



New South Wales

# **Leichhardt Local Environmental Plan 2013 (Amendment No 19)**

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*.

**LAURA LOCKE**

As delegate for the Minister for Planning and Public Spaces

## **Leichhardt Local Environmental Plan 2013 (Amendment No 19)**

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### **1 Name of Plan**

This Plan is *Leichhardt Local Environmental Plan 2013 (Amendment No 19)*.

### **2 Commencement**

This Plan commences on 30 April 2021 and is required to be published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to land at 1–5 Chester Street, Annandale, being Lot 11, DP 499846.

### **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 local plan-making authority on the making of this Plan.

## **Schedule 1      Amendment of Leichhardt Local Environmental Plan 2013**

### **[1]    Clause 6.12 Residential accommodation in Zone B7**

Insert after clause 6.12(3)—

- (4) This clause does not apply to land at 1–5 Chester Street, Annandale, being Lot 11, DP 499846.

### **[2]    Part 6 Additional local provisions**

Insert at the end of the Part, with appropriate clause numbering—

#### **Development of land at 1–5 Chester Street, Annandale**

- (1) The objective of this clause is to encourage the commercial, education, health and cultural sectors in Annandale.
- (2) This clause applies to land at 1–5 Chester Street, Annandale, being Lot 11, DP 499846 and identified as “7 1–5 Chester Street Annandale” on the Key Sites Map.
- (3) Development consent must not be granted for the subdivision of land to which this clause applies.
- (4) A building on land to which this clause applies—
  - (a) must not have a building height that exceeds 17 metres, and
  - (b) must have 5 or fewer storeys.
- (5) Despite clause 4.4, development consent may be granted to development on land to which this clause applies that results in a building that has a maximum floor space ratio of 2:1 if the consent authority is satisfied that—
  - (a) the building will include development for the purposes of—
    - (i) business premises or light industries for the biomedical, arts, technology, production or design sectors, and
    - (ii) boarding houses for student accommodation, and
  - (b) at least 980 square metres of the gross floor area of the building will be used for the purposes referred to in paragraph (a)(i), and
  - (c) no more than 1,635 square metres of the gross floor area of the building will be used for the purposes referred to in paragraph (a)(ii), and
  - (d) the boarding house will be managed by an onsite boarding house manager, and
  - (e) the development will not have a significant adverse impact on the amenity of the neighbourhood, and
  - (f) the development will include the necessary design and acoustic measures to ensure that the business premises and 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
  - (g) the development will include a 6 metre wide pedestrian and cycle path with landscaping adjacent to Johnstons Creek, and
  - (h) the development will not result in a significant increase to the amount of vehicular traffic in the area, including on Chester Street, Chester Street West, Susan Street, Taylor Street and Pymont Bridge Road, and

- (i) the development will incorporate environmentally sustainable design principles, including measures to minimise the consumption of energy and water, and
- (j) the development will provide active frontages on Chester Street and Johnstons Creek.

**Development of land at 1–5 Chester Street, Annandale—concurrence of Planning Secretary**

- (1) This clause applies to development—
  - (a) on land at 1–5 Chester Street, Annandale, being Lot 11, DP 499846 and identified as “7 1–5 Chester Street Annandale” on the Key Sites Map, and
  - (b) that results in an increase in the gross floor area, in relation to all buildings on the land, used for the purposes of residential accommodation.
- (2) Development consent to development to which this clause applies must not be granted unless the consent authority has obtained the concurrence of the Planning Secretary.
- (3) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
  - (a) the impact of the development on—
    - (i) existing designated State public infrastructure, and
    - (ii) the need for additional designated State public infrastructure,
  - (b) the cumulative impact of the development with other development that has been, or is likely to be, carried out in surrounding areas on—
    - (i) existing designated State public infrastructure, and
    - (ii) the need for additional designated State public infrastructure,
  - (c) the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.
- (4) In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.
- (5) In this clause—

***designated State public infrastructure*** means the following kinds of public facilities or services that are provided or financed by the State or, if provided or financed by the private sector, to the extent of the financial or in-kind contribution by the State—

  - (a) State and regional roads,
  - (b) bus interchanges and bus lanes,
  - (c) rail infrastructure and land,
  - (d) regional parks and public space,
  - (e) social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.

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

Insert at the end of the Schedule, with appropriate clause numbering—

**Use of certain land at 1–5 Chester Street, Annandale**

- (1) This clause applies to land identified as “K” on the Additional Permitted Uses Map, being Lot 11, DP 499846.
- (2) Development for the purposes of business premises used for a business in the biomedical, arts, technology, production or design sector is permitted with development consent.
- (3) Development for the purposes of boarding houses used for student accommodation is permitted with development consent.