

**PROPOSED AMENDMENTS TO EXHIBITED
DRAFT LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2012**

PLANNING PROPOSAL

ITEM 1

AIMS OF PLAN AND ZONE OBJECTIVES

Part 1 – Objectives or Intended Outcomes

On the 21st May 2013 Council resolved (C2012/13) to endorse the changes required to the exhibited *Draft Leichhardt Local Environmental Plan 2012* and initiate the plan making process (Planning Proposal) for the proposed amendments to the Aims and Zone objectives.

This amendment proposes to alter the Aims of the Plan and Zone Objectives of the R1 Residential, B1 Neighbourhood Centre, B2 Local Centre and RE1 Public Recreation within the exhibited *Draft Leichhardt Local Environmental Plan 2012* by incorporating additional objectives and/or amending existing objectives.

The objectives of the proposed amendments are as follows:

- Improve the aims and objectives of the exhibited *Draft Leichhardt Local Environmental Plan 2012* in light of changes made to the *Environmental Planning and Assessment Act 1979*, considered by the NSW Parliament in late 2012 and proclaimed in March 2013, and
- Better link the Local Environmental Plan – including Zone Objectives with the provisions of the new Development Control Plan

Part 2 – Explanation of the Provisions

See the following tables in Part 4 below.

- **Table 1:** The proposed changes to Part 1.2 – Aims of Plan within the exhibited *Draft Leichhardt Local Environmental Plan 2012*
- **Table 2:** The proposed changes to Zone Objectives within the exhibited *Draft Leichhardt Local Environmental Plan 2012*

Part 3 – Justification

Section A – Need for planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

No this planning proposal is not a result of any strategic study or report. The planning proposal has been prepared in response to feedback from the public exhibition and internal review of the *Draft Leichhardt Local Environmental Plan 2012*.

The justification of the proposed amendments is detailed in Appendix A & B.

- **Appendix A** Review of Aims of exhibited *Draft Leichhardt Local Environmental Plan 2012*
- **Appendix B** Review of Zone Objectives of exhibited *Draft Leichhardt Local Environmental Plan 2012*

The changes proposed are required before the final plan is made.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proposal involves an amendment to the exhibited *Draft Leichhardt Local Environmental Plan 2012*. The proposed amendment the *Draft Leichhardt Local Environmental Plan 2012* is considered to be of significance and therefore requires re-exhibition and community consultation. The planning proposal is the best way of achieving the proposed changes to the plan and ensuring the community is notified of these changes.

Section B – Relationship to strategic planning framework.

Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the State Government's current Metropolitan Plan for Sydney to 2036, the Draft Metropolitan Strategy for Sydney 2031 (currently on exhibition) and the Inner West Draft Subregional Strategy. The following actions and objectives outlined in the tables below are of particular relevance.

Metropolitan Plan for Sydney to 2036 (Current)
Objective
C2 – To build on Sydney's strengths by further integrating transport and land use planning and decision making to support increased public transport mode share
D3 – To improve housing affordability
D4 – To improve the quality of new housing development and urban renewal
E4 – To provide for a broader range of local employment types in dispersed locations
G1 – To reduce Sydney's greenhouse gas emissions
G4 – To improve the health of waterways coasts and estuaries
G5 – To achieve sustainable water use
G6 – To protect Sydney's unique diversity of plants and animals
G7 – To improve Sydney's air quality
G8 – To minimise and recycle waste
H1 – To ensure equity, liveability and social inclusion are integrated into plan making and planning decision making
H3 –To provide healthy safe and inclusive places based on active transport
H4 – To continue to identify, enliven and protect places of special cultural, social and community value

Draft Metropolitan Strategy for Sydney to 2031 (Currently on Exhibition)
Objective
3 – Make Sydney connected
6 – Deliver a mix of well-designed housing that meets the needs of Sydney's population
7 – Deliver well designed and active centres that attract investment and growth
8 – Create socially inclusive places that create social cultural and recreational opportunities
10 – Provide capacity for jobs and diversity across Sydney
18 – Use energy, water and resources efficiently
19 – Build resilience to natural hazards
20 – Minimise the impacts of climate change in local communities
21 – Improve air quality
22 – Achieve a healthier water environment
23 – Protect, enhance and rehabilitate our biodiversity
24 – Plan and deliver transport and land use that are integrated and promote sustainable transport choices

