

PLANNING PROPOSAL

Housekeeping Amendments to Willoughby Local Environmental Plan 2012

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Part 1 Objectives and intended outcomes

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Introduction

This Planning Proposal (PP) seeks to amend Willoughby Local Environmental Plan 2012 (WLEP 2012) to respond to a number of administrative and housekeeping issues and associated mapping that have arisen since the commencement of WLEP 2012 (Amendment No 34).

The changes will improve the efficiency and accuracy of the plan.

Background

WLEP 2012 commenced on March 2013.

Amendment No 34 included a comprehensive review of WLEP 2012 and incorporated a number of changes including significant rezoning, uplift in heights and Floor Space Ratio (FSR). This PP is to address housekeeping matters that have arisen since the commencement of Amendment No 34 on 30 June 2023.

The corrections to the written instrument are intended to provide clarification of the intent of certain clauses in instances where uncertainty has arisen including:

- active street frontage uses (Clause 6.7)
- an update of property descriptions in Schedule 1 Additional Permitted Uses

The corrections to the Maps include:

- an inclusion of an Employment zoned site into the Design Excellence section of the Special Provisions Area Map
- the correction of zoning regarding a Council owned open space site
- minor cadastre adjustments on the Height of Building and Floor Space Ratio Map for certain sites.

Objective and intended outcome

Objective

The objective of this Planning Proposal (PP) is to amend WLEP 2012 by correcting anomalies and inconsistencies to existing provisions and maps, updating property descriptions and clarifying existing clauses where uncertainty has arisen.

Intended outcome

The intended outcome of this PP is an up to date and clearer WLEP 2012 to improve the Plan's overall operation and understanding.

Part 2 Explanation of provisions

To achieve the objectives and intended outcomes, the PP proposes to amend WLEP 2012 by a number of written and mapping amendments.

The Table below provides an explanation of the changes proposed to WLEP 2012.

Note proposed written changes will be subject to review by Parliamentary Counsel.

Written changes

Description and Location	Proposed change
Item W1 - Clause 6.7 Active Street Frontages	
<p>Clause 6.7 Active Street Frontages</p> <p>Recent Development Application activity has highlighted that this clause makes no reference to a non residential uses. There are circumstances where an active street frontage may be required in a commercial area eg for a community facility.</p> <p>Currently the clause only refers to commercial premises. This should also include non residential uses. Clause 27 in Schedule 1 permits a residential flat building in MU1 zone in Chatswood CBD providing the ground floor is used for non residential purposes only.</p> <p>It is proposed to amend Clause 6.7(5)(b) by adding the words “ or non-residential between the words commercial and premises”</p>	<p>6.7 Active street frontages</p> <p>(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support and Zone MU1 Mixed Use.</p> <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, unless the consent authority is satisfied that the building will have an active street frontage.</p> <p>(4) Despite subclause (3), an active street frontage is not required for part of a building that is used for the following—</p> <p>(a) entrances and lobbies, including as part of mixed use development,</p> <p>(b) access for fire services,</p> <p>(c) vehicular access.</p> <p>(5) In this clause, a building has an active street frontage if—</p> <p>(a) for land in Zone E2 Commercial Centre—all ground floor premises facing the street are used for retail premises or business premises, or</p> <p>(b) otherwise—all ground floor premises facing the street are used for commercial premises.</p>

Item W2 - Schedule 1 – Additional Permitted Uses

Some of the Lots and DPs referred to in Schedule 1 have been consolidated, or subdivided and require to be updated.


Proposed change	Clause as currently written
Clarification of street name In the heading and subclause replace "Road" with "Lane"	3 Use of certain land at Jersey Road, Artarmon (corner Hampden Road) (1) This clause applies to land at Jersey Road, Artarmon (corner Hampden Road), being Lot 101, DP 621507. (2) Development for the purpose of a car park is permitted with development consent.
Consolidated lots In subclause (1) replace Lot 127, DP 13097 and Lot B, DP 102309. with Lot 1 DP 1295413	9 Use of certain land at 12 Charles Street, Castlecrag (1) This clause applies to land at 12 Charles Street, Castlecrag, being Lot 127, DP 13097 and Lot B, DP 102309. (2) Development for the purpose of a place of public worship is permitted with development consent.
Clarification of street name Block extends to both Thomas Lane and Albert Avenue and is now known as 79 Albert. Add Albert Avenue to the heading and in subclause (1) add 79 Albert Avenue next to 18 Thomas Street	13 Use of certain land at Thomas Street, Chatswood (1) This clause applies to Lot 22, DP 1215977, 18 Thomas Street, Chatswood. (2) Development for the purpose of a car park is permitted with development consent.
Consolidated lots In subclause (1) replace Lots 7–11, DP 2602 with Lots 7, 8 & 9 DP 2602, Lot 101 DP 1289376	15 Use of certain land at 35A–41 Anderson Street and 9 and 9A Kirk Street, Chatswood (1) This clause applies to land at 35A–41 Anderson Street and 9 and 9A Kirk Street, Chatswood, being Lots 7–11, DP 2602 and Lots 9 and 11, DP 7518. (2) Development for the purposes of food and drink premises and medical centres is permitted with development consent.
Subdivided lots In subclause (1) replace Lot 1, DP 811501 with Lot 1 and Lot 2 DP 1280762	20 Use of certain land at 28–32 Chatswood Avenue, Chatswood (1) This clause applies to land at 28–32 Chatswood Avenue, Chatswood, being Lot 1, DP 811501 (2) Development for the purpose of a place of public worship is permitted with development consent.
New Strata plan In subclause (1) replace Lot 101, DP 853857 with SP 1038	25 Use of certain land at 3–21 Malvern Avenue, 2–32 and 9–11 Havilah Street and 103 Archer Street, Chatswood (1) This clause applies to the following land in Zone R2 Low Density Residential—




