

ATTACHMENT A

**PLANNING PROPOSAL: SYDNEY LOCAL
ENVIRONMENTAL PLAN 2012 – MINOR
POLICY AND HOUSEKEEPING
AMENDMENT – MAY 2017**

Planning Proposal

Sydney Local Environment Plan 2012 – Minor
policy and housekeeping amendment – May 2017

Contents

List of Tables	ii
Planning Proposal: Sydney Local Environmental Plan 2012 Minor policy and housekeeping amendment – May 2017	1
Introduction	1
Background	2
Part 1 Objectives or intended outcomes.....	2
Part 2 Explanation of provisions	2
Part 3 Justification.....	4
Section A – need for the planning proposal	4
Section B – relationship to strategic planning framework.....	4
Section C – environmental, social and economic impact	13
Section D – State and Commonwealth interests	14
Part 4 Mapping.....	15
Part 5 Community consultation	16
Part 6 Project timeline	17
Appendix A: Proposed amendments to Sydney LEP 2012.....	18

List of Tables

Table 1 List of proposed amendments	2
Table 2 Consistency with <i>Sustainable Sydney 2030</i>	6
Table 3 Consistency with State Environmental Planning Policies (SEPPs) and applicable deemed Regional Environmental Plans (REPs)	7
Table 4 Consistency with relevant Section 117 Directions	10
Table 5 Anticipated timeframes	17

Planning Proposal: Sydney Local Environmental Plan 2012 Minor policy and housekeeping amendment – May 2017

Introduction

The *Planning Proposal: Sydney Local Environmental Plan 2012 – Minor policy and housekeeping amendment – May 2017* (the planning proposal) explains the intent of, and justification for, the proposed amendments to *Sydney Local Environmental Plan 2012* (Sydney LEP 2012).

The planning proposal is to implement minor policy and housekeeping amendments to Sydney LEP 2012 that:

- align future development and the objectives of the City's *Sustainable Sydney 2030*
- improve the operation and accuracy of Sydney LEP 2012 by removing barriers, distributing total floor space after subdivision of lots, correcting descriptions and updating details.

This planning proposal amends Sydney LEP 2012 to:

- allow the repainting of building elements which are already painted, on a building not listed as a heritage item, within heritage conservation areas without development consent (amendment number 1)
- formalise the floor space allocation for the development parcels to be created with subdivision of 94-104 Epsom Road and 132-140 Joynton Avenue, Zetland (amendment number 2)
- formalise the floor space allocation for the development parcels and reservation for the Green Square to Ashmore Connector to be created with subdivision of 330-338 Botany Road and 20 O'Riordan Street, Alexandria (amendment number 3)
- clarify the land affected by *Schedule 1 (1AA) Additional permitted uses* (amendment number 4)
- clarify permissible uses identified in *clause 7.13A Affordable housing in Zone B7* (amendment number 5)
- update *Schedule 5 Environmental heritage* to reflect the significance and amend the name details of five heritage items listed and ensure they are accurately described (amendment numbers 6 to 10).

A detailed explanation, justification and drafting instruction for each amendment is in Appendix A.

The proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and the relevant Department of Planning and Environment guidelines, including *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

Background

Sydney Local Environmental Plan 2012 (Sydney LEP 2012) came into effect on 14 December 2012. Sydney LEP 2012 is the consolidation of the previous planning controls into one local environmental plan. It is also a translation of those controls into the NSW Government's *Standard Instrument Principal Local Environmental Plan*.

The City continuously reviews Sydney LEP 2012 to ensure it aligns with *Sustainable Sydney 2030* and delivers positive outcomes to the City of Sydney community. Objective 9.4 of *Sustainable Sydney 2030* specifically recognises the City's planning framework and its implementation towards ensuring long term growth.

Since Sydney LEP 2012 has been in force, the City has identified several housekeeping amendments needed to improve the operation and accuracy of the plan. A minor policy amendment is also proposed to improve the efficiency of how environmental heritage controls operate.

