



New South Wales

Leichhardt Local Environmental Plan 2013 (Amendment No 11)

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*.

STEPHEN MURRAY

As delegate for the Greater Sydney Commission

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1 Name of Plan

This Plan is *Leichhardt Local Environmental Plan 2013 (Amendment No 11)*.

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 to which *Leichhardt Local Environmental Plan 2013* applies.

4 Amendment of Leichhardt Local Environmental Plan 2013

(1) Schedule 3 Complying development

Insert in alphabetical order in Part 1:

Change of use of land from restaurant or cafe to small bar or from small bar to restaurant or cafe

Land must be in Zone B2 Local Centre.

Note. The use of a footpath as an outdoor dining area may be exempt development if it is associated with a restaurant or cafe but cannot be exempt development if it is associated with a small bar: see *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 2, Division 1, Subdivision 20A (Footpaths—outdoor dining).

(2) Schedule 3, Part 2

Insert after the matter relating to **General conditions**:

Condition that applies to change of use of land from restaurant or cafe to small bar or from small bar to restaurant or cafe

- (1) This clause applies to a change of use of land:
 - (a) from a restaurant or cafe to a small bar, or
 - (b) from a small bar to a restaurant or cafe.
- (2) The development is subject to a condition that the new use must be in accordance with the conditions of development consent applying to the old use that relate to hours of operation, noise, car parking, loading, vehicular movement, traffic generation, waste management and landscaping.