



New South Wales

# **Willoughby Local Environmental Plan 2012 (Amendment No 33)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

MITCHELL NOBLE, HEAD OF PLANNING  
WILLOUGHBY CITY COUNCIL  
As delegate for the local plan-making authority

## **Willoughby Local Environmental Plan 2012 (Amendment No 33)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Willoughby Local Environmental Plan 2012 (Amendment No 33)*.

### **2 Commencement**

This plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which plan applies**

This plan applies to Lot 11, DP 611594, 100 Edinburgh Road, Castlecrag.

### **4 Maps**

The maps adopted by *Willoughby Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

## **Schedule 1      Amendment of Willoughby Local Environmental Plan 2012**

### **[1]    Clause 4.3A Exceptions to height of buildings**

Insert after clause 4.3A(10)—

- (11) The following structures located on the rooftop of a building on land identified as “Area 4” on the Height of Buildings Map may exceed the maximum height shown for the land on the map—
- (a) balustrades with a height of less than 1.2m above the finished floor level of the rooftop,
  - (b) a structure, with a height of no more than 3.75m above the finished floor level of the rooftop, used to enclose a lift for access to communal areas on the rooftop,
  - (c) a structure, with a height of no more than 2.55m above the finished floor level of the rooftop, used to enclose—
    - (i) stair access to the rooftop, or
    - (ii) shared facilities for the use of residents of the building, such as bathrooms,
  - (d) service installations, including air conditioning systems, lights, solar panels and skylights, with a height of less than 2m above the finished floor level of the rooftop.

### **[2]    Clause 4.4A Exceptions to floor space ratio**

Insert after clause 4.4A(24)—

- (25) The maximum floor space ratio for a building on land identified as “Area 21” on the Floor Space Ratio Map is 1.8:1 if the floor space ratio of the part of the building located at or above the street level of Edinburgh Road does not exceed 1.6:1.

### **[3]    Schedule 1 Additional permitted uses**

Insert at the end of the schedule, with appropriate clause numbering—

#### **Use of certain land at 100 Edinburgh Road, Castlecrag**

- (1) This clause applies to Lot 11, DP 611594, 100 Edinburgh Road, Castlecrag.
- (2) Development for the purposes of residential flat buildings is permitted with development consent if the consent authority is satisfied—
  - (a) at least 20% of the gross floor area of the building will not be used for the purposes of residential accommodation or serviced apartments, and
  - (b) at least 75% of the gross floor area of the ground floor of the building will not be used for the purposes of residential accommodation or serviced apartments.