Proposed change	Clause as currently written
	<p>(a) land at 3–21 Malvern Avenue and 103 Archer Street, Chatswood, being Lots A and B, DP 418863, Lots A and B, DP 394859, Lot 101, DP 853857, Lots 2 and 3, DP 100677, Lot 2, DP 310160, Lots 3 and 4, DP 313131 and Lot 2, DP 101905,</p> <p>(b) land at 2–32 and 9–11 Havilah Street, Chatswood, being Lots 20 and 21, DP 1144618, Lots 45–48 and 52–60, DP 3372, Lots 11 and 12, DP 1048214, Lot 1, DP 510937 and Lot 1, DP 105814.</p> <p>(2) Development for the purposes of health consulting rooms and office premises is permitted with development consent.</p>
<p>New Strata plan In subclause (1) replace Lot 1, DP 861346 with SP 57067</p>	<p>26 Use of certain land at 655A Pacific Highway, Chatswood</p> <p>(1) This clause applies to land at 655A Pacific Highway, Chatswood, being Lot 1, DP 861346.</p> <p>(2) Development for the purpose of a car park to be used in conjunction with the bowling club on adjoining land is permitted with development consent.</p>
<p>New Strata plan In subclause (1) replace Lot 1, DP 1077410 with SP 74153</p>	<p>30 Use of certain land at 311–313 Victoria Avenue, Chatswood</p> <p>(1) This clause applies to land at 311–313 Victoria Avenue, Chatswood, being Lot 1, DP 1077410.</p> <p>(2) Development for the purposes of business premises, retail premises and restaurants or cafes at street level is permitted with development consent.</p>
<p>Consolidated lots</p> <p>In subclause (1) replace Lot 2, DP 110095 and Lot 1, DP 926289 with SP 93253</p> <p>(for clarification) 2 Northcote = Lot 1 DP 801523 2B Northcote = Lot 2 DP 801523 4 Northcote = Lot 2 section 29 DP 4241, Lot 1 DP 746018 6 Northcote = Lot 3 section 29 DP 4241 8 Northcote = SP 93253 (8-14 amalgamated) Lot 4 Sec 29 DP4241 and Lot 1 DP926289 and Lot 2 DP110095 are now SP93253</p>	<p>37 Use of certain land at 2B, 2–14 Northcote Street, St Leonards</p> <p>(1) This clause applies to land at 2B, 2–14 Northcote Street, St Leonards, being Lots 1 and 2, DP 801523, Lot 1, DP 746018, Lots 2-4, Section 29, DP 4241, Lot 2, DP 110095 and Lot 1, DP 926289.</p> <p>(2) Development for the purpose of shop top housing is permitted with development consent.</p>