Part 1 Objectives or intended outcomes

The objectives of this planning proposal are to:

1. facilitate development that aligns with the objectives of *Sustainable Sydney 2030*
2. facilitate the redevelopment of Council-owned lands surplus to the delivery of Gunyama Park and Aquatic and Recreation Centre in Zetland and the Green Square to Ashmore Connector in Alexandria
3. improve the clarity and useability of Sydney LEP 2012
4. reflect the significance of heritage items and ensure they are accurately described.

Part 2 Explanation of provisions

To achieve the intended outcomes, this planning proposal seeks to amend planning controls in *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) as shown in Table 1. Appendix A provides further details of each item including the justification and drafting instructions.

Table 1 List of proposed amendments

Amendment number	Item name	Description
1	Repainting of building elements in heritage conservation areas	Introduce a new clause at <i>Schedule 2 Exempt development</i> to reduce the barriers to the repainting of building elements of non-heritage items within heritage conservation areas.
2	Redistribution of allocated floor space – 94-104 Epsom Road and 132-140 Joynton Avenue, Zetland	Amend the Floor Space Ratio Map to reflect the subdivision of the sites to create a development parcel and Gunyama Park

Amendment number	Item name	Description
3	Redistribution of allocated floor space – 330-338 Botany Road and 20 O’Riordan Street, Alexandria	Amend the Floor Space Ratio Map to reflect the subdivision of the sites to create two development parcels and the reservation for the Green Square to Ashmore Connector
4	Use of certain land at Birmingham Street and Botany Road, Alexandria	Amend <i>Schedule 1 (1AA) Use of certain land at Birmingham Street and Botany Road, Alexandria</i> to provide an accurate description of the affected lands.
5	Affordable housing in Zone B7	Introduce further text at clause 7.13A <i>Affordable housing in Zone B7</i> to clarify the provisions of Schedule 1 prevail over the more restrictive provisions of clause 7.13A.
6	106-112 Burton Street, Darlinghurst	Amend <i>Schedule 5 Environmental heritage</i> to correct the item name details to reflect the significance of the buildings at 106-112 Burton Street, Darlinghurst.
7	181 Lawson Street, Darlington	Amend <i>Schedule 5 Environmental heritage</i> to correct the item name details to reflect the significance of the building at 181 Lawson Street, Darlington.
8	39-43 Chelsea Street, Redfern	Amend <i>Schedule 5 Environmental heritage</i> to correct the item name details to reflect the significance of the building at 39-43 Chelsea Street, Redfern.
9	121 Macquarie Street, Sydney	Amend <i>Schedule 5 Environmental heritage</i> to correct the item name details to reflect the significance of the building at 121 Macquarie Street, Sydney.
10	4 Phillip Street, Sydney	Amend <i>Schedule 5 Environmental heritage</i> to correct the item name details to reflect the significance of the building at 4 Phillip Street, Sydney.

Part 3 Justification

This section of the planning proposal provides the rationale for the amendment and responds to questions set out in the document entitled *A guide to preparing planning proposals*, published by the Department of Planning and Infrastructure in August 2016.

Section A – need for the planning proposal

A detailed justification of each amendment including relevant background information is included in Appendix A.

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

No. The proposed amendments are the result of ongoing monitoring and review of the land use and planning controls. The proposed amendments relate to minor policy and housekeeping only.

The amendments will improve the operation of the controls to ensure the intended planning outcomes can be achieved and increase certainty for proponents, the community and Council.

The proposed amendments will improve the clarity and useability of Sydney LEP 2012 by providing consistent and updated planning controls, improving certainty, correcting identified errors and anomalies.

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

Yes. The planning proposal is the best means of achieving the objectives and intended outcomes in Part 1.

The planning proposal will make the implementation of Sydney LEP 2012 more efficient and effective. There is no other means of achieving the objective or intended outcomes, as they are specifically related to provisions in the LEP.