Inner West Draft Subregional Strategy
Action
A1.1 – Provide a framework for accommodating jobs across the city
B4.2 – Support centres with transport and infrastructure and services
C2.2 – Provide self-care housing for seniors and people with a disability
C2.3 – Provide a mix of housing
C4.1 – Improve the affordability of housing
C5.1 – Improve the design quality of new development
D2.3 – Improve the integration of public transport
D2.4 – Improve operational management of existing transport networks
D3.1 – Improve the regional walking and cycling networks
E2.1 – Improve health of waterways coasts and estuaries
E2.2 – Protect Sydney's unique diversity of plants and animals
E2.3 – Improve Sydney's air quality
E2.4 – Protect Aboriginal Cultural heritage
E3.2 – Achieves sustainable use of water
E3.3 – Use energy efficiently and reduce greenhouse intensity of energy supply
E3.4 – Minimise and recycle waste
F1.3 – Improve access to waterways and links between bushland, and centres
G1.2 – Improve local planning and assessment

Q4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

The planning proposal is consistent with the following objectives within Council's Community Strategic Plan 'Leichhardt 2020+' and 'Draft Leichhardt 2025+'.

Leichhardt 2020+
1.1 – Develop and implement an integrated community planning framework; 3.1 – Our town plan and place plans optimise the potential of our area through integrating the built and natural environment with a vision of how we want to live as a community and how areas should develop to meet future needs. 3.2 – Develop a clear, consistent and equitable planning framework and process that enables people to develop our area according to a shared vision for the community. 4.1 – Develop our commitment & capacity to consistently support environmental sustainability. 4.2 – Minimise our impacts on the environment. 4.3 – Protect, restore and enhance our natural environment and native biodiversity within our urban context. 5.1 – Develop integrated planning to promote thriving and diverse businesses that build on the demands and characteristics of local communities. 5.2 – Develop accessible and environmentally sustainable businesses that help to build local communities and reduce our dependence on private cars. 5.4 – Plan for business & employment growth that allows greater opportunities for our residents to work locally. 6.1 – Apply our values to deliver transparent, consistent, efficient and effective participative processes.

Draft Leichhardt 2025+
<i>Place where we live and work</i>
• Our town plan and place plans optimise the potential of our area through integrating the built and natural environment with a vision of how we want to live as a community and how areas should develop to meet future needs. • A clear, consistent and equitable planning framework and process is provided that enables people to develop our area according to a shared vision for the community. • An integrated planning process is promoted to make planning easier for the community and to establish a service that people want to use.
<i>A Sustainable Environment</i>
• Our commitment capacity to consistently support environmental sustainability is developed.
<i>Business in the Community</i>
• Places are created that attract and connect people. • The new economy is embraced. • Economic assets are protected and leveraged.
<i>Sustainable Service and Assets</i>
• Transparent, consistent, efficient and effective participative processes are delivered.

Q5. Is the planning proposal consistent with applicable state environmental planning policies?

The planning proposal is consistent with the applicable State Environmental Planning Policies see table below.

Consideration of State Environmental Planning Policies (SEPPs)

SEPP Title	Applicable	Comments
1. Development Standards	No	N/A
4. Development without Consent and Miscellaneous Complying Development	No	N/A
6. Number of Storeys in a Building	No	N/A
14. Coastal Wetlands	No	N/A
15. Rural Landsharing Communities	No	N/A
19. Bushland in Urban Areas	Yes	The aims and zone objectives support provisions of the SEPP.
21. Caravan Parks	No	N/A
22. Shops and Commercial Premises	No	N/A
26. Littoral Rainforests	No	N/A
29. Western Sydney Recreation Area	No	N/A
30. Intensive Agriculture	No	N/A
32. Urban Consolidation (Redevelopment of Urban Land)	No	N/A
33. Hazardous and Offensive Development	No	N/A
36. Manufactured Home Estates	No	N/A
39. Spit Island Bird Habitat	No	N/A
41. Casino Entertainment Complex	No	N/A
44. Koala Habitat Protection	No	N/A
47. Moore Park Showground	No	N/A
50. Canal Estate Development	No	N/A
52. Farm Dams and Other Works in Land	No	N/A