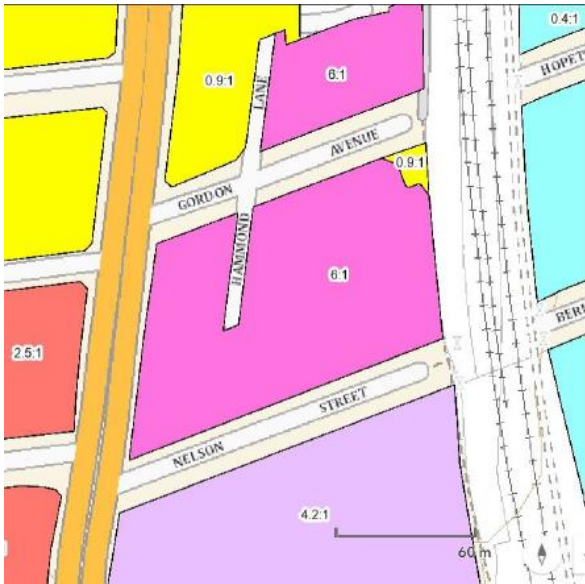

Proposed change	Clause as currently written
<p>Clarification of street name In the heading and in subclause (1) add & 83 Macquarie Street</p> <p>For clarification: Lot 1 = 83 Macquarie Street Lot 2 = 30 William Street</p>	<p>46 Use of certain land at 30 William Street, East Roseville (1) This clause applies to land at 30 William Street, East Roseville, being Lots 1 and 2, DP 314602. (2) Development for the purpose of a place of public worship is permitted with development consent.</p>
<p>Consolidated lots</p> <p>In subclause (1) replace Lot 2 DP 1079151 with SP 74480 and replace Lot C, DP 401303, with Lots 1 and 2 DP1212720</p> <p>For clarification: Lot 2 DP1079151 now SP74480 (6 Herbert Street) Lot C DP401303 now Lots 1-2 DP1212720</p>	<p>50 Use of certain land in Zone E4 in St Leonards and Artarmon (1) This clause applies to the following land in Zone E4 General Industrial— (a)2–10 Herbert Street, St Leonards, being Lot 2, DP 778425, Lot 1, DP 778425, Lots 1 and 2, DP 1079151 and Lot C, DP 401303, (b)31–37 Herbert Street, St Leonards, being Lots 1 and 2, DP 744175, Lot 3, DP 772072 and Lot 1, DP 115615, (c)land bounded by Punch Street, Lambs Road, Cleg Street and Herbert Street, Artarmon, (d)land bounded by the North Shore Rail Line, Ella Street, Herbert Street, Cleg Street and Lambs Road, Artarmon. (2) Development for the purposes of function centres and restaurants or cafes is permitted with development consent.</p>
<p>Lot clarification</p> <p>In subclause (1) Insert “section 1” between lots Lots 31 and 32 and DP 2880</p>	<p>55 Use of certain land at Borlaise Street, Willoughby (1) This clause applies to land at Borlaise Street (north and south side of street), Willoughby, being Lots 31 and 32, DP 2880 and Lot 18, DP 82656. (2) Development for the purpose of a car park is permitted with development consent.</p>
<p>Deletion of subclause</p> <p>Site has been redeveloped and the garden centre no longer exists.</p> <p>Replace with “repealed”</p>	<p>63 Use of certain land at 132–134 Penshurst Street, Willoughby (1) This clause applies to land at 132–134 Penshurst Street, Willoughby, being Lots 4 and 5, Section 4, DP 1671. SP 96765 72 Laurel Street Willoughby (2) Development for the purpose of a garden centre is permitted with development consent. – superseded</p>
<p>Subdivided corner lot and street name update</p> <p>In heading and subclause (1)</p>	<p>72 Use of certain land at 10 Herbert Street, St Leonards (1) This clause applies to certain land at 10 Herbert Street, St Leonards that comprises</p>



Proposed change	Clause as currently written
<p>Replace 10 Herbert street with 2 Frederick Street</p> <p>Also in subclause (1) replace of Lot C, DP 401303, with Lot 2 DP 1212720</p>	<p>part of Lot C, DP 401303, identified as "Area 12" on the Floor Space Ratio Map.</p> <p>(2) Development for the purpose of a hospital is permitted with development consent.</p>
<p>Subdivided lot</p> <p>In subclause (1) replace Lot 101, DP 714477 with Lots 1-2 DP1286955</p> <p>Clarification - Lot 101 DP714477 now Lots 1-2 DP1286955,</p>	<p>73 Use of certain land at 17 Smith Street, Chatswood</p> <p>(1) This clause applies to land at 17 Smith Street, Chatswood, being Lot 101, DP 714477.</p> <p>(2) Development for the purposes of a supermarket or a supermarket and liquor store 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) the floor space ratio of that part of the building on the site that is to be used for the purposes of the proposed development will not exceed 1.1:1, or</p> <p>(b) the gross floor area of that part of the building on the site that is to be used for the purposes of the proposed development will not exceed 4,815m².</p>
<p>Subdivided corner lot and street clarification.</p> <p>In heading and Subclause (1) replace 12 Frederick Street, with 7 Westbourne St</p> <p>Also in subclause (1) replace part of Lot 1, DP 591747 with Lot 1 DP 1239533</p>	<p>74 Use of certain land at 12 Frederick Street, St Leonards</p> <p>(1) This clause applies to certain land at 12 Frederick Street, Leonards that comprises part of Lot 1, DP 591747, identified as "Area 11" on the Floor Space Ratio Map.</p> <p>(2) Development for the purpose of a hospital is permitted with development consent.</p>

Map Changes


Description and Location	Issue and proposed change
Existing Maps	Proposed Maps
Item M1 – Proposed inclusion in the Special Provisions Area Map of 174 -220 Willoughby Road Naremburn – Area 5 Design Excellence	
E1 land located at 174 -220 Willoughby Road Naremburn.	As part of the comprehensive review of WLEP 2012 (Amendment No 34), it was decided to include all the then Business zones (now employment zones) as part of the Special Provisions Area Map for design excellence. One former business zone was inadvertently omitted and is proposed to be included as part of this Housekeeping Planning Proposal.
Existing Map	Proposed Map
<p>Include the following block as Area 5 of the Special Provisions Area Map:</p> 	The land will be included in Area 5