Section B – relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

A Plan for Growing Sydney

A Plan for Growing Sydney (Plan) is the NSW Government's overarching strategic plan for growth and change in Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million by 2034, 689,000 new jobs by 2031 and a requirement for 664,000 new homes.

In responding to these and other challenges, the Plan sets out four goals:

1. a competitive economy with world-class services and transport
2. a city of housing choice and homes that meet our needs and lifestyles
3. a great place to live with communities that are strong, healthy and well connected
4. a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land resources.

To achieve these goals, the Plan proposes 22 directions and associated actions. Actions of particular relevance to this planning proposal include:

- Direction 1.11: Deliver infrastructure
- Action 2.1.1: Accelerate housing supply and local housing choices
- Action 2.3.3: Deliver more opportunities for affordable housing.

This planning proposal is consistent with the relevant goals, directions and actions of the Plan. Specifically, it will facilitate the redevelopment of Council-owned sites to increase housing supply, including affordable housing, and to deliver key infrastructure to support growth in the Green Square renewal area.

Draft Central District Plan

In November 2016 the Greater Sydney Commission (GSC) released for public exhibition the draft District Plans for the Greater Sydney Metropolitan Region. The District Plans set out how *A Plan for Growing Sydney* applies to local areas.

The City of Sydney is in the Central District. The draft *Central District Plan* includes 20 year targets for housing and jobs, specifically:

- a short-term (five years) housing target of 46,550 new dwellings in the Central District, with 18,300 dwellings to be delivered in the City of Sydney local area
- a 2036 target for 157,500 dwellings in the Central District
- a 2036 baseline target for 497,000 jobs in Central Sydney, 75,000 in Green Square – Mascot strategic centres and a 'higher target' of 732,000 and 80,000 respectively.

The draft *Central District Plan* sets priorities and actions for 'Productivity', 'Liveability' and 'Sustainability' which will directly inform the planning, growth and development of Sydney over the next twenty years. Actions, sub-actions and priorities of particular relevance to this planning proposal include:

- Productivity Priority 1: Creating opportunities for the growth of commercial floor space
- Liveability Priority 1: Deliver Central District's five-year housing targets
- Liveability Priority 2: Deliver housing diversity
- Liveability Priority 5: Facilitate the delivery of safe and healthy places
- Liveability Action 3: Councils to increase housing capacity across the District
- Liveability Action 4: Encourage housing diversity
- Liveability Action 13: Conserve and enhance environmental heritage including Aboriginal, European and natural.

This planning proposal is consistent with the relevant actions, sub-actions and priorities of the draft *Central District Plan*. Specifically, it will:

- facilitate redevelopment of Council-owned sites to include commercial and retail premises, resulting in the creation of new jobs
- encourage the supply of new and diverse residential accommodation
- provide more affordable housing
- promote the urban renewal of sites which are accessible by public transport
- ensure the continued conservation of heritage items by providing an accurate description of their significance.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Sustainable Sydney 2030

The City's *Sustainable Sydney 2030 Strategic Plan (Sustainable Sydney 2030)* is the vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with key directions of *Sustainable Sydney 2030* as demonstrated in Table 2.

Table 2 Consistency with *Sustainable Sydney 2030*

Direction	Comment
Direction 3 – Integrated transport for a connected city	Amendment 2 and 3 are relevant to this Direction. The sites identified in these two amendments in the planning proposal are situated in proximity to Green Square train station. Development facilitated by Amendment 2 and Amendment 3 will have easy and frequent bus and train connections to surrounding suburbs. Amendment 3 will facilitate the development of the Green Square to Ashmore Connector. This new road is being delivered by the City to improve road and transport access to the Green Square town centre.
Direction 4 – A city for pedestrians and cyclists	Amendment 2 of the planning proposal will facilitate the redevelopment of a large area of land for recreational uses. The subdivided park portion of 94-104 Epsom Road is to be added to 132-140 Joynton Avenue, the site of Gunyama Park Aquatic and Recreation Centre. See Appendix, Amendment 2 for a full discussion.
Direction 6 – Vibrant local communities and economies	Amendment 2 and 3 are relevant to this Direction. Amendment 2 and Amendment 3 will facilitate the redevelopment of a large area of land for retail and residential uses.

