subject to higher density controls will need to provide preliminary site investigation studies at DA stage.</p>	
4.5	<p>Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>A small section of industrial land along the Lane Cove River is proposed to be rezoned to C2. This land is identified as Class 2 on the Acid Sulfate Soils Map. The proposed C2 zoning will not incur adverse environmental impacts.</p>	YES
4.6	<p>Mine Subsidence and Unstable Land</p> <p>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p>	<p>The Direction does not apply as the planning proposal does not relate to land affected by mine subsidence nor has it been identified as being unstable land.</p>	N/A
<b>Focus Area 5: Transport and Infrastructure</b>			
5.1	<p>Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p>	<p>The planning proposal promotes residential growth in centres to improve accessibility to transport and services.</p> <p>Focussing growth in existing centres is in accordance with the Willoughby Integrated Transport Strategy 2036 in that it is aimed to :</p> <ul style="list-style-type: none"> <li>provide local and regional connectivity</li> <li>support local economy by managing congestion</li> </ul>	YES



No	Title of Direction and objectives	Comment	Compliance
	<ul style="list-style-type: none"> <li>(b) increasing the choice of available transport and reducing dependence on cars, and</li> <li>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</li> <li>(d) supporting the efficient and viable operation of public transport services, and</li> <li>(e) providing for the efficient movement of freight.</li> </ul>	<ul style="list-style-type: none"> <li>• contribute to the development of vibrant, liveable and safe places.</li> </ul>	
5.2	<p>Reserving Land for Public Purposes</p> <ul style="list-style-type: none"> <li>(a) The objectives of this direction are: to facilitate the provision of public services and facilities by reserving land for public purposes, and</li> <li>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition</li> </ul>	The planning proposal updates the Land Reserved for Acquisition Map in that it removes sites that have been acquired and adds new sites.	YES
5.3	<p>Development Near Regulated Airports and Defence Airfields</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>(a) to ensure the effective and safe operation of regulated airports and defence airfields</li> <li>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</li> <li>(c) to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</li> </ul>	<p>An updated clause has been introduced as recommended by Sydney Airport relating to heights.</p> <p>Notification was received from Sydney Airport to update the Airspace protection clause. This is to ensure aircraft clearance and safety from tall buildings.</p> <p>Proposed heights for Chatswood CBD have been based on context and up to the airspace limits.</p> <p>The Civil Aviation Safety Authority and Sydney Airport will be notified of this planning proposal.</p>	YES
5.4	<p>Shooting Ranges</p> <p>The objectives are:</p> <ul style="list-style-type: none"> <li>(a) to maintain appropriate levels of public safety and amenity</li> </ul>	The Direction does not apply as none of the properties within the planning proposal are adjacent to or adjoin an existing shooting range.	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>when rezoning land adjacent to an existing shooting range,</p> <p>(b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</p> <p>(c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</p>		
<b>Focus Area 6: Housing</b>			
6.1	<p>Residential Zones.</p> <p>The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>The planning proposal is consistent with this Direction in that it enables there to be a choice of dwellings to provide for existing and future housing needs.</p> <p>The B3 zone does not permit dwellings. For some sites in Chatswood and St Leonards, shop top housing is permissible by a Schedule 1 provision.</p> <p>The planning proposal includes a deletion of these Schedule 1 provisions in order to strengthen the employment roles of these centres and are consistent with the Chatswood CBD Strategy and St Leonards Crows Nest 2036 Plan.</p> <p>The loss of dwelling potential on these sites is more than compensated by the uplift in zoning in other parts of Chatswood, St Leonards and the local centres.</p> <p>It does not affect dwelling potential and targets to 2036</p> <p>The planning proposal also allows a more generous floor space controls to residents in the R2 zone. This will apply to 8,674 lots.</p> <p>Over the past 5 years, applications for replacement dwellings in this zone has comprised:</p> <p>45 development applications</p> <p>96 complying development applications</p>	YES