SEPP Title	Applicable	Comments
and Water Management Plan Areas		
53. Metropolitan Residential Development	No	N/A
55. Remediation of Land	Yes	The aims and zone objectives support provisions of the SEPP.
59. Central Western Sydney Regional Open Space and Residential	No	N/A
60. Exempt and Complying Development	No	N/A
62. Sustainable Aquaculture	No	N/A
64. Advertising and Signage	No	N/A
65. Design Quality of Residential Flat Development	No	N/A
70. Affordable Housing (Revised Schemes)	No	N/A
71. Coastal Protection	No	N/A
SEPP Affordable Rental Housing 2009	Yes	The aims and objectives support provisions of the SEPP.
SEPP Building Sustainability Index: BASIX 2004	Yes	The aims and objectives support provisions of the SEPP.
Exempt and Complying Development Codes) 2008	No	N/A
Housing for Seniors or People with a Disability 2004	Yes	The aims and objectives support provisions of the SEPP.
SEPP Infrastructure 2007	No	N/A
SEPP Kosciuszko National Park – Alpine Resorts 2007	No	N/A
SEPP Major Development 2005	No	N/A
SEPP Mining, Petroleum Production and Extractive Industries 2007	No	N/A
SEPP Penrith Lakes Scheme 1989	No	N/A
SEPP Rural Lands 2008	No	N/A
SEPP Sydney Region Growth Centres 2006	No	N/A
SEPP Temporary Structures 2007	No	N/A
SEPP Urban Renewal 2010	No	N/A
SEPP Western Sydney Employment Area 2009	No	N/A
SEPP Western Sydney Parklands 2009	No	N/A

Consideration of deemed State Environmental Planning Policies (SEPPs) (former Regional Environmental Plans (REPs))

REP Title	Applicable	Consistent
8. Central Coast Plateau Areas	No	N/A
9. Extractive Industry (No 2—1995)	No	N/A
16. Walsh Bay	No	N/A
18. Public Transport Corridors	No	N/A
19. Rouse Hill Development Area	No	N/A

REP Title	Applicable	Consistent
20. Hawkesbury-Nepean River (No 2—1997)	No	N/A
24. Homebush Bay Area	No	N/A
25. Orchard Hills	No	N/A
26. City West	No	N/A
28. Parramatta	No	N/A
30. St Marys	No	N/A
33. Cooks Cove	No	N/A
SREP Sydney Harbour Catchment 2005	Yes	The aims and objectives are consistent with the provisions contained within the SREP.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The planning proposal is consistent with the applicable Ministerial Directions (s.117 Directions) see table below.

Consideration of Ministerial Directions

s.117 Direction Title	Applicable	Consistent	Comments
1. Employment & Resources			
1.1 Business and Industrial Zones	Yes	Yes	It is considered that there is no change to existing policy.
1.2 Rural Zones	No	NA	
1.3 Mining, Petroleum Production and Extractive Industries	No	NA	
1.4 Oyster Aquaculture	No	NA	
1.5. Rural lands	No	NA	
2. Environment & Heritage			
2.1 Environment Protection Zones	No	N/A	
2.2 Coastal protection	No	N/A	
2.3 Heritage Conservation	Yes	Yes	It is considered that there is no change to existing policy.
2.4 Recreation Vehicle Areas	No	N/A	
3. Housing Infrastructure & Urban Development			
3.1 Residential Zones	Yes	Yes	It is considered that there is no change to existing policy.
3.2 Caravan Parks and Manufactured Home Estates	No	N/A	
3.3 Home Occupations	Yes	Yes	It is considered that there is no change to existing policy.
3.4 Integrating Land Use & Transport	Yes	Yes	It is considered that there is no

