

Table 1: The proposed changes to Clause 4.3A Landscaped areas for residential accommodation in Zone R1

Leichhardt Local Environmental Plan 2000	Leichhardt Local Environmental Plan 2013	Proposed Change
Clause 19 General provisions for the development of land (3) Except where the development is carried out in accordance with clause 23 (1): (a) the minimum landscaped area for residential development is 40% of the site area, and (b) 25% of the landscaped area required under paragraph (a): (i) is to be on natural or unpaved ground that is not overhung by or on top of any structure, and (ii) is to be permeable, and (iii) is to be appropriate for substantial deep planting. Schedule 3 Glossary Landscaped area means the part of a site area at ground level: (a) not occupied by any building above or below ground, and (b) not overhung by part of a building with a clearance of less than 2.4 metres, and used for recreation, lawns, gardens and substantial planting. It does not include balconies, driveways and parking areas, but includes decks where they have a direct connection to ground level and are no higher than 500mm above ground level. Clause 17 Objectives The objectives of the Plan in relation to housing are as follows: (a) to provide development standards to ensure that the density and landscaped areas of new housing are complimentary to and compatible with the style, orientation and pattern of surrounding buildings, works and landscaping and to take into account the suite of controls in Leichhardt Development Control Plan 2000 to achieve the desired future character, (b) to provide landscaped areas that are suitable for substantial tree planting and of a size and location suitable for the use and enjoyment of residents,	Clause 4.3A Landscaped areas for residential accommodation in Zone R1 (1) The objectives of this clause are as follows: (a) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents, (b) to maintain and encourage a landscaped corridor between adjoining properties, (c) to ensure that development promotes the desired future character of the neighbourhood, (d) to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water, (e) to control site density, (f) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space. (2) This clause applies to development for the purpose of residential accommodation on land in Zone R1 General Residential. (3) Development consent must not be granted to development to which this clause applies unless: (a) the development includes landscaped area that is at least 1 metre wide and comprises at least 10% of the site area, and (b) the site coverage does not exceed 60% of the site area.	Clause 4.3A Landscaped areas for residential accommodation in Zone R1 (1) The objectives of this clause are as follows: (a) to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents, (b) to maintain and encourage a landscaped corridor between adjoining properties, (c) to ensure that development promotes the desired future character of the neighbourhood, (d) to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water, (e) to control site density, (f) to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space. (2) This clause applies to development for the purpose of residential accommodation on land in Zone R1 General Residential. (3) Development consent must not be granted to development to which this clause applies unless: (a) the development includes landscaped area that is at least 1 metre wide and comprises at least 10% of the site area, the development includes landscaped area that comprises: (i) at least 15 % of the site area – in the case of lots of not more than 235 square metres in area, or (ii) at least 20% of the site area – in the case of lots or more than 235 square metres in area, and (b) the site coverage does not exceed 60% of the site area. (4) for the purposes of subclause (3): (a) subject to this subclause the site area is to be calculated in accordance with clause 4.5, (b) any area that has a length or width of less than 1 metre is not to be included in calculating the portion of the landscaped area, (c) any area greater than 500mm above ground level (existing) is not to be included in calculating the portion of the landscaped area, and (d) a deck or balcony and the like (whether enclosed or unenclosed) is excluded from the calculation of site coverage if: (i) the finished floor level is 500mm or less above ground level (existing) or (ii) is a minimum of 2.4 metres above ground level (existing) (measured from the underside of the structure), with the space below able to be used separately for recreational and/or landscape purposes.