Existing Map	Proposed Map
Existing Special Provisions Area Map	Proposed Special Provisions Area Map
	
<p>Item M2 – Rezone land at 2A Gordon Street Chatswood to RE1</p>	
<p>The following is a Council owned site on the top corner 2A Gordon Avenue Chatswood. The site is public open space. It was included (incorrectly) as part of the adjacent upzoned land and this should be corrected.</p>	<p>Amend the site at 2A Gordon Avenue Chatswood as follows:</p>  <p>Rezone from MU1 to RE1 Remove the following LEP map layers:</p> <ul style="list-style-type: none"> • Area 5 of the Special Provisions Area Map • Area 1 of the Affordable Housing Map • 0.9:1 from the FSR Map • 90m from the Height of building Map

	This approach is consistent with the controls within Council's other RE1 owned land.
Existing Map	Proposed Map
Existing zoning is MU1 Mixed Use	Proposed zoning is RE1 Public Open Space
	
Existing FSR ratio mapping is 0.9:1	Proposed Floor Space Ratio Mapping is zero FSR.
	

Existing Map	Proposed Map
<p>HOB is currently 90m Existing Height of Building Map</p>  <p>This map shows a street grid with Gordon Avenue running vertically and Nelson Street running horizontally. To the left of Gordon Avenue are yellow-colored lots with heights of 12 m and 20 m. To the right of Gordon Avenue are pink-colored lots, with the central one labeled 90 m. Further right, a purple-colored lot is labeled 53 m. A road labeled 'BOWLING GREEN' is visible at the top. The map includes a scale bar and a north arrow.</p>	<p>Proposed HOB is zero. Proposed Height of Building Map</p>  <p>This map is identical to the 'Existing Map' but represents the proposed height of buildings. It shows the same street grid and lot colors (yellow, pink, purple) with the same height labels (12 m, 20 m, 90 m, 53 m). The map includes a scale bar and a north arrow.</p>

<p>Existing Map</p> <p>Existing inclusion of Area 5 of the Special Provisions Area Map (Design Excellence)</p> <p>Existing Special Provisions Area Map</p> 	<p>Proposed Map</p> <p>Proposed removal from Area 5 of the Special Provisions Area Map (Design Excellence)</p> <p>Proposed Special Provisions Area Map</p> 
<p>Existing Map</p> <p>Existing inclusion of Area 1 of the Affordable Housing Map</p> <p>Existing Affordable Housing Map</p> 	<p>Proposed Map</p> <p>Proposed removal from Area 1 of the Affordable Housing Map</p> <p>Proposed Affordable Housing Map</p> 

Description and Location	Issue and proposed changes
<p>Item M3 - cadastre errors on Height of Building and Floor Space Ratio Map – Bertram and Archer Streets Chatswood</p>	<p>Mapping error at:</p> <ul style="list-style-type: none"> - 34 Albert Avenue - 32A, 32, 30 Bertram Street - 31-33, 35 Archer St <p>The Zoning Map includes this entire property but a previous road widening provision (now superseded) excludes a section of HOB and FSR Maps.</p>
<p>Each of these properties, the zoning map includes all of the property (see the arrows below):</p> 	<p>The FSR and Height of Building maps are proposed to include the full extent of these properties shown below where the arrows are located:</p>

Existing Map	Proposed Map
<p>FSR</p> <p>Existing FSR map does not extend to the length of the properties highlighted by the following arrows.</p> 	<p>Proposed FSR Map will extend to include all of the cadastre for the properties highlighted by the following arrows.</p> 
Existing Floor Space Ratio Map	Proposed Floor Space Ratio Map
	
Existing Map	Proposed Map
<p>Height</p> <p>Existing height map does not extend to the length of the properties highlighted by the following arrows.</p>	<p>Proposed HOB Map will extend to include all of the cadastre for the properties highlighted by the following arrows.</p>



Existing Height of Building Map



Proposed Height of Building Map



Part 3 - Justification of Strategic and Site- Specific Merit

Section A – Need for the planning proposal

1. Is the Planning proposal a result of an endorsed LSPS, strategic study or report?

The proposed amendments cover a range of instrument and mapping related matters which have been identified as administrative or housekeeping issues that need to be addressed to ensure that the WLEP 2012 operates as originally intended and/or to improve its operation.

This follows the implementation of WLEP (Amendment No 34) which commenced on 30 June 2023. Amendment 34 was a comprehensive review of WLEP 2012 which brought together a number of local strategies and reports being:

- *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)

This PP further enhances the work of brought together by Amendment 34 and specifically to the following strategies as follows:

Chatswood CBD Planning and Urban Design Strategy 2036.

