



New South Wales

Leichhardt Local Environmental Plan 2000 (Amendment No 19)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

2012 No 675

Clause 1 Leichhardt Local Environmental Plan 2000 (Amendment No 19)

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1 Name of Plan

This Plan is *Leichhardt Local Environmental Plan 2000 (Amendment No 19)*.

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 land at 118, 120 and 124 Terry Street, Rozelle, being Lot 1, DP 540118, Lot 2, DP 234045 and Lot 3, Section D, DP 119.

Schedule 1 Amendment of Leichhardt Local Environmental Plan 2000

[1] Clause 39

Insert after clause 38:

39 Development on certain land at Rozelle

- (1) This clause applies to Lot 1, DP 540118, Lot 2, DP 234045 and Lot 3, Section D, DP 119, being 118, 120 and 124 Terry Street, Rozelle (the *Terry Street site*).
- (2) Despite any other provision of this Plan, development consent may be granted to a single development application for development on land to which this clause applies that is both of the following:
 - (a) a proposal to develop the Terry Street site in its entirety,
 - (b) a proposal for development with a maximum floor space ratio of 1.5:1 for the purposes of commercial premises, light industries, refreshment rooms, residential development and shops.
- (3) Development consent must not be granted under this clause unless the consent authority is satisfied that:
 - (a) a high standard of architectural and urban design appropriate to the building type and location will be achieved, with articulated height and massing providing an appropriate transition to the existing streetscape, and
 - (b) the total gross floor area of the part of the development that is used for the purposes of commercial premises, shops and refreshment rooms will not exceed 1,300 square metres, and
 - (c) the development will not exceed:
 - (i) if a building has a street frontage on Terry Street—3 storeys in height, or
 - (ii) in any other case—6 storeys in height, and
 - (d) the development will minimise overshadowing of neighbouring properties on Crystal Street, and
 - (e) the development will not significantly increase the amount of traffic on Terry Street, Wellington Street, Merton Street, Nelson Street or Victoria Road, Rozelle, and

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- (f) those parts of the development that are not residential development will not have a significant adverse impact on local commercial centres, and
- (g) the development will provide and facilitate pedestrian and cycle access through the Terry Street site to Merton and Margaret Streets, and
- (h) the development will incorporate environmentally sustainable design principles, and
- (i) the development will include the necessary design and acoustic measures to ensure that light industries within the development, as well as any existing industrial uses on land surrounding the development, do not have a significant adverse impact on the amenity of future residents of the development, and
- (j) light industries will only be located in buildings that have a street frontage on Crystal Street.

[2] Schedule 3 Glossary

Insert in alphabetical order:

High technology industry means a building or place predominantly used to carry out an industrial activity that involves any of the following:

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),
- (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) film, television or multi-media technologies, including any post production systems, goods or components,
- (f) telecommunications systems, goods or components,
- (g) sustainable energy technologies,
- (h) any other goods, systems or components intended for use in a science or technology related field,

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

Note. High technology industries are a type of *light industry*—see the definition of that term in this Glossary.

Home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following:

- (a) the employment of more than 2 persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
- (d) the exhibition of any signage (other than a business identification sign),
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, brothels or sex shops.

Note. Home industries are a type of *light industry*—see the definition of that term in this Glossary.

Light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

[3] Schedule 3, definition of “Industry”

Omit “material” from paragraph (c). Insert instead:

material,

but does not include a light industry.

[4] Schedule 3, definition of “Zoning Map”

Insert in appropriate order:

Leichhardt Local Environmental Plan 2000 Amendment
No 19—Zoning Map