Direction	Comment
	The commercial floor space at the podium level along Epsom Road (Amendment 2) and the Green Square to Ashmore Connector (Amendment 3) will allow retail tenancies which will activate the site and generate economic activity.
Direction 8 – Housing for a diverse population	Amendment 3 of this planning proposal will facilitate the provision affordable housing in the Green Square Urban Renewal Area.
Direction 9 – Sustainable development, renewal and design	The planning proposal is the result of regular monitoring and review of land use and planning controls to ensure sustainable long-term growth.
Direction 10 – Implementation through effective governance and partnerships	The planning proposal is part of regular monitoring and review of land use and planning controls to ensure they are effective, accurate and clear. The draft controls will allow for a more user friendly document for the community, proponents and Council.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The consistency of this planning proposal with current State Environmental Planning Policies (SEPPs) and former Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan Regions, which are deemed to have the weight of SEPPs, is outlined in Table 3.

Repealed SEPPs or REPs, or those that were not finalised are not included in Table 3.

Table 3 Consistency with State Environmental Planning Policies (SEPPs) and applicable deemed Regional Environmental Plans (REPs)

Policies	Comment
SEPP 1 – Development Standards	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP 14 – Coastal Wetlands	Not applicable
SEPP 19 – Bushland in Urban Areas	Not applicable
SEPP 21 – Caravan Parks	Not applicable
SEPP 26 – Littoral Rainforests	Not applicable

Policies	Comment
SEPP 30 – Intensive Agriculture	Not applicable
SEPP 33 – Hazardous and Offensive Development	Not applicable
SEPP 36 – Manufactured Home Estates	Not applicable
SEPP 44 – Koala Habitat Protection	Not applicable
SEPP 47 – Moore Park Showground	Not applicable
SEPP 50 – Canal Estate Development	Not applicable
SEPP 52 – Farm Dams and other works in Land and Water Management Plan Areas	Not applicable
SEPP 55 – Remediation of Land	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP 62 – Sustainable Aquaculture	Not applicable
SEPP 64 – Advertising and Signage	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP 65 – Design Quality of Residential Flat Development	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP 70 – Affordable Housing (Revised Schemes)	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP. The Green Square Affordable Housing Scheme applies to two of the sites in this planning proposal under Sydney LEP 2012. The Employment Lands Affordable Housing Scheme applies to sites affected by Clause 7.13A and Schedule 1 (1AA) under Sydney LEP 2012.
SEPP 71 – Coastal Protection	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP Exempt and Complying Development	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.

Policies	Comment
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Infrastructure) 2007	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Integration and Repeals) 2016	Not applicable
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
SEPP (Miscellaneous consent provisions) 2007	Not applicable
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (State and Regional Development) 2011	Not applicable
SEPP (State Significant Precincts) 2005	Consistent – this planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable
Sydney REP No 5 – (Chatswood Town Centre)	Not applicable
Sydney REP No 8 (Central Coast Plateau Areas)	Not applicable
Sydney REP No 9 – Extractive Industry (No 2—1995)	Not applicable

Policies	Comment
Sydney REP No 11 – Penrith Lakes Scheme	Not applicable
Sydney REP No 13 – Mulgoa Valley	Not applicable
Sydney REP No 16 – Walsh Bay	Not applicable
Sydney REP No 17 – Kurnell Peninsula (1989)	Not applicable
Sydney REP No 20 – Hawkesbury – Nepean River (No 2 - 1997)	Not applicable
Sydney REP No 24 – Homebush Bay Area	Not applicable
Sydney REP No 25 – Orchard Hills	Not applicable
Sydney REP No 26 – City West	Not applicable
Sydney REP No 28 – Parramatta	Not applicable
Sydney REP No 29 – Rhodes Peninsula	Not applicable
Sydney REP No 30 – St Marys	Not applicable
Sydney REP No 33 – Cooks Cove	Not applicable
Sydney REP (Sydney Harbour Catchment) 2005	Not applicable
Drinking Water Catchments REP No 1	Not applicable
Greater Metropolitan REP No 2 – Georges River Catchment	Not applicable

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

This planning proposal has been assessed against each Section 117 Direction. Consistency with these Directions is shown in Table 4.