The PP is consistent with the following aims of *The Chatswood CBD Planning and Urban Design Strategy 2036*.

A reinvigorated commercial core area and economically buoyant CBD, to provide for future employment.

A sustainable balance between commercial, retail, residential, education, cultural and other uses to ensure on-going vibrancy.

This PP is consistent with the above two aims in that it:

- Provides a clearer provision for non-residential uses in the Active Street Frontages clause.
- It also clarifies minor mapping errors for redevelopment in the mixed use zone in Chatswood CBD.

A compact, walkable CBD.

This PP is consistent with the above aim as it

- corrects a zoning error on the LEP maps which defines an area of public open space in the CBD as Mixed use with associated development controls.

A city form and scale to accommodate future growth and change.

This PP is consistent with this aim in that it

- It also clarifies minor mapping errors for redevelopment in the mixed use zone in Chatswood CBD.

A CBD of exceptional urban design, easy pedestrian linkages and good public domain, where local character and heritage are embraced, and the greening of the centre is achieved.

This PP corrects is consistent with the aim as it

- corrects a zoning error on the LEP maps which defines an area of public open space in the CBD as Mixed use with associated development controls.
- Provision of ground level public realm or areas accessible by public on private land,
- Maximising commercial floor space and street activation at ground level,

- *Simplified controls for the LEP and DCP in relation to the CBD.*

This PP is consistent with the above aim as it:

- Provides an update on consolidated or subdivided employment zoned sites which allow additional permitted uses

The Willoughby Housing Strategy

The Willoughby Housing Strategy builds on Directions from the Local Strategic Planning Statement and aims to concentrate residential growth in three focus areas

- Focus Area 1 being undeveloped land in the R3 Medium Density and R4 High Density zones
- Focus Area 2 being the Mixed Use zone that surrounds the Central Business District of Chatswood.
- Focus Area 3 being identified local centres throughout the LGA.

Focusing growth in the above areas will protect the low density zones in order to ensure an ongoing mix of housing.

This PP is consistent with the Housing Strategy in that it:

- Clarifies minor mapping errors for redevelopment in the mixed use zone in Chatswood CBD.
- Provides an update on consolidated or subdivided residential sites which allow additional permitted uses

Willoughby Local Centres Strategy

The main aim of the Local Centres Strategy is to promote a network of thriving attractive and distinctive village centres throughout the Council area. It provides the framework for future planning controls and public domain improvements for 8 local centres.

This PP is consistent with the Local Centres Strategy in that it provides:

- a clearer provision for non-residential uses in the Active Street Frontages clause.
- an update on consolidated or subdivided sites which allow additional permitted uses.

Willoughby City Industrial Lands strategy 2036

The Willoughby City Industrial Lands provides strategic directions for Willoughby's Industrial lands.

This includes Strategic Directions for specific industrial zoned areas.

The following Directions apply to the Artarmon Industrial Area.

2.2.10.2. Retain IN1 and IN2 Industrial zones to protect existing uses and facilitate new technologies and future trends.

2.2.10.4 Continue to support intensification of employment uses in the IN2 Light Industrial area close to St Leonards Station including high technology and ancillary health uses on a case by case basis.

Similarly for East Chatswood in Direction

2.3.7.1 Retain and encourage a flexible IN2 Light Industrial zone while continuing to allow for a wide range of modified building formats.

The PP is consistent with the Directions for Artarmon and East Chatswood in that it provides:

- an update on consolidated or subdivided industrial sites which allow additional permitted uses

St Leonards Crows Nest Strategy 2036

Amendment 34 of WLEP 2012 included all the planning recommendations from the St Leonards Crows Nest 2036 Plan (The 2036 Plan). This PP further supports these provisions by enhancing the following Priority / Actions in the 2036 Plan.

03 Built form Priority / Actions

- Apply design principles for solar amenity, configuration, and interface between areas of transition.
- New development should be sympathetic to existing buildings with appropriate setbacks and street wall height
- Provide appropriate transitions in height to adjoining low scale residential areas
- Provide transitions in height from the lower scale development at Willoughby Road, Crows Nest, to tall buildings in the St Leonards Core.
- Adopt objectives from the Government Architect NSW's Evaluating Good Design Policy in the drafting of new planning provisions.

04 Land Use Priority/ Actions

- Protect and manage the Artarmon Employment Area.
- Permit mixed-use development on key sites to encourage the renewal of St Leonards through the delivery of new A-grade commercial floor space
- Encourage the location of additional retail in the St Leonards Core and Crows Nest Village rather than the Artarmon Employment Area.

This PP complies with the above objectives in that it

- Provides an update on consolidated or subdivided industrial sites which allow additional permitted uses in the Artarmon (industrial) employment area.
- Includes the section of Employment zoned land at Willoughby Road St Naremburn in the Design Excellence clause. (The site was not subject to any specific planning controls under the 2036 Plan).

