



Willoughby Local Environmental Plan 1995 (Amendment No 49)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01981/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 807

Clause 1 Willoughby Local Environmental Plan 1995 (Amendment No 49)

Willoughby Local Environmental Plan 1995 (Amendment No 49)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Willoughby Local Environmental Plan 1995 (Amendment No 49)*.

2 Aims of plan

The aim of this plan is to amend *Willoughby Local Environmental Plan 1995*:

- (a) to include business premises and office premises as permissible uses on the first floor level of the Willoughby Post Office, and
- (b) to correct the property descriptions of certain heritage items in Schedule 6 and Schedule 7, and
- (c) to amend the land excluded from the dual occupancy provisions map and Heritage and Conservation Map to correctly show the location of heritage items, and
- (d) to zone certain unzoned land at Epping Road, Lane Cove, as Zone 5 (a) Special Uses "A" Zone, and
- (e) to zone certain unzoned land at 170 Epping Road, Lane Cove, as Zone 4 (b) Light Industrial Zone, and
- (f) to omit a reference to refreshment rooms and replace it with a reference to restaurants as a permissible use within Zone 3 (a) General Business Zone, and
- (g) to rezone land at 34 Albert Avenue, Chatswood from Zone 5 (d) Proposed Road Reservation Special Uses "D" (Proposed Road Reservation) Zone to Zone 2 (b) Residential "B" Zone.

3 Land to which plan applies

- (1) To the extent that this plan allows additional uses as referred to in clause 2 (a) it applies to the first floor level only of the premises known as the Willoughby Post Office, 59–61 Penshurst Street, Willoughby, being lots 1 and 2 DP 12612.
- (2) To the extent that this plan amends Schedule 6 as referred to in clause 2 (b) it applies to the following properties:

8 The Barbette, Castlecrag, being Lot 194A, DP 346940; 136 Edinburgh Road, Castlecrag, being Lot 1, DP 847190; 158 Edinburgh Road, Castlecrag, being Lot 99, DP 11138; 244–264 Mowbray Road, Chatswood, being Lot 100, DP 832570; 315 Mowbray Road, Chatswood, being Lots 1–3, DP 974995 and Lot 1, DP 924466; 211 Pacific Highway, being Lots 101 and 102, DP 791327; 85–87 Penshurst Street, Willoughby, being Lots 1 and 2, DP 977087; 213 Pacific Highway, Gore Hill, TAFE College Grounds, Gore Hill being Lot 10, DP 861267 and 375 Edinburgh Road, Castlecrag, being Lot 1, DP 971183.
- (3) To the extent that this plan amends Schedule 7 as referred to in clause 2 (b) it applies to the following properties:

11 Adolphus Street, Naremburn being Lot 1, DP 825034; 11 Archer Street, Chatswood, being Lot 100, DP 830992; 27 Archer Street, Chatswood, being Lot 3, DP 19111 Spl Cor; 107 Archer Street, Chatswood, being Lot A, DP 343785; 97 Ashley Street, Chatswood, being Lot 300, DP 1029909; 118 Ashley Street, Chatswood, being Lot 1, DP 117011 and Lot 1, DP 9209163; 4 Chapman Avenue, Chatswood, being Lot 1, DP 72724; 4 Daisy Street, Chatswood, being Lot 1, DP 935969; 6 Daisy Street, Chatswood, being Lot 1, DP 936234; 217B Edinburgh Road, Castlecrag, being Lot 1, DP 803334; 233 Edinburgh Road, Castlecrag, being Lot 1, DP 433035; 375 Edinburgh Road, Castlecrag, being Pt Lot 6, DP 2156; 23 Findlay Avenue, Chatswood West, being Lots 11 and 12, DP 537533; 36 Findlay Avenue, Roseville, being Lot 1, DP 964503; 40 Findlay Avenue, Chatswood West, being Lot 12, DP 1030300; 34 Forsyth Street, Willoughby, being Lot 1, DP 602895; 98 High Street, “Oakville”, Willoughby, being Lot B, DP 333217; 247 High Street, Willoughby, being Lot 9, DP 660448; 34 Johnson Street, Chatswood, being Lot 1, DP 882767; 47–53 Laurel Street, Willoughby, being Lot 2, DP 999243; 40 Market Street, Naremburn, being Lot 1, DP 82188; 6 McBurney Street, Naremburn, being Lot 1, DP 195571; 235 Mowbray Road, Chatswood, being Lot 401, DP 833865; 245 Mowbray Road,