s.117 Direction Title	Applicable	Consistent	Comments
			change to existing policy.
3.5 Development near licensed aerodromes	No	N/A	
3.6 Shooting Ranges	No	N/A	
4.Hazard & Risk			
4.1 Acid Sulphate Soils	Yes	Yes	It is considered that there is no change to existing policy.
4.2 Mine Subsidence and Unstable land	No	N/A	
4.3 Flood Prone Land	Yes	Yes	It is considered that there is no change to existing policy.
4.4 Planning for Bush Fire Protection	No	N/A	
5. Regional Planning			
5.1 Implementation of Regional Strategies	No	N/A	
5.2 Sydney Drinking Water Catchments	No	N/A	
5.3 Farmland of State and Regional Significant on the NSW Far North Coast	No	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	N/A	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.8 Second Sydney Airport: Badgerys Creek	No	N/A	
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	Consistent with the terms of this direction.
6.2 Reserving Land for Public Purposes	No	N/A	
6.3 Site Specific Provisions	Yes	Yes	It is considered that there is no change to existing policy.
7. Metropolitan Planning			
Implementation of the Metropolitan Strategy	Yes	Yes	Consistent with the terms of this direction see Q3.

Section C – Environmental, social and economic impact

Q7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats. Should it be discovered through community consultation, or by another means, that species, populations, communities or habitats may be adversely affected, this will be taken into consideration and the planning proposal will be modified if necessary.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Given the nature of the proposal it is not anticipated that there will be any adverse environmental effects.

Q9. *How has the planning proposal adequately addressed any social and economic effects?*

Given the nature of the proposal it is not expected that the proposal will have any adverse social or economic effects. The aims and objectives are aligned with the strategic direction of Council.

Section D – State and Commonwealth interests

Q10. *Is there adequate public infrastructure for the planning proposal?*

Given the nature of the proposal (administrative changes to ensure the controls contained within the new Standard Instrument Local Environmental Plan reflect existing controls within the *Leichhardt Local Environmental Plan 2000*) the above question is not considered relevant.

Q11. *What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?*

Consultation was carried as part of the exhibition of the *Draft Leichhardt Local Environmental Plan 2012*. This section of the planning proposal is completed following the gateway determination which identifies which State and Commonwealth Public Authorities are to be consulted.

It is likely that the following organisations will be consulted following the gateway determination given their submission during the public exhibition of the *Draft Leichhardt Local Environmental Plan 2012*.

- Land and and Housing Corporation
- Housing NSW
- Office of Water - Department of Primary Industries

Part 4 – Mapping

Legend relating to Table 1 & Table 2

Black = Standard Instrument
 Blue = Standard instrument direction
 Red = Council included (local clauses)
 Light Blue & Strikethrough = deleted wording
 Green = New Wording

Table 1: The proposed changes to Part 1.2 – Aims of Plan within the exhibited Leichhardt Local Environmental Plan 2012

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
1.2	Aims of Plan [compulsory]		
	(1) This Plan aims to make local environmental planning provisions for land in Leichhardt Local Government Area in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows: (1) to ensure development applies the principles of <i>ecologically sustainable development</i> (2) to minimise negative impacts of urban development on the natural, social, economic, physical and historical environment (3) to identify, protect and conserve environmental and cultural heritage, public spaces and community buildings (4) to maintain and enhance the amenity derived from the built and natural environment by promoting a high standard of urban design in the public and private domain	(1) This Plan aims to make local environmental planning provisions for land in Leichhardt Local Government Area in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows: (a) to ensure development applies the principles of <i>ecologically sustainable development</i> (b) to minimise negative impacts of urban development on the natural, social, economic, physical and historical environment (c) to identify, protect and conserve environmental and cultural heritage, public spaces and community buildings to identify, protect, conserve and enhance the cultural heritage and the evidence of cultural heritage, including places, buildings, works, relics, townscapes, landscapes,	Submissions 4, 15, 46, 248, 266 & 267 – Internal Review.