Table 4 Consistency with relevant Section 117 Directions

Direction	Comment
Employment and Resources	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable

Direction		Comment
1.5	Rural Lands	Not applicable
Environment and Heritage		
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Partly consistent. The amendments in this planning proposal to update the description of heritage items will provide for the conservation of their significance. The amendment in relation to exempting the repainting of non-heritage listed buildings in conservation areas will allow for changes to the building exterior finish or appearance without development consent or written approval by Council. The proposal is justified in that the amendment will improve the planning system by reducing the number of minor works notifications or development applications and associated delays for property owners for repainting in conservation areas. The exemption is subject to certain criteria to prevent irreversible impacts to the building fabric.
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Consistent – this planning proposal will facilitate the delivery of new dwellings on the sites in the Green Square area, increasing the amount and variety of housing in the City of Sydney local area.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent – this planning proposal is consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001).

Direction		Comment
3.5	Development Near Licensed Aerodromes	Not applicable – the sites affected by the amendments are not in an Australian Noise Exposure Forecast (ANEF) contour zone.
3.6	Shooting Ranges	Not applicable
Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent – this planning proposal does not contradict or hinder application of acid sulfate soils provisions in Sydney LEP 2012. The lands affected by the amendments are on Class 2, Class 3 and Class 5 Acid Sulfate Soil.
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Consistent – this planning proposal does not contradict or hinder application of flood prone land provisions in Sydney LEP 2012.
4.4	Planning for Bushfire Protection	Not applicable
Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport: Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Consistent – this planning proposal is consistent with the draft <i>Central District Plan</i> .
Local Plan Making		
6.1	Approval and Referral Requirements	Consistent – this planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	Consistent – this planning proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions	Consistent – this planning proposal does not contradict or hinder the application of this direction.

Direction		Comment
Metropolitan Planning		
7.1	Implementation of <i>A Plan for Growing Sydney</i>	Consistent – this planning proposal is consistent with <i>A Plan for Growing Sydney</i> . Refer to Section B, Q3.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable

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 planning proposal will not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The proposed amendment to exempt repainting of buildings, not heritage items, in conservation areas may affect the visual appearance of an area. However, in addition to the justification provided in Appendix A, Amendment 1, any potential, future visual impacts resulting from the exemption are considered to be of a temporary nature. The proposed exemption identifies certain criteria to be satisfied to prevent irreversible impacts to the building fabric.

The proposed changes to Floor Space Ratios for the Council-owned sites in Zetland and Alexandria will not result in higher buildings or higher development intensity.

Q9. Has the planning proposal adequately addressed any social and economic effects?

One of the proposed amendments is to reflect the significance of various heritage items and ensure they are accurately described. This assists the conservation of items that have cultural significance to the local community.

The amendment to the *Schedule 2 Exempt development* removes the need for development consent to repaint a building in a conservation area, excluding buildings listed as heritage items. Development consent is currently required as a change to the building exterior finish or appearance under the heritage provisions of Sydney LEP 2012. The amendment will reduce the number of exemption notifications or development applications and associated delays for property owners for repainting in a conservation area. It will remove the need for Council to assess proposed colour schemes for buildings in conservation areas, which are not listed as heritage items. New colour schemes for heritage items will still require Council's heritage impact assessment through a development application or 'heritage works without consent' notification.

Section D – State and Commonwealth interests

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

Yes. The proposed amendments do not affect the need for infrastructure.