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Chatswood, being Lot 2, DP 311166; 267 Mowbray Road, Chatswood, being Lot 2, DP 304876; 271 Mowbray Road, Chatswood, being Lot 3 and Pt Lot 2, DP 924988; 28 Oakville Road, Willoughby, being Lot 1, DP 232462; 2 Orchard Road, Chatswood, being Lots 1 and 2, DP 85482; Chatswood Public School, Cnr Pacific Highway and Centennial Avenue, Chatswood, being Lot 1, DP 812207 and Lot C, DP 346499; 985–989 Pacific Highway, Chatswood, being Lot 1, DP 846943 and Lot 1, DP 34636; 191 Penshurst Street, Willoughby, being Lots 47 and 48, DP 14241; 232–234 Penshurst Street, Willoughby, being Lots 7 and 8, DP 16622 and parcel Lot 6B, DP 360295; 238/238A Penshurst Street, Willoughby being Lot 4, DP 16622; 40 Slade Street, Naremburn, being Lot 1, DP 79295; 42 Slade Street, Naremburn, being Lot 1, DP 85352; 50 Sydney Street, Chatswood being Lot 2, DP 115546, Lot 2, DP 4350 and Lot 1, DP 115546; 80/84 Sydney Street, Chatswood, being Lot 8, DP 12798; 142A/B Sydney Street, Chatswood, being Lot 1, DP 313736 and Lots 1 and 2, SP 23164; 161 Sydney Street, Chatswood, being Pt Lot 4, DP 4704 and Pt Lot 1, DP 303583; 7 The Barquette, Castlecrag, being Lot 187, DP 14793; Wilkes Avenue Plaza, Artarmon; Chowne Memorial Hall, Willoughby Park, Warrane Road, Willoughby, being Lot 7092, DP 93908; Gates at Willoughby Park, Warrane Road, Willoughby, being Lot 7092, DP 93908 and 576 Willoughby Road, Willoughby, being Lot 1, DP 81718 and Lot 12, DP 75352.

- (4) To the extent that this plan amends the land excluded from the dual occupancy provisions map and the Heritage and Conservation Map and rezones certain land, as referred to in clause 2 (c), (d), (e) and (g), it applies to land shown edged heavy black on sheets 1–10 of the map marked “Willoughby Local Environmental Plan 1995 (Amendment No 49)” deposited in the office of Willoughby City Council.
- (5) To the extent that this plan amends the list of permissible uses within Zone 3 (a) General Business Zone as referred to in clause 2 (f), it applies to land within Zone 3 (a) General Business Zone under *Willoughby Local Environmental Plan 1995*.

4 Amendment of Willoughby Local Environmental Plan 1995

Willoughby Local Environmental Plan 1995 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert at the end of the definition of *Heritage and Conservation Map* in clause 5 (1):

Willoughby Local Environmental Plan 1995 (Amendment No 49)—Sheets 1–5, 7, 8 and 10

[2] Clause 5 (1), definition of “land excluded from dual occupancy provisions map”

Insert at the end of the definition:

Willoughby Local Environmental Plan 1995 (Amendment No 49)—Sheets 1–5, 7, 8 and 10

[3] Clause 5 (1), definition of “the map”

Insert at the end of the definition:

Willoughby Local Environmental Plan 1995 (Amendment No 49)—Sheets 6 and 9

[4] Clause 35A Zone 3 (a)—General Business Zone

Omit “refreshment rooms” from clause 35A (2) (b).