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
	(5) to maintain and enhance the sense of place and character of Leichhardt's urban environment (6) to protect and enhance views and vistas of Sydney Harbour, Parramatta River, Callan Park and Leichhardt and Balmain civic precincts from roads and public vantage points (7) to ensure that land use zones are appropriately located to maximise access to sustainable transport, community services, employment and economic opportunity, public open space, recreation facilities and the waterfront (8) to promote accessible and diverse housing types including the provision and retention of affordable housing (9) to provide for development that reduces car dependency, increases use of public transport and encourages walking and cycling (10) to ensure an adequate supply of land to facilitate a. employment and economic opportunities, and b. the provision of goods and services which meet the needs of the local and sub-regional population	trees, potential archaeological sites and conservation areas, and provide measures for their conservation (d) to maintain and enhance the amenity derived from the built and natural environment by promoting a To promote a high standard of urban design in the public and private domain (e) To protect and enhance the amenity of existing and future residents and those who work in and visit Leichhardt (f) to maintain and enhance the sense of place and character of Leichhardt's urban environment (g) to protect and enhance views and vistas of Sydney Harbour, Parramatta River, Callan Park and Leichhardt and Balmain civic precincts from roads and public vantage points (h) to ensure that land use zones are appropriately located to maximise access to sustainable transport, community services, employment and economic opportunity, public open space, recreation facilities and the waterfront (i) to promote accessible and diverse housing types including the provision and retention of housing for seniors or people with a disability and affordable housing (j) to provide for development that promotes road safety for all users, walkable neighbourhoods and accessibility, reduces car dependency and increases use of active transport through public transport and encourages walking, and cycling	

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
		and the use of public transport. (k) to ensure an adequate supply of land and housing to facilitate a. employment and economic opportunities, and b. the provision of goods and services which meet the needs of the local and sub-regional population (l) to ensure that development is compatible with the: i. character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping; and ii. desired future character of the area (m) to protect, conserve and enhance the character and identify of the suburbs, places and landscapes of Leichhardt, including the natural, science and cultural attributes of the Sydney Harbour foreshore and its creeks and waterways, surface rock, remnant bushland, ridgelines and skylines; (n) to prevent undesirable incremental change, including demolition, which reduces the heritage significant of places, conservation areas or heritage items. (o) to ensure that development is designed and located to minimise conflict between land uses (p) to enhance the viability, vitality and amenity of the local centres. (q) to ensure high quality landscaped areas in residential developments	

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
		(r) to make provision for effective community participation and consultation for planning and development (s) to promote an equitable and inclusive social environment (t) to promote opportunities for social, cultural and community activities (u) to promote the health and wellbeing of the residents, business operators, workers and visitors (v) to ensure development applies the principles of Crime Prevention Through Design to promote safer places and spaces (w) to ensure all development responds appropriately to environmental constraints (x) to retain, protect and promote public access to foreshore areas and open space (y) to conserve, protect and enhance the natural environment including terrestrial, aquatic and riparian habitats, biodiversity, wildlife habitat corridors and ecologically sensitive land (z) to give priority to retaining bushland for its own intrinsic value and as a recreational, educational and scientific resource (aa) to promote energy conservation, water cycle management (incorporating water conservation, water reuse, catchment management, stormwater pollution control and flood risk management) and water sensitive urban design, (bb) to protect existing landforms and natural	

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
		drainage systems and minimise the risk to the community in areas subject to environmental hazards (cc) to provide a framework that facilitates and encourages measures to assist the adaptation of the local environment to mitigate the impacts of climate change (dd) to recognise the value of views from private dwellings and ensure development allows for the reasonable sharing of views between private properties	

Table 2: The proposed changes to Zone Objectives within the exhibited Leichhardt Local Environmental Plan 2012

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
	Zone R1 General Residential		
	1 Objectives of zone - To provide for the housing needs of the community. - To provide for a variety of housing types and densities. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To improve opportunities to work from home. - To provide housing that is complementary to and compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping.	1 Objectives of zone - To provide for the housing needs of the community. - To provide for a variety of housing types and densities. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To improve opportunities to work from home. - To provide housing that is complementary to and compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping. - To provide landscaped areas for the use and enjoyment of existing and future residents. - To ensure that subdivision of land is of a regular shape complementary to and compatible with the character, style, orientation and pattern of the surrounding area. - To protect and enhance the amenity of existing and future residents and the neighbourhood.	Submissions 266 and 267- Internal Review
	Zone B1 Neighbourhood Centre		
	1 Objectives of zone To provide a range of small-scale retail, business and community uses that serve the needs of people who	1 Objectives of zone To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.	Submissions 22, 260, 266 & 267 – Internal Review.