No	Title of Direction and objectives	Comment	Compliance
		The planning proposal also changes the requirements for dual occupancy in order to be consistent with the provisions in the Exempt and Complying SEPP.	
6.2	<p>Caravan Parks and Manufactured Home Estates</p> <p>The objectives of this direction are: to provide for a variety of housing types, and</p> <p>to provide opportunities for caravan parks and manufactured home estates.</p>	The Direction does not apply as the planning proposal does not seek to permit caravan parks or manufactured home estates under WLEP 2012.	N/A
<b>Focus Area 7: Industry and Employment</b>			
7.1	<p>Business and Industrial Zones:</p> <ul style="list-style-type: none"> <li>(a) encourage employment growth in suitable locations,</li> <li>(b) protect employment land in business and industrial zones, and</li> <li>(c) support the viability of identified strategic centres.</li> </ul>	<p>The planning proposal promotes and provides incentives for employment growth in the business and industrial zones. It also aims to retain and manage industrial land</p> <p>A small section of industrial land along the Lane Cove River is proposed to be rezoned to C2 to provide riparian protection,</p>	YES
7.2	<p>Reduction in non-hosted short term rental accommodation period</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and</li> <li>(b) ensure the impacts of short-term rental accommodation and views of the community are considered.</li> </ul>	This direction applies to Byron Shore Council	N/A
7.3	<p>Commercial and Retail Development along the Pacific Highway, North Coast</p> <p>The objectives for managing commercial and retail development along the Pacific Highway are to:</p> <ul style="list-style-type: none"> <li>(a) protect the Pacific Highway's function, that is to operate as the</li> </ul>	The Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>North Coast's primary inter- and intra-regional road traffic route,</p> <p>(b) prevent inappropriate development fronting the highway,</p> <p>(c) protect public expenditure invested in the Pacific Highway,</p> <p>(d) protect and improve highway safety and highway efficiency,</p> <p>(e) provide for the food, vehicle service and rest needs of travellers on the highway, and</p> <p>(f) reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.</p>		
<b>Focus Area 8: Resources and Energy</b>			
8.1	<p>Mining, Petroleum Production and Extractive Industries</p> <p>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p>	The planning proposal does not seek to alter the permissibility of these types of land uses.	N/A
<b>Focus Area 9 Primary Production</b>			
9.1	<p>Rural Zones</p> <p>The objective of this direction is to protect the agricultural production value of rural land.</p>	The planning proposal does not involve the rezoning from a rural zone.	N/A
9.2	<p>Rural Lands</p> <p>The objectives of this direction are to:</p> <p>(a) protect the agricultural production value of rural land,</p> <p>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</p> <p>(c) assist in the proper management, development and protection of rural lands to promote the social, economic</p>	The Direction does not apply as the planning proposal does not affect development in a rural zone.	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>and environmental welfare of the State,</p> <p>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</p> <p>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,</p> <p>(f) support the delivery of the actions outlined in the NSW Right to Farm Policy.</p>		
9.3	<p>Oyster Aquaculture</p> <p>The objectives of this direction are:</p> <p>(a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal,</p> <p>(b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</p>	<p>The Direction does not apply as the planning proposal does not propose any changes in land use that would affect oyster aquaculture.</p>	N/A
9.4	<p>Farmland of State and Regional Significance on the NSW Far North Coast</p> <p>(a) The objectives of this direction are: to ensure that the best agricultural land will be available for current and future generations to grow food and fibre,</p> <p>(b) to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and</p> <p>(c) to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.</p>	<p>This Direction does not apply to the Willoughby LGA</p>	N/A



No	Title of Direction and objectives	Comment	Compliance

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## **Section C – Environmental, social and economic impact**

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

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

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

It is intended that the planning proposal will result in improved environmental conditions particularly with the greening of our CBD and local centres, increased attention on more landscaped area throughout residential areas and the mitigation of urban heat.

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

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

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

## **Section D – State and Commonwealth Interests**

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

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

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

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

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

**Part 4 - Mapping**

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

**Part 5 – Community Consultation**

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

It is intended that the planning proposal will be notified to residents by individual letters and will be available to view on Council's website. Local area progress associations will also be notified, and an extensive programme of public engagement will be undertaken including the use of social media.

**Part 6 – Project Timeline**

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

Planning proposal presented to Council	December 2020
Planning proposal submitted to Gateway	December 2020
Gateway Determination received by Council	December 2021
Community Consultation	March 2022 – June 2022
Public Hearing on reclassification of Council land	August 2022
Report to Council on public exhibition	October 2022
Planning proposal submitted to Department of Planning & Environment for finalisation if no further exhibition required following changes.	November 2022
Notification of Plan on Legislation website	February 2023

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Annexure 1	Griffin Centre Heritage Nomination (separate document)
Annexure 2	Artarmon Bowling Club Heritage Nomination (separate document)
Annexure 3	Letter from Sydney Airport (separate document)
Annexure 4	Willoughby Affordable Housing Feasibility Report (separate document)
Annexure 5	Employment zone reforms
Annexure 6	Current planning proposals for Willoughby

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