Insert instead “restaurants”.

[5] Clause 52 Development for certain additional purposes

Insert after clause 52 (4):

- (5) Nothing in this plan prevents a person, with the consent of the Council, from carrying out development on the first floor level of a building on land at 59–61 Peshurst Street, Willoughby, being lots 1 and 2 DP 12612, for the purpose of business premises or office premises providing that the gross floor area of the site, used for any purpose, does not exceed 537 square metres.

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Schedule 1 Amendments

[6] Schedule 6 Heritage items classified to be of State or Regional significance

Omit “Lot 196, DP 13306” from the item relating to the House at 8 The Barbette, Castlecrag.

Insert instead “Lot 194A, DP 346940”.

[7] Schedule 6

Omit “Lot A, DP 373118” from the item relating to the House and curtilage at 136 Edinburgh Road, Castlecrag.

Insert instead “Lot 1, DP 847190”.

[8] Schedule 6

Omit “Lot 2, DP 334163” from the item relating to the House at 158 Edinburgh Road, Castlecrag.

Insert instead “Lot 99, DP 11138”.

[9] Schedule 6

Insert the following item in appropriate order:

House	375 Edinburgh Road, Castlecrag Lot 1, DP 971183
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[10] Schedule 6

Omit “258–260 Mowbray Road, Chatswood” from the item relating to the House and curtilage known as “Windsor Gardens”.

Insert instead “244–264 Mowbray Road, Chatswood, being Lot 100 DP 832570”.

[11] Schedule 6

Insert “and Lot 1 DP 924466” at the end of the item relating to the House and curtilage known as “Hilton”, 315 Mowbray Road, Chatswood.

[12] Schedule 6

Omit “211 Pacific Highway, Gore Hill” from the item relating to the Cemetery.

Insert instead:

Gore Hill Memorial Cemetery, 211 Pacific Highway,
Gore Hill
Lots 101 and 102, DP 791327

[13] Schedule 6

Omit “Part Lot 1, DP 14091” from the item relating to the House and curtilage including stables known as “Laurel Bank”, 85–87 Penshurst Street, Willoughby.

Insert instead “Lots 1 and 2, DP 977087”.

[14] Schedule 6

Omit “Lot 1, DP 595315” from the item relating to the Stables at Westbourne St, TAFE College Grounds, Gore Hill.

Insert instead the words “(also known as 213 Pacific Highway, Gore Hill), being Lot 10, DP 861267”.

[15] Schedule 7 Heritage items classified to be of local significance

Omit “Part Lot, 25 DP 977774” from the item relating to the House at 11 Adolphus St, Naremburn.

Insert instead “Lot 1, DP 825034”.

[16] Schedule 7

Omit “Lot 20, DP 260” from the item relating to the House at 11 Archer St, Chatswood.

Insert instead “Lot 100, DP 830992”.

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Schedule 1 Amendments

[17] Schedule 7

Omit "Lot 3, DP 18199 Spl Cor" from the item relating to the House at 27 Archer St, Chatswood.

Insert instead the words "Lot 3, DP 19111 Spl Cor".

[18] Schedule 7

Omit "Lot A, DP 393785" from the item relating to the House at 107 Archer St, Chatswood.

Insert instead "Lot A, DP 343785".

[19] Schedule 7

Omit "Lot 10, DP 14015" from the item relating to the House at 97 Ashley St, Chatswood.

Insert instead "Lot 300, DP 1029909".

[20] Schedule 7

Omit "Lot 1, DP 117011 and Lot 1 DP 9209063" from the item relating to the House at 118 Ashley St, Chatswood.

Insert instead "Lot 1, DP 117011 and Lot 1, DP 9209163".

[21] Schedule 7

Omit "Lot 187, DP 14703" from the item relating to the House at 7 The Barbette, Castlecrag.