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
	live or work in the surrounding neighbourhood. To provide for smaller scale business and community uses which do not adversely impact the surrounding area by way of excessive noise, odour, vibration, parking and traffic generation.	To provide for smaller scale business and community uses which do not adversely impact the surrounding area by way of excessive noise, odour, vibration, parking and traffic generation. - To ensure that development is appropriately designed to minimise amenity impacts. - To allow appropriate residential uses to support the vitality of neighbourhood centres.	
	Zone B2 Local Centre		
	1 Objectives of zone - To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. - To encourage employment opportunities in accessible locations. - To maximise public transport patronage and encourage walking and cycling. - To provide for smaller scale business and community uses which do not adversely impact the surrounding area by way of excessive noise, odour, vibration, parking and traffic generation.	1 Objectives of zone - To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. - To encourage employment opportunities in accessible locations. - To maximise public transport patronage and encourage walking and cycling. - To ensure that development is appropriately designed to minimise amenity impacts. To provide for smaller scale business and community uses which do not adversely impact the surrounding area by way of excessive noise, odour, vibration, parking and traffic generation. - To allow appropriate residential uses to support the vitality of centres. - To ensure uses support the viability of centres. - To provide a mixture of compatible land uses. - To reinforce and enhance the role, function and identity of centres by encouraging appropriate development to ensure	Submissions 22, 260, 266 & 267 – Internal Review.

Draft Leichhardt Local Environmental Plan (LEP) 2012			
Clause	Draft LEP 2012 (Exhibited)	Proposed Change	Reason for Change
	Standard Instrument, Standard instrument direction and Council included	Deleted wording New wording	
		that surrounding development does not detract from the function of these centres. To integrate suitable business, office, residential, retail and other development in accessible locations to maximise public transport patronage and encourage walking and cycling.	
	Zone RE1 Public Recreation		
	1 Objectives of zone - To enable land to be used for public open space or recreational purposes. - To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. - To maximise the quantity and quality of open space areas to meet the existing and future needs of the community. - To ensure the equitable distribution of, and access to, open space and recreation facilities. - To provide links between open space areas.	1 Objectives of zone - To enable land to be used for public open space or recreational purposes. - To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. - To maximise the quantity and quality of open space areas to meet the existing and future needs of the community. - To ensure the equitable distribution of, and access to, open space and recreation facilities. - To retain, protect and promote public access to foreshore areas and provide links between open space areas. - To provide opportunities in open space for public art. - To conserve, protect and enhance the natural environment including terrestrial, aquatic and riparian habitats.	Submissions 15, 266 & 267 – Internal Review

Part 5 – Community Consultation

This component of the planning proposal is considered to be low impact, in that:

- it is consistent with the pattern of surrounding land uses,
- it is consistent with the strategic planning framework,
- presents no issues with regards to infrastructure servicing,
- is not a principle Local Environmental Plan, and
- does not reclassify public land.

It is outlined in “*A guide to preparing local environmental plans*” that community consultation for a low impact planning proposal is usually 14 days. However, it is Councils preference that the planning proposal be exhibited for a minimum of 28 days.

