



New South Wales

Leichhardt Local Environmental Plan 2013 (Amendment No 5)

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*.

PETER HEAD, GENERAL MANAGER, LEICHHARDT MUNICIPAL COUNCIL
As delegate for the Minister for Planning

Leichhardt Local Environmental Plan 2013 (Amendment No 5)

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1 Name of Plan

This Plan is *Leichhardt Local Environmental Plan 2013 (Amendment No 5)*.

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 1, DP 632522 and Lot X, DP 381373, 141 and 159 Allen Street, Leichhardt.

4 Maps

The maps adopted by *Leichhardt Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Leichhardt Local Environmental Plan 2013

Clause 6.17

Insert after clause 6.16:

6.17 Development of land at 141 and 159 Allen Street, Leichhardt

- (1) The objective of this clause is to facilitate the development of the land to which this clause applies by specifying controls for different maximum heights and minimum setbacks for buildings on the land without adversely affecting the streetscape, character, amenity or solar access of surrounding land.
- (2) This clause applies to the following land:
 - (a) Lot 1, DP 632522, 141 Allen Street, Leichhardt, identified as “2 141 Allen Street Leichhardt” on the Key Sites Map (*Site 2*),
 - (b) Lot X, DP 381373, 159 Allen Street, Leichhardt, identified as “3 159 Allen Street Leichhardt” on the Key Sites Map (*Site 3*).
- (3) Development consent must not be granted to development on Site 2 unless the consent authority is satisfied that the development complies with the following:
 - (a) any proposed building is set back at least:
 - (i) 3.5 metres from the Allen Street and Flood Street boundaries, and
 - (ii) 10 metres from the northern site boundary, and
 - (iii) 11 metres from that part of the western site boundary that is north of Site 3,
 - (b) the height in storeys of any proposed building will not exceed:
 - (i) 3 storeys, or
 - (ii) 4 storeys—if the building is adjacent to Allen Street, Flood Street, the northern site boundary or that part of the western boundary that is north of Site 3 (*the 4 boundaries*), the highest storey of the building is set back at least 6 metres from any building wall that faces one or more of the 4 boundaries and any such building wall does not exceed 3 storeys in height, or
 - (iii) 6 storeys—if the building is not adjacent to Allen Street, Flood Street or the northern site boundary.
- (4) Development consent must not be granted to development on Site 3 unless the consent authority is satisfied that the development complies with the following:
 - (a) any proposed building is set back at least:
 - (i) 3.5 metres from the Allen Street boundary, and
 - (ii) 6 metres from the western site boundary,
 - (b) the height in storeys of any proposed building will not exceed:
 - (i) 3 storeys, or
 - (ii) 4 storeys—if the building has street frontage to Allen Street, the highest storey of the building is set back at least 6 metres from any building wall that faces Allen Street or the western site boundary and any such building wall does not exceed 3 storeys in height, or

- (iii) 4 storeys—if the building does not have street frontage to Allen Street, or
- (iv) 5 storeys—if the building does not have street frontage to Allen Street, the highest storey of the building is set back at least 6 metres from any building wall that does not exceed 4 storeys in height and any such building wall is on the western side of the building.

Note. For the purposes of this clause:
3 storeys is approximately 9.3 metres.
4 storeys is approximately 12.4 metres.
5 storeys is approximately 15.5 metres.
6 storeys is approximately 18.6 metres.