Draft Crows Nest TOD rezoning proposal

The Draft Crows Nest TOD rezoning proposal only relates to one site in the Willoughby LGA being 4B Herbert Street St Leonards.

This PP does not include any changes which conflict with the proposals relating to that site.

The proposed site at Willoughby Road, Naremburn (to be included in the Design Excellence requirement) does not form part of the TOD rezoning proposal.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes or is there a better way?

Yes, the Planning Proposal (PP) is the best and only means of addressing housekeeping amendments to WLEP 2012

Section B – relationship to the strategic Planning Framework

3 Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Amendment 34 was prepared specifically to be consistent with *A Metropolis of Three Cities* released in March 2018, setting the planning framework for growth of the Sydney to 2056.

Amendment No 34 implemented the directions and actions in the District Plan to meet jobs and housing targets applicable to Willoughby City Council.

This PP is merely a means of clarifying or simplifying existing clauses and maps which implement the directions of the Region and District Plans

The PP is consistent with the Greater Sydney Region Plan – A Metropolis of Three Cities as follows:

Objective 7 communities are healthy, resilient and socially connected

- By rectifying the correction of zoning of Council owned land to public open space.
- in clarifying that the active street frontages clause applies to all nonresidential uses

Objective 24 Economic sectors are targeted for success.

- Ensuring employment zoned land in St Leonards is subject to design excellence criteria.

The PP is consistent with following North District Plan Priorities:

Planning Priority N5 providing housing supply, choice and affordability with access to jobs services and public transport

- By rectifying the correction of zoning of Council owned land to public open space
- in clarifying that the active street frontages clause applies to all nonresidential uses
- Ensuring employment zoned land in St Leonards is subject to design excellence criteria.

Planning Priority N6: Creating and renewing great places and local centres, and respecting the District's heritage.

- The addition of 174-220 Willoughby Road, Naremburn to the Special Provisions Area Map will ensure design excellence provisions will apply to the site as intended by the Willoughby Comprehensive planning proposal.
- The proposal also amends Clause 6.7 Active Street Frontages, to ensure land uses which are neither residential nor commercial are allowed where “active street frontages” are required. This will allow a more diverse range of non-residential

uses such as community services to be provided while still enabling active street frontages to be provided.

Planning Priority N10 Growing investment, business opportunities and jobs in strategic centres

This PP is consistent with Planning Priority N10 in that is

Clarifies the active street frontages clause in centres to non residential uses.
Includes an employment area in St Leonards in the Special Provisions area map for design excellence.

Planning Priority N11 Retaining and managing industrial and urban services land
Planning Priority N13 Supporting growth of targeted industry sectors.

This PP is consistent with planning priorities N11 and N12 in that by amending Schedule 1 will provide clarification of existing provisions which allow additional permitted uses in employment zones (industrial land)

Planning Priority N19 Increasing urban tree canopy cover and delivering Green Grid connections

Planning Priority N20 delivering high quality open space

This PP corrects an error on the zoning map at 2A Gordon Avenue Chatswood which should indicated RE1 public open space

4 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

The PP will continue to implement the following priorities of the Willoughby Local Strategic Planning Statement:

Priority 4: Ensuring that social infrastructure caters to the population's changing needs and is accessible to foster healthy and connected communities

- By correcting the zoning height and FSR maps to identifying Council open space within the Chatswood CBD

Priority 6: Planning for local centres which are vibrant places that meet the everyday needs of the population.

- By including an employment centre which was incorrectly left out of the Design excellence section of the Special Provisions Area Map
- by including reference to non-residential uses in the active street frontages map

Priority 9: Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor.

- By correcting the zoning height and FSR maps to identifying Council open space within the Chatswood CBD
- By correcting the zoning height and FSR maps to identifying Council open space within the Chatswood CBD

5 Is the planning proposal consistent with any other applicable State and regional studies or strategies?

There are no applicable State and regional studies that would apply to this PP.

6 Is the planning proposal consistent with applicable SEPPs?

SEPP Name	Consistency with the SEPP
State Environmental Planning Policy (Planning Systems) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Industry and Employment) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Primary Production) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Precincts – Central River City) 2021	Not applicable
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Not applicable
State Environmental Planning Policy (Precincts – Regional) 2021	Not applicable
State Environmental Planning Policy (Housing) 2021	Provides an update on consolidated or subdivided residential sites which allow additional permitted uses
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	This PP does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	This PP does not contain provisions that would affect the application of the SEPP.