The proposed changes to Floor Space Ratios for the Council-owned sites in Zetland and Alexandria will not result in increased development intensity. The amendments affecting these sites will facilitate the delivery of community infrastructure including Gunyama Park and Aquatic and Recreation Centre, the Green Square to Ashmore Connector and the Green Square to Alexandra Canal trunk drain.

The development parcels created with the subdivision of the sites, which are the subject of this planning proposal, are well serviced by public transport infrastructure, being within walking distance of Green Square train station and close to bus services. These services connect the sites with surrounding areas and offer alternatives to travel by modes other than the car.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway determination will advise the list of public authorities to be consulted as part of the planning proposal process and any views will be included in this planning proposal following consultation. It is requested that public authority consultation be undertaken concurrently with community consultation.

Part 4 Mapping

All draft maps accompanying this planning proposal are included with the relevant amendment item in Appendix A. In summary, they relate to:

- amend Floor Space Ratio Map, Sheet FSR_018, to align with the subdivision of the sites at 94-104 Epsom Road and 132-140 Joynton Avenue, Zetland
- amend Floor Space Ratio Map, Sheets FSR_011 and FSR_018, to align with the subdivision of the sites at 330-338 Botany Road and 20 O’Riordan Street, Alexandria.

Part 5 Community consultation

Public consultation will take place in accordance with the Gateway Determination issued by the Greater Sydney Commission, in accordance with Sections 56 and 57 of the *Environmental Planning and Assessment Act 1979*.

It is proposed that, at a minimum, this will involve the notification of the public exhibition of the planning proposal:

- on the City of Sydney website
- at the following Council locations:
 - Town Hall House, 456 Kent Street, Sydney
 - Glebe, 186 Glebe Point Road corner Wigram Road, Glebe
 - Green Square, 100 Joynton Avenue, Zetland
 - Kings Cross, 50-52 Darlinghurst Road, Kings Cross
 - Redfern, 158 Redfern Street, Redfern
- in newspapers that circulate widely in the City of Sydney local area
- in writing to the owners of the affected land.

It is requested that the planning proposal be publicly exhibited for a period of not less than 28 days in accordance with section 5.5.2 of 'A guide to preparing local environmental plans'.

Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway Determination.

Part 6 Project timeline

The following project timeline will assist with tracking the progress of the planning proposal through its various stages of consultation and approval. It is estimated that this amendment to *Sydney Local Environmental Plan 2012* will be completed by March 2018.

Table 5 Anticipated timeframes

Stage	Anticipated timeframe
Submit planning proposal to Greater Sydney Commission seeking a Gateway Determination	May 2017
Receive Gateway Determination	June 2017
Public exhibition and public authority consultation of planning proposal	July to August 2017
Review of submissions received during public exhibition and public authority consultation	September 2017
Council and Central Sydney Planning Committee approval of planning proposal	November 2017
Drafting of instrument and finalisation of mapping	December 2017 to January 2018
Amendment to <i>Sydney Local Environmental Plan 2012</i> legally drafted and made	February 2018



