

Attachment 2

- Willoughby Local Environmental Plan 2012 Clause 6.8 and majority of Chatswood CBD as shown on the Affordable Housing Map

1) WLEP 2012 Clause 6.8

“6.8 Affordable housing

(1) *In this clause, the **Willoughby Affordable Housing Principles** are as follows—*

- (a) *affordable housing must be provided and managed to make accommodation for a diverse residential population representative of all income groups available in Willoughby,*
- (b) *affordable housing must be rented to tenants at rents that do not exceed a benchmark of 30% of actual household income,*
- (c) *dwelling provided for affordable housing must be managed to maintain their continued use for affordable housing,*
- (d) *the Council must use the following received by or on behalf of the Council to improve or replace, or provide additional, affordable housing in Willoughby—*
 - (i) *rent from affordable housing, excluding landlord's expenses, such as management and maintenance costs and rates and taxes payable in connection with the dwellings,*
 - (ii) *money from the disposal of affordable housing,*
- (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 forming part of the proposed development, particularly in relation to internal fittings and finishes, solar access and privacy.*

(2) *This clause applies to the erection of residential accommodation on land identified as “Area 1”, “Area 2”, “Area 3” or “Area 4” on the [Affordable Housing Map](#), other than development for the purposes of boarding houses, community housing, group homes, hostels and public housing.*

(2A) *Despite subclause (2), this clause does not apply to development carried out by Landcom on land identified as “Area 4” on the [Affordable Housing Map](#).*

(3) *Development consent must not be granted to development to which this clause applies unless the consent authority has considered the following—*

- (a) *the Willoughby Affordable Housing Principles,*
- (b) *the impact of the development on the existing mix and likely future mix of residential accommodation in Willoughby.*

Note—

The matters set out in [State Environmental Planning Policy \(Housing\) 2021](#), section 15 may also apply to the development.

- (4) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring an affordable housing contribution equivalent to the contribution specified in subclause (5).
- (5) The contribution for development on land is the amount of gross floor area equivalent to the mapped percentage of the gross floor area of the residential component of the development.
- (6) A condition imposed under this clause must permit a person to satisfy the contribution by one or both of the following—
 - (a) a dedication, in favour of the Council, of land comprising 1 or more dwellings, each having a gross floor area of at least 50m²,
 - (b) a monetary contribution paid to the Council.
- (7) A monetary contribution must be calculated by reference to the market value of dwellings of a similar size to the dwellings in the proposed development.
- (8) In this clause—

community housing has the same meaning as in the [Community Housing Providers National Law \(NSW\)](#).

mapped percentage, in relation to development on land, means the percentage shown on the [Affordable Housing Map](#) for the land.

public housing has the same meaning as in the [Housing Act 2001](#).”

2) Majority of Chatswood CBD as shown on the WLEP 2012 Affordable Housing Map

Subject site (fronting Albert Avenue, Archer Street and Bertram Street)
identified in Area 3 = 10%