Insert instead "Lot 187, DP 14793".

[22] Schedule 7

Omit "Unnumbered lot, DP 72724" from the item relating to the House at 4 Chapman Ave, Chatswood.

Insert instead "Lot 1, DP 72724".

[23] Schedule 7

Omit "Lot 233 and Pt Lot 232, DP 2934" from the item relating to the House at 4 Daisy St, Chatswood.

Insert instead "Lot 1, DP 935969".

[24] Schedule 7

Omit "Pt Lots 231 and 232, DP 2934" from the item relating to the House at 6 Daisy St, Chatswood.

Insert instead "Lot 1, DP 936234".

[25] Schedule 7

Omit "Lot 2, DP 200606" from the item relating to the Waterfront cottage at 217B Edinburgh Rd, Castlecrag.

Insert instead "Lot 1, DP 803334".

[26] Schedule 7

Omit the item relating to the Waterfront cottages at 297A and 233 Edinburgh Rd, Castlecrag.

Insert instead:

Waterfront cottage	233 Edinburgh Rd, Castlecrag Lot 1, DP 433035
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Waterfront cottage	297A Edinburgh Rd, Castlecrag Lots B and C, DP 394155
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[27] Schedule 7

Omit the item relating to the House at 375 Edinburgh Rd, Castlecrag.

[28] Schedule 7

Omit "Lots 1 and 12, DP 537533" from the item relating to the House at 23 Findlay Ave, Chatswood West.

Insert instead "Lots 11 and 12, DP 537533".

[29] Schedule 7

Omit "Pt Lots 21 and 22, DP 7416" from the item relating to the House at 36 Findlay Ave, Roseville.

Insert instead "Lot 1, DP 964503".

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Schedule 1 Amendments

[30] Schedule 7

Omit "Lot 8, DP, 329796" from the item relating to the house at 40 Findlay Ave, Chatswood West.

Insert instead "Lot 12, DP 1030300".

[31] Schedule 7

Omit "Lot 1, DP 502895" from the item relating to the House at 34 Forsyth St, Willoughby.

Insert instead "Lot 1, DP 602895".

[32] Schedule 7

Omit "Lot 2, DP 228838" from the item relating to the House at 98 High St, "Oakville", Willoughby.

Insert instead "Lot B, DP 333217".

[33] Schedule 7

Omit "Pt Lot 9, DP 3245" from the item relating to the House at 247 High St, Willoughby.

Insert instead "Lot 9, DP 660448".

[34] Schedule 7

Omit "Lot B, DP 348271" from the item relating to the House at 34 Johnson St, Chatswood.

Insert instead "Lot 1, DP 882767".

[35] Schedule 7

Omit "Lot 7 and Pt Lot 6, DP 977087" from the item relating to Willoughby Fire Station, 47-53 Laurel St, Willoughby.

Insert instead "Lot 2, DP 999243".

[36] Schedule 7

Omit "Pt Lot 32, DP 82186" from the item relating to the House at 40 Market St, Naremburn.

Insert instead "Lot 1, DP 82188".

[37] Schedule 7

Omit "Pt Lot 6, DP 979464" from the item relating to the House at 6 McBurney St, Naremburn.

Insert instead "Lot 1, DP 195571".

[38] Schedule 7

Omit "Lot 2, DP 943898" from the item relating to the House at 235 Mowbray Rd, Chatswood.

Insert instead "Lot 401, DP 833865".

[39] Schedule 7

Omit "Lot 1, DP 311166" from the item relating to the House at 245 Mowbray Road, Chatswood.

Insert instead "Lot 2, DP 311166".

[40] Schedule 7

Omit "Pt Lots 12 and 13, DP 260" from the item relating to the House at 267 Mowbray Road, Chatswood.

Insert instead "Lot 2, DP 304876".

[41] Schedule 7

Omit "Lot 3 and Pt Lot 2, Sec 4 DP 1364" from the item relating to the House at 271 Mowbray Rd, Chatswood.