Appendix A: Proposed amendments to Sydney LEP 2012

AMENDMENT 1 – REPAINTING OF BUILDINGS IN CONSERVATION AREAS	
Objectives/ intended outcomes	To enable change of paint colours for buildings in conservation areas, excluding heritage items, without Council consent.
Site identification	Heritage conservation areas across whole government area
Explanation	The proposed outcome will be achieved by introducing ‘repainting of buildings in conservation areas’ as exempt works in <i>Schedule 2 Exempt development</i> where the repainting must: a) not be identified as a heritage item in <i>Schedule 5 Environmental heritage</i> b) not include advertising signs c) not include street art d) not repaint surfaces unintended for painting such as stone, face brick or external wall tiles e) not disturb or remove earlier paint layers other than that which has failed by chalking, flaking peeling or blistering f) employ a paint type with a vapour-permeable finish that does not seal in moisture or cause deterioration of the original fabric g) employ a paint type that can be readily removed without damaging the original fabric or earlier paint layers Note: street art means inscriptions, words, figures or word designs that are marked, scratched, drawn sprayed, painted, pasted, applied or otherwise affixed to a surface of an asset including murals and graffiti but does not include advertisement, advertising structure or signage
Justification	The proposal to exempt repainting, including new colour schemes, in conservation areas will remove the need for Council consent or written approval, which is currently required as a change to the building exterior finish or appearance under the standard heritage provisions of <i>Sydney Local Environmental Plan 2012</i>. This will reduce the number of minor works notifications or development applications and associated delays for property owners for repainting in a conservation area. It will also remove Council’s assessment of the heritage impact of proposed colour schemes and its discretion to approve or refuse colour schemes for buildings in conservation areas, not listed as heritage items. New colour schemes for heritage items will still require Council’s heritage impact assessment through a development application or ‘heritage works without consent’ notification. To prevent irreversible physical impacts on building fabric, limitations are specified in the proposed exemption to prevent repainting of face brick or stone walls or other surfaced unintended for painting, paint types that exacerbate rising damp damage or repainting that removes or damages earlier paint layers. These limitations to prevent physical damage are modelled on the Heritage Council’s exemption for painting of state-listed buildings. The purpose of this exemption is to cover building maintenance and repainting. The City’s proposed exemption for street art will not exempt street art in conservation areas and describes street art. Graffiti is painting or street art without owner’s consent. In the same manner as the proposed street art exemption, it is proposed

AMENDMENT 1 – REPAINTING OF BUILDINGS IN CONSERVATION AREAS

	to prevent use of this exemption for advertising, such as through painting of buildings in painted signage or street art. These will still require Council's assessment for approval or exemption in conservation areas.
Drafting instructions	Insert new clause at the end of <i>Schedule 2 Exempt development</i> the following: Repainting of buildings in conservation areas (1) Must be identified as a heritage item in <i>Schedule 5 Environmental heritage</i>. (2) Must not include advertising signs. (3) Must not include street art. (4) Must not repaint surfaces unintended for painting such as stone, face brick or external wall tiles. (5) Must not disturb or remove earlier paint layers other than that which has failed by chalking, flaking peeling or blistering. (6) Must employ a paint type with a vapour-permeable finish that does not seal in moisture or cause deterioration of the original fabric. (7) Must employ a paint type that can be readily removed without damaging the original fabric or earlier paint layers. Note: street art means inscriptions, words, figures or word designs that are marked, scratched, drawn sprayed, painted, pasted, applied or otherwise affixed to a surface of an asset including murals and graffiti but does not include advertisement, advertising structure or signage

AMENDMENT 2 – REDISTRIBUTION OF ALLOCATED FLOOR SPACE – 94-104 EPSOM ROAD AND 132-140 JOYNTON AVENUE, ZETLAND

Objectives/ intended outcomes

To formalise the floor space allocation for the development parcel and Gunyama Park portion to be created with subdivision and boundary adjustments of 94-104 Epsom Road and 132-140 Joynton Avenue, Zetland.

Site identification

The two subject sites are located in the southern part of the suburb of Zetland, within the Epsom Park precinct and east of the Green Square town centre (see Figure 1). Subject lots are:

- 94-104 Epsom Road, Zetland - Lot 101 DP 1200645
- 132-140 Joynton Avenue, Zetland - Lot 100 DP1200645 and Lot 2 DP 850686



Figure 1: Location of 94-104 Epsom Road and 132-140 Joynton Avenue, Zetland

Explanation

The proposed outcome will be achieved by amending the Floor Space Ratio Map to reflect the subdivision of the subject sites.

Justification

The City of Sydney owns the subject sites. 94-104 Epsom Road is 1.44 hectares in area and contains Council's Epsom Road Depot; 132-140 Joynton Avenue is 2.74 hectares and is the site of the planned Gunyama Park and Aquatic and Recreation Centre.