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
Focus Area I: Planning Systems			
1.1	Implementation of Regional Plans	The PP is consistent with A Metropolis of Three Cities – The Greater Sydney Region Plan.	YES
1.2	Development of Aboriginal Land Council Land	The PP does not affect land shown on the Land Application Map of State Environmental Planning Policy (Planning Systems) 2021	N/A
1.3	Approval and Referral Requirements	The Gateway Determination states that no consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.	YES
1.4	Site Specific Provisions: The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	This PP updates property details included in the existing Schedule 1 Additional Permitted use provisions.	YES
Focus Area 1: Planning Systems – Place- based			
1.5	Parramatta Road Corridor Urban Transformation Strategy	This Direction does not apply to the Willoughby LGA	N/A
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	This Direction does not apply to the Willoughby LGA	N/A
1.7	Implementation of Greater Parramatta Growth Area Interim Land Use and Infrastructure Implementation Plan	This Direction does not apply to the Willoughby LGA	N/A
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	This Direction does not apply to the Willoughby LGA	N/A

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
1.9	Implementation of Glenfield o Macarthur Renewal Corridor	This Direction does not apply to the Willoughby LGA	N/A
1.10	Implementation of the Western Sydney Aerotropolis Plan	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
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	This Direction does not apply to the Willoughby LGA	N/A
1.13	<p>Implementation of <i>St Leonards and Crows Nest 2036 Plan</i></p> <p>The objective of this direction is to ensure development within the St Leonards and Crows Nest Precinct is consistent with the <i>St Leonards and Crows Nest 2036 Plan</i>.</p>	<p>Changes for Willoughby as proposed by the <i>St Leonards and Crows Nest 2036 Plan</i> were included as part of Amendment No 34.</p> <p>One of the proposed map amendments for Design Excellence is located in the Plan area.</p> <p>In addition, this PP updates property details of existing Schedule 1 Additional Permitted use provisions located in Artarmon Industrial area which is located within the boundary of the St Leonards 2036 Plan.</p>	YES
1.14	Implementation of Greater Macarthur 2040	This Direction does not apply to the Willoughby LGA	N/A
1.15	Implementation of the Pyrmont Peninsula Place Strategy	This Direction does not apply to the Willoughby LGA	N/A

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
1.16	North West Rail Link Corridor Strategy	This Direction does not apply to the Willoughby LGA	N/A
1.17	Implementation of the Bays West Place Strategy	This Direction does not apply to the Willoughby LGA	N/A
1.18	Implementation of the Macquarie Park Innovation Precinct	This Direction does not apply to the Willoughby LGA	N/A
1.19	Implementation of the Westmead Place Strategy	This Direction does not apply to the Willoughby LGA	N/A
1.20	Implementation of the Camellia-Rosehill Pace Strategy	This Direction does not apply to the Willoughby LGA	N/A
1.21	Implementation of the South West Growth Area Structure Plan	This Direction does not apply to the Willoughby LGA	N/A
1.22	Implementation of the Cherrybrook Station Place Strategy	This Direction does not apply to the Willoughby LGA	N/A
Focus Area 2: Design and Place [This Focus Area was blank when the Directions were made]			
Focus Area 3: Biodiversity and Conservation			
3.1	Conservation Zones: The objective of this direction is to protect and conserve environmentally sensitive areas.	The PP does not include any land within environmentally sensitive areas.	YES
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 PP does not include any heritage conservation sites	YES
3.3	Sydney Drinking Water Catchment	The Direction does not apply to the Willoughby LGA	N/A

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	The objective of this Direction is to protect water quality in the Sydney drinking water catchment.		
3.4	<p>Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs</p> <p>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.</p>	The Direction does not apply to the Willoughby LGA	N/A
3.5	<p>Recreation Vehicle Areas</p> <p>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p>	The PP does not enable land to be developed for the purpose of a recreation vehicle area.	N/A
Focus Areas 4: Resilience and Hazards			
4.1	<p>Flooding</p> <p>(a) The objectives of this direction are: to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain</p>	The proposed amendments are of a minor nature and will not affect flood prone land	YES

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	<p>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>	The PP does not include any land within the coastal zone	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>	The PP does not result in controls that place development in hazardous areas. It does not change any existing provisions relating to bushfire prone land.	YES
4.4	<p>Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human</p>	The PP does not affect any known contaminated land.	YES

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities		
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>	The PP does not seek to introduce or change provisions relating to Acid Sulfate Soils.	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>	The Direction does not apply as the PP does not relate to land affected by mine subsidence nor has it been identified as being unstable land.	N/A
Focus Area 5: Transport and Infrastructure			
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> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by 	The PP does not involve any new controls that affect transport and infrastructure.	YES

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	<p>development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>		
5.2	<p>Reserving Land for Public Purposes</p> <p>(a) The objectives of this direction are: to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition</p>	<p>The PP corrects an error where existing public recreation land is not currently notated on WLEP 2012 maps at 2A Gordon Avenue, Chatswood.</p>	YES
5.3	<p>Development Near Regulated Airports and Defence Airfields</p> <p>The objectives of this direction are:</p> <p>(a) to ensure the effective and safe operation of regulated airports and defence airfields</p> <p>(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</p> <p>(c) to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation</p>	<p>The PP does not affect aircraft operations</p>	YES

