



New South Wales

Leichhardt Local Environmental Plan 2000 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/01614/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 275

Clause 1 Leichhardt Local Environmental Plan 2000 (Amendment No 1)

Leichhardt Local Environmental Plan 2000 (Amendment No 1)

1 Name of plan

This plan is *Leichhardt Local Environmental Plan 2000 (Amendment No 1)*.

2 Aims of plan

This plan aims:

- (a) to make minor amendments to some provisions of *Leichhardt Local Environmental Plan 2000 (the 2000 plan)*, and
- (b) to replace certain definitions in the Glossary to the 2000 plan and to add a new definition, and
- (c) to rezone certain land from the Public Purpose Zone to the Business Zone under the 2000 plan, and
- (d) to reclassify certain land from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (e) to correct several mapping errors on the Heritage Conservation Map and Zoning Map supporting the 2000 plan.

3 Land to which plan applies

- (1) To the extent that this plan relates to the aims set out in clause 2 (a), (b) and (e), it applies to all the land within the local government area of Leichhardt under *Leichhardt Local Environmental Plan 2000*.
- (2) To the extent that this plan rezones land, it applies to Lot 1, DP 120186 and Lot 1, DP 120188, Hamilton Street, Rozelle.
- (3) To the extent that this plan reclassifies land, it applies to the land known as Lot 1, DP 439408, 73 St Johns Road, Glebe.

4 Amendment of Leichhardt Local Environmental Plan 2000

Leichhardt Local Environmental Plan 2000 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 19 General provisions for the development of land

Omit clause 19 (3). Insert instead:

- (3) Except where the development is carried out in accordance with clause 23 (1):
 - (a) the minimum landscaped area for residential development is 40% of the site area, and
 - (b) 25% of the landscaped area required under paragraph (a):
 - (i) is to be on natural or unpaved ground that is not overhung by or on top of any structure, and
 - (ii) is to be permeable, and
 - (iii) is to be appropriate for substantial deep planting.

[2] Clause 29 Development of land within Public Purpose Zone

Omit clause 29 (1).

[3] Clause 29 (2)

Omit “(2) Development of public purpose land”.

[4] Clause 33 Foreshore building line

Omit clause 33 (3). Insert instead:

- (3) Consent may be granted for the erection of baths, swimming pools and enclosures, boatsheds, changing rooms, jetties and sea walls on land between the foreshore building line and the mean high water mark, but only if the consent authority is satisfied that the building or work will not detract from the scenic qualities of the locality when viewed from the water.

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Schedule 1 Amendments

[5] Clause 37

Insert after clause 36:

37 Classification and reclassification of public land as operational land

- (1) The public land described in the Table to this clause is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (2) The public land described in the Table to this clause is not a public reserve and is not affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants.

Table

Locality	Description
Glebe	
73 St Johns Road	Lot 1, DP 439408

[6] Schedule 1 Additional uses and controls for certain land

Insert as a heading before the sentence beginning “Nothing in the Plan”:

Part 1 Additional uses

[7] Schedule 1, Part 1

Omit the matter relating to Reynolds Street, Balmain (site known as *Dockside*).

Insert instead:

Reynolds Street (corner of Buchanan Street), Balmain (part of site formerly known as Ampol), Lots 85–93 and 126–145, SP 65243—any development permissible with or without development consent within the Business Zone pursuant to clause 21.

[8] Schedule 1, Part 2

Omit “**Restriction of certain uses on specific sites**”.

Insert instead “**Part 2 Restriction of certain uses on specific sites**”.

[9] Schedule 2 Heritage items

Omit “Melocco Brothers Factory (former)” from the matter relating to 1 Booth Street, Annandale.

Insert instead “Former Melocco’s factory, showroom and offices”.

[10] Schedule 2, 14 Clifton Street, Balmain

Insert in appropriate order, according to the street name and number, under the headings “**Street/Suburb**,” “**Street Number**,” “**Type**,” “**Description**” and “**Level of Significance**”:

Clifton Street, Balmain	14	Built	House	Local
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[11] Schedule 2, 44, 46 and 48 Darling Street, Balmain

Insert in appropriate order according to the street number, under the headings “**Street Number**,” “**Type**,” “**Description**” and “**Level of Significance**”:

44-48	Built	Terrace houses	Local
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[12] Schedule 2, 31–33 Glebe Street, Glebe and 262 Johnston Street, Annandale

Omit the matter relating to 31–33 Glebe Street, Glebe and 262 Johnston Street, Annandale.

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[13] Schedule 2, 39–43 Glebe Street, Glebe

Insert in appropriate order according to the street number, under the headings “**Street Number**”, “**Type**”, “**Description**” and “**Level of Significance**”:

39–41	Built	Terrace houses	Local
43	Built	Fernville	State

[14] Schedule 2, 84–86 and 260 Johnston Street, Annandale

Insert in appropriate order according to the street number, under the headings “**Street Number**”, “**Type**”, “**Description**” and “**Level of Significance**”:

84	Built	House	Local
86	Built	Flats	Local
260	Built	Kenilworth (also known as Highroyd)	State

[15] Schedule 2, Minogue Crescent, Glebe

Omit “Rest Park”.

[16] Schedule 2, Minogue Crescent, Glebe

Omit “Cnr Ross Street”.

Insert instead “Open space along Minogue Crescent, including the Lewis Hoad Reserve”.

[17] Schedule 2, 16–18 Wharf Road, Balmain

Insert in appropriate order according to the street number, under the headings “**Street Number**”, “**Type**” and “**Level of Significance**”:

16–18	Built		Local
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[18] Schedule 3 Glossary

Omit the definitions of *Floor space ratio*, *Gross floor area*, *Heritage Conservation Map*, *Landscaped area*, *Site area* and *Zoning Map*.

Insert instead:

Floor space ratio means the ratio of the gross floor area of a building to the site area of the land on which the building is erected.

Gross floor area means the total area of a building's floorplates, measured between the outer edges of the outside walls or the centre line of any party wall, and includes mezzanines, attics, internal car parking spaces, garages, lofts and studios. It does not include projections outside the external walls of the building, paved areas, voids or basements used for car parking, where the car parking area does not protrude more than 1 metre above ground level.

Heritage Conservation Map means the map marked "Leichhardt Local Environmental Plan 2000 Heritage Conservation Map Issued January 2002", incorporating any relevant amendment to that map by the following plans:

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Landscaped area means the part of a site at ground level:

- (a) not occupied by any building, and
- (b) not overhung by part of a building with a clearance of less than 2.4 metres, and

used for recreation, lawns, gardens and substantial planting. It does not include balconies, driveways and parking areas, but includes decks where they have a direct connection to ground level and are no higher than 500 millimetres above ground level.

Site area means the total area of an allotment or allotments which comprises or comprise the proposed development site. It does not include any area of land that is:

- (a) less than 3.5 metres in width, and
- (b) primarily used for access.

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Zoning Map means the map marked “Leichhardt Local Environmental Plan 2000 Zoning Map Issued January 2002”, incorporating any relevant amendment to that map by the following plans:

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[19] Schedule 3, definition of “Principal place of residence”

Insert in alphabetical order:

Principal place of residence means the permanent home of a person. It does not include the temporary domicile of a person who is travelling or on a working holiday.

BY AUTHORITY