Insert instead "Lot 3 and Pt Lot 2, DP 924988".

[42] Schedule 7

Omit "Lot 1, DP 292482" from the item relating to the Shop at 28 Oakville Rd, Willoughby.

Insert instead "Lot 1, DP 232462".

[43] Schedule 7

Omit "Lot 2, DP 85482" from the item relating to the House at 2 Orchard Rd, Chatswood.

Insert instead "Lots 1 and 2, DP 85482".

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Schedule 1 Amendments

[44] Schedule 7

Omit “Lot 1, DP 123378; Lots 1 and 2, DP 194351 Lot C, DP 346499” from the item relating to the Chatswood Public School, Cnr Pacific Highway and Centennial Ave, Chatswood.

Insert instead “Lot 1, DP 812207 and Lot C, DP 346499”.

[45] Schedule 7

Omit “985–989 Pacific Highway, Chatswood Lots 1 and 2, DP 797628; Lot 1, DP 34636”.

Insert instead “923–989 Pacific Highway, Chatswood, Lot 1, DP 846943 and Lot 1, DP 34636”.

[46] Schedule 7

Insert “Lots 47 and 48, DP 14241” at the end of the item relating to the Baby Health Centre, 191 Penshurst St, Willoughby.

[47] Schedule 7

Omit “Lots 7 and 8, DP 18822” from the item relating to the House at 232–234 Penshurst St, Willoughby.

Insert instead “Lots 7 and 8, DP 16622 and parcel Lot 6B, DP 360295”.

[48] Schedule 7

Omit “Lot 4, DP 16522” from the item relating to the House at 238/238A Penshurst St, Willoughby.

Insert instead “Lot 4, DP 16622”.

[49] Schedule 7

Omit “Lot Pt 10 Sec 1 Vo 4254 Fo 234” from the item relating to the House at 40 Slade St, Naremburn.

Insert instead “Lot 1, DP 79295”.

[50] Schedule 7

Omit “Lot Pt 10 Sec 1 Vo 5378 Fo 153” from the item relating to the House at 42 Slade St, Naremburn.

Insert instead “Lot 1, DP 85352”.

[51] Schedule 7

Insert “; Lot 2, DP 4350 and Lot 1, DP 115546” at the end of the item relating to the House at 50 Sydney St, Chatswood Lot 2, DP 115546.

[52] Schedule 7

Omit “Lot B, DP 12798” from the item relating to the Group of shops at 80/84 Sydney St, Chatswood.

Insert instead “Lot 8, DP 12798”.

[53] Schedule 7

Omit “Lot 2, DP 23164” from the item relating to 142A/B Sydney St, Chatswood.

Insert instead “Lot 1, DP 313736 and Lots 1 and 2, SP 23164”.

[54] Schedule 7

Omit “161A Sydney Street, Chatswood Pt Lot 4, DP 4704”.

Insert instead:

161 Sydney Street, Chatswood
Pt Lot 4, DP 4704 and Pt Lot 1,
DP 303583

[55] Schedule 7

Omit “DP 26873000” from the item relating to the Chowne Memorial Hall, Willoughby Park, Warrane Rd, Willoughby.

Insert instead “Lot 7092, DP 93908”.

[56] Schedule 7

Omit “DP 26873000” from the item relating to the Gates at Willoughby Park, Warrane Rd, Willoughby.

Insert instead “Lot 7092, DP 93908”.

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Schedule 1 Amendments

[57] Schedule 7

Insert “and the Wilkes Avenue Plaza” after the words “Group of shops” in the item relating to 22–26 Wilkes Ave, Artarmon.

[58] Schedule 7

Omit “Lot 1, DP 81718 and Lot 12, DP 975943” from the item relating to the “Bridgeview Hotel” at 576 Willoughby Rd, Willoughby.

Insert instead “Lot 1, DP 81718 and Lot 12, DP 75352”.

BY AUTHORITY
