



New South Wales

# **Leichhardt Local Environmental Plan 2013 (Amendment No 4)**

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 4)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Leichhardt Local Environmental Plan 2013 (Amendment No 4)*.

### **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 certain land to which *Leichhardt Local Environmental Plan 2013* applies.

### **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**

### **[1] Land Use Table**

Insert the following in alphabetical order in item 3 of the matter relating to Zone B1 Neighbourhood Centre:

Attached dwellings;  
Dual occupancies;  
Dwelling houses;  
Multi dwelling housing;  
Residential flat buildings;  
Rural workers' dwellings;  
Semi-detached dwellings;

### **[2] Land Use Table, Zone B1 Neighbourhood Centre**

Omit the following from item 4:

Attached dwellings;  
Dual occupancies;  
Dwelling houses;  
Multi dwelling housing;  
Residential flat buildings;  
Rural workers' dwellings;  
Semi-detached dwellings;

### **[3] Land Use Table, Zone B2 Local Centre**

Insert the following in alphabetical order in item 3:

Attached dwellings;  
Dual occupancies;  
Dwelling houses;  
Multi dwelling housing;  
Residential flat buildings;  
Rural workers' dwellings;  
Semi-detached dwellings;

### **[4] Land Use Table, Zone B2 Local Centre**

Omit the following from item 4:

Attached dwellings;  
Dual occupancies;  
Dwelling houses;  
Multi dwelling housing;

Residential flat buildings;  
Rural workers' dwellings;  
Semi-detached dwellings;

**[5] Clause 4.3A Landscaped areas for residential accommodation in Zone R1**

Omit clause 4.3A (3). Insert instead:

- (3) Development consent must not be granted to development to which this clause applies unless:
  - (a) the development includes landscaped area that comprises at least:
    - (i) where the lot size is equal to or less than 235 square metres—15% of the site area, or
    - (ii) where the lot size is greater than 235 square metres—20% of the site area, and
  - (b) the site coverage does not exceed 60% of the site area.
- (4) For the purposes of subclause (3):
  - (a) the site area is to be calculated under clause 4.5 (3), and
  - (b) any area that:
    - (i) has a length or a width of less than 1 metre, or
    - (ii) is greater than 500mm above ground level (existing),is not to be included in calculating the proportion of landscaped area, and
  - (c) any deck or balcony or the like (whether enclosed or unenclosed) is not to be included in calculating the site coverage if:
    - (i) it is 2.4 metres or more above ground level (existing), as measured from the underside of the structure and the area below the structure is able to be landscaped or used for recreational purposes, or
    - (ii) the finished floor level is 500mm or less above ground level (existing).

**[6] Clause 6.11A**

Insert after clause 6.11:

**6.11A Residential accommodation in Zone B1 and Zone B2**

- (1) The objective of this clause is to promote residential accommodation as part of mixed use developments in business zones to support the vitality of neighbourhood and local centres.
- (2) This clause applies to land in Zone B1 Neighbourhood Centre and Zone B2 Local Centre.
- (3) Development consent must not be granted to development for the purpose of residential accommodation on land to which this clause applies unless the consent authority is satisfied that:
  - (a) the building comprises mixed use development, including residential accommodation, and
  - (b) the building will have an active street frontage, and
  - (c) the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale.

- (4) In this clause, a building has an *active street frontage* if all floor space on the ground floor of the building on the primary street frontage is used for a purpose other than residential accommodation (with the exception of areas for access or service purposes).

**[7] Schedule 1 Additional permitted uses**

Omit “commercial premises and restaurants or cafes” from clause 1 (2).

Insert instead “business premises, kiosks, office premises, recreation facilities (indoor), restaurants or cafes, roadside stalls and shops”.

**[8] Schedule 1, clauses 4 (2) and 7 (2)**

Omit “commercial premises and restaurants or cafes” wherever occurring in clauses 4 (2) and 7 (2).

Insert instead “business premises, kiosks, office premises, restaurants or cafes, roadside stalls and shops”.

**[9] Schedule 5 Environmental heritage**

Omit the matter relating to items I49, I84, I143, I265, I297, I438, I481, I620 and I717 from Part 1.