Part 6 – Project Timeline

Anticipated Project Timeline	Proposed Date (s)
Commencement date (date of Gateway determination)	21 June 2013
Timeframe for the completion of required technical information	Not required
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	To be determined
Commencement and completion dates for public exhibition period	Minimum 28 Days
Dates for public hearing (if required)	To be determined post exhibition
Timeframe for consideration of submissions	August 2013
Timeframe for the consideration of a proposal post exhibition	September 2013
Date of submission to the department to finalise the Local Environmental Plan	October 2013

APPENDIX A

Review of Aims of exhibited Draft Leichhardt Local Environmental Plan (LEP) 2012

#	Submitter	Summary of Issue	Response	Recommendation/Action
4	Land and Housing Corporation (Joint submission with Housing NSW)	Aims of Plan - general support aims however requests that (j) be expanded to include adequate supply of housing Amend Objective (j) to ensure an adequate supply of land and housing to facilitate a. employment and economic opportunities, and b. the provision of goods and services which meet the needs of the local and sub-regional population	Agreed.	Amend Clause 1.2 (h) to include reference to housing.
15	Office of Water - Department of Primary Industries	1.2 Aims of Plan – Include specific aim to protect waterways, riparian land and groundwater in the LGA. Consider inclusion of the following objectives as per gazetted Kiama LEP 2011 - to maintain, protect and improve the natural environment including native vegetation, endangered ecological communities, natural habitat corridors, riparian land, groundwater dependent ecosystems and wetlands for their biodiversity values - to conserve and protect the area's water resources, groundwater, waterways, and water quality for their biodiversity, ecological, health and recreational values	Leichhardt catchment is highly urbanised. It should also be noted that the 3 watercourses are for most of their length concrete lined channels. Land along the foreshore is subject to the provisions of SREP Sydney Harbour Catchment 2005. SREP 2005 (g) to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity	Clause 1.2 – include additional objective address protection of waterways, biodiversity.

#	Submitter	Summary of Issue	Response	Recommendation/Action
			Council notes that under the Draft LEP the following measures afford some protection to waterways, riparian land and groundwater in the LGA: Clauses 5.7 Works below the Mean High Water Mark 6.1 Acid Sulphate Soils 6.10 Foreshore Building Line 6.12 Stormwater Management Zoning of much of the riparian land for recreation use Council agrees that an additional objective be included to address protection of waterways, biodiversity etc.	
46	Christina Ritchie - Addresses concerns raised by members of the Precinct, Balmain Association and Heritage Advisory Committee	Ref: 1.2 (b) add the following: “in particular, protect the amenity of residents with respect to noise, lighting, overshadowing and pollution impacts” Ref: 1.2 (h) add the words “and suitable housing for the elderly “after the words ‘affordable housing’. – Ref: 1.2 (j) add the following as points c. and d.: “the provision of additional open space for passive and active recreation in the vicinity of significant additional numbers of residents as a result of a development or redevelopment” - include reference “the provision of walkways and cycleways, particularly along the waterfront”	1.2 (b) Refer to inclusion of objective (m) interface objective. 1.2 (h) include reference to seniors housing or adaptable housing (h) to promote accessible and diverse housing types including the provision and retention of housing for seniors or people with a disability and affordable housing - Ref: 1.2 (j) include reference to foreshore access - Draft LEP includes 6.9 Foreshore access however given the changes to the EP&A Act council considers it appropriate to include additional objective relating to	1.2 (b) Retain controls as exhibited. - Amend Clause 1.2 (h) to include reference to seniors or adaptable housing. - Clause 1.2 – include additional objective re foreshore access.

#	Submitter	Summary of Issue	Response	Recommendation/Action
			foreshore access.	
248	Marrickville	Biodiversity Protection Notes that the Draft LEP does not include any information about the design, size, location and capability of habitat corridor links. Ecological protection areas provide an opportunity to provide habitat for local flora and fauna species if appropriately designed and integrated into a network. Recommends that ecological areas be defined and biodiversity areas be included in the LEP. Contacted Leichhardt Council staff clarified that a clause would be implemented into Part 1.2. Aims of the Plan with further assessment to be carried out in the DDCP 2012. Marrickville Council supports this position.	Council has identified that General Objectives relating to the protection and conservation of biodiversity of LEP 2000 have not been translated into the Draft LEP.	Amend aims accordingly.
266 & 267	Pikes & Verekers /Leichhardt Council	The aims and objectives of the Draft Leichhardt LEP 2012 have been reviewed in an effort to: • Improve the aims and objectives of the exhibited <i>Draft Leichhardt LEP 2012</i> in light of changes made to the <i>Environmental Planning and Assessment Act 1979</i>; and • Better link the Local Environmental Plan – including Zone Objectives with the provisions of the new Development Control Plan. Pikes have advised: • Not sufficient to have objectives within development standards as development applications are assessed	Include objectives relating to: • Clause 13 (2) General Objectives (h) relating to the protection and conservation of biodiversity • Clause 13 (3) General Objectives (e) Improve road safety for all users particularly pedestrians and cyclists. Incorporated into objective (j). • Clause 15 (a) & (C) - Heritage • Landscaped Area	Amend aims accordingly.