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	measures so that the development is not adversely affected by aircraft noise.		
5.4	<p>Shooting Ranges</p> <p>The objectives are:</p> <ul style="list-style-type: none"> (a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, (b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, (c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. 	The Direction does not apply as none of the properties within the PP are adjacent to or adjoin an existing shooting range.	N/A
Focus Area 6: Housing			
6.1	<p>Residential Zones.</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. 	<p>.</p> <p>The planning proposal seeks to rezone 2A Gordon Avenue Chatswood from MU1 to RE1 zoning. As MU1 is a zone in which significant residential development is permitted, direction 6.1 applies.</p> <p>The proposed rezoning is inconsistent with direction 6.1(2)(b), which states that the planning proposal must <i>not contain provisions which will reduce the permissible residential density of the land</i>. However, the proposed change is of minor significance, as the existing use of the site is public open space.</p> <p>The inconsistency with the direction is considered to be minor and justified.</p>	YES
6.2	<p>Caravan Parks and Manufactured Home Estates</p> <p>The objectives of this direction are: to provide for a variety of housing</p>	The Direction does not apply as the PP does not seek to permit caravan parks or manufactured	N/A

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	types, and to provide opportunities for caravan parks and manufactured home estates.	home estates under WLEP 2012.	
Focus Area 7: Industry and Employment			
7.1	<p>Business and Industrial Zones:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. 	<p>The PP includes specific employment zoned land into the Design Excellence provisions.</p> <p>The PP protects existing employment land by updating Schedule 1 to provide clarification of existing provisions which allow additional permitted uses in employment zones.</p> <p>The PP also supports the viability of employment centres by confirming that the Active Street frontages map to all non residential uses.</p> <p>The planning proposal seeks to rezone 2A Gordon Avenue Chatswood from MU1 to RE1 zoning. The proposed rezoning is inconsistent with direction 7.1(1), which states that the planning proposal must <i>retain the areas and locations of Employment zones</i> and must <i>not reduce the total potential floor space area for employment and related public services in Employment zones</i>.</p> <p>However, the proposed change is of minor significance as the existing use of the site is public open space.</p>	YES
7.2	Reduction in non-hosted short term rental accommodation period	This direction applies to Byron Shire Council	N/A

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	The Direction does not apply to the Willoughby LGA	N/A
Focus Area 8: Resources and Energy			
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 PP does not seek to alter the permissibility of these types of land uses.	N/A
Focus Area 9 Primary Production			
9.1	<p>Rural Zones</p> <p>The objective of this direction is to protect the agricultural production value of rural land.</p>	The PP 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> <ul style="list-style-type: none"> (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes, (c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State, 	The Direction does not apply as the PP does not affect development in a rural zone.	N/A

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

No	Title of Direction and objectives	Comment	Compliance
	<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>	The Direction does not apply as the PP does not propose any changes in land use that would affect oyster aquaculture.	N/A
9.4	<p>Farmland of State and Regional Significance on the NSW Far North Coast</p> <p>(a)</p>	This Direction does not apply to the Willoughby LGA	N/A

Section C – environmental, social and economic impact

8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

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

9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

No environmental effects are anticipated as a result of this PP.

10 Has the planning proposal adequately addressed any social and economic effects?

Progression of the PP will clarify existing clauses.

Section D – infrastructure (Local, State and Commonwealth)

11 Is there adequate public infrastructure for the planning proposal?

The PP does not create additional requirements for public infrastructure.

Section E – State and Commonwealth interests

12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

There has been no consultation with any government stakeholders prior to exhibition. The Gateway Determination specifies that no consultation is required with public authorities or government agencies under 3.34(2)(d) of the Act.

Part 4 - Maps

The PP will result in an amendment to the following Maps on the Spatial Viewer:

Zoning Map

Lot Size Map

Height of Building Map

Floor Space Ratio Map

Affordable Housing Map

Special Provisions Area Map

Part 5 – Community consultation

The PP will be notified directly to affected property owners.

The PP will be available on Council's Haveyoursay website and the NSW Planning Portal for 28 days.

<https://www.haveyoursaywilloughby.com.au/2025-lep-amendments>

It should also be noted that a separate exhibition will take place for Housekeeping amendments to Willoughby Development Control Plan (WDCP). The WDCP amendments are unrelated to the content of this planning proposal but include a number of changes that applicants should be aware of and can be viewed in the link above.

<http://www.haveyoursaywilloughby.com.au/2025-dcp-amendments>

Part 6 – Project Timeline

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

Planning proposal presented to Willoughby Local Planning Panel	18 June 2024
Planning proposal presented to Council	22 July 2024
Initial Planning proposal submitted to Gateway	21 August 2024
Gateway Determination received by Council	17 December 2024
Community Consultation	March to April 2025
Consideration of submissions	May 2025
Report to Council on public exhibition	June 2025
Planning proposal submitted to Department of Planning & Environment for finalisation if no further exhibition required following changes.	July / August 2025
Notification of Plan on Legislation website	September 2025