#	Submitter	Summary of Issue	Response	Recommendation/Action
		against the objectives of the zone and need to link to uses permissible within the zone; and • Changes would of necessity require re-exhibition.	• Management of the interface between land uses • Desired future character • Centres • Private Views • Bushland areas • Amenity • Process and community engagement • Community and cultural development and social inclusion • Health and wellbeing • Walkable neighbourhoods • Crime Prevention Through Design • Contamination (environmental constraints) • Water and Energy Consumption, Protection of stormwater	

APPENDIX B

Review of Zone Objectives of exhibited Draft Leichhardt Local Environmental Plan (LEP) 2012

#	Submitter	Summary of Issue	Response	Recommendation/Action
Zone R1 General Residential – Objectives				
266 & 267	Pikes and Verekers/ Leichhardt Council	The aims and objectives of the Draft Leichhardt LEP 2012 have been reviewed in an effort to: - Improve the aims and objectives of the exhibited <i>Draft Leichhardt LEP 2012</i> in light of changes made to the <i>Environmental Planning and Assessment Act 1979</i>; and - Better link the Local Environmental Plan – including Zone Objectives with the provisions of the new Development Control Plan.	- Include additional objective relating to landscaped area (link to Clause 4.3A Draft LEP 2012) and subdivision (link to Clause 4.1 & 4.1AA Draft LEP 2012) in Zone R1 General Residential. - Include additional objective relating to business uses and amenity – (link to Clause 6.4 Use of non-residential buildings in R1 Zone)	Amend objectives accordingly.
Zone B1 Neighbourhood Centre				
266 & 267	Pikes and Verekers/ Leichhardt Council	As above.	- Delete exhibited additional local objective as this is not a translation of LEP 2000 the Draft LEP 2012 is more restrictive. - Include objectives relating to residential development and amenity.	Amend objectives accordingly.
Zone B2 Local Centre				
266 & 267	Pikes and Verekers/	As above.	Delete exhibited additional local objective as this is not a translation	Amend objectives accordingly.

#	Submitter	Summary of Issue	Response	Recommendation/Action
	Leichhardt Council		of LEP 2000 the Draft LEP 2012 is more restrictive. • Include objectives relating to residential development, protecting employment uses/business vitality, supporting local centres, amenity and integration of uses to maximise public transport and encourage walking and cycling.	
Zone RE1 Public Recreation				
267&268	Pikes and Verekers/ Leichhardt Council	As above.	• Include additional local objectives foreshore access and public art.	Amend objectives accordingly.
268	Leichhardt Council – Internal	Investigate whether provisions relating to bushland areas should be included in LEP. May require inclusion of Clause relating to Biodiversity or amendments to objectives Zone RE1.	Include objective relating to the protection of bushland areas.	Amend objectives accordingly.
15	Office of Water - Department of Primary Industries	Office of Water notes that land zoning map indicates sections of riparian land will be zoned Zone RE1 Public Recreation. Suggests that a specific objective be included under this zone to protect and enhance waterways and riparian land.	Agreed.	Amend objectives accordingly.
235	Bike Sydney	Objectives of Zone RE1 should encourage public access to Foreshores. It is noted while Part 6.9 of the draft LEP addresses development in foreshore areas, the objectives expressed in the definition of Zone RE1 should also include an explicit reference to “maximising public access to the foreshore”.	Agreed.	Amend objectives accordingly.