Under Sydney LEP 2012, both sites are zoned B4 Mixed Uses. Current FSR controls are:

- 94-104 Epsom Road – 1.25:1 plus 0.5:1 additional floor space incentive for the provision of Green Square 'community infrastructure' (Area 6)
- 132-140 Joynton Avenue – 0.6:1 plus 0.5:1 incentive for the provision of 'community infrastructure' (Area 6).

Current height controls under Sydney LEP 2012 reflect the City's detailed master planning of the precinct. They range from 45 metres on Epsom Road and 25 metres

AMENDMENT 2 – REDISTRIBUTION OF ALLOCATED FLOOR SPACE – 94-104 EPSOM ROAD AND 132-140 JOYNTON AVENUE, ZETLAND

on Joynton Avenue to three metres on the location of the planned public domain. The extract from Sydney DCP 2012 in Figure 2 shows indicative building envelopes permitted under the current controls.



Figure 2: Sydney DCP 2012 extract showing indicative building envelopes permitted under current controls (subject sites shown in blue boundaries)

The planning controls anticipate relocation of the Epsom Road Depot and redevelopment of the site for residential mixed use, consistent with the vision for the Epsom Park precinct – to be a new medium density neighbourhood taking advantage of good transport links and public facilities. The rear of the depot site is to form part of Gunyama Park.

The Epsom Road Depot is to be relocated to a new depot site in Alexandria to enable the major trunk drainage improvement works and Gunyama Park and Aquatic and Recreation Centre to be constructed. Once the depot is relocated, the land not required for this infrastructure is surplus to Council's operations and is intended for disposal.

The subdivision of the sites divides the depot site along the Gunyama Park boundary at the rear and reduces site area to 1.06 hectares (compared to the original 1.44 hectares). The subdivided park portion is added to 132-140 Joynton Avenue increasing this site's area to 3.13 hectares (compared to the original 2.74 hectares). Aligning with these new boundaries and to facilitate disposal of the depot site, the LEP amendment reallocates the total floor space derived from the current FSR permitted on the original depot lot. The amended Floor Space Ratios are:

- 94-104 Epsom Road – 1.75:1 (up from 1.25:1) plus 0.5:1 additional incentive for the provision of Green Square 'community infrastructure' (Area 6)

AMENDMENT 2 – REDISTRIBUTION OF ALLOCATED FLOOR SPACE – 94-104 EPSOM ROAD AND 132-140 JOYNTON AVENUE, ZETLAND

	132-140 Joynton Avenue – 0.35:1 (down from 0.6:1) with no incentive for the provision of ‘community infrastructure’. The higher FSR proposed on 94-104 Epsom Road results from the same total permitted floor space calculated over a smaller site area. No change in the current permitted total floor space or height of buildings is proposed. The lower FSR proposed on 132-140 Joynton Avenue reflects the community infrastructure purpose of this site and low total floor space needed for Gunyama Park and the Aquatic and Recreation Centre. The amendment is primarily an administrative remapping of FSRs. No increase is proposed to the total floor space achievable. No change is proposed to the height controls of buildings. The indicative building envelopes permitted under the current controls, shown in Figure 2, will not change as a result of this amendment.
Drafting instructions	Replace the current Floor Space Ratios shown for the subject sites in Floor Space Ratio Map - Sheet FSR_018 with the Floor Space Ratios as shown in Figure 3.

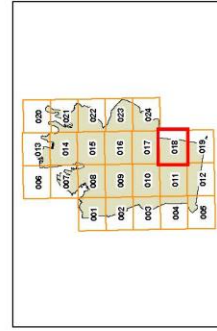
Floor Space Ratio Map -
Sheet FSR_018

Maximum Floor Space Ratio (n:1)

A.1	0.35	U.9	3.75
A.2	0.6	X.1	4
A.3	0.7	Y.2	4.5
A.4	0.8	Z.3	5
A.5	0.9	A.4	6
A.6	1	A.5	6.5
A.7	1.25	A.6	7
A.8	1.5	A.7	7.5
A.9	1.75	A.8	8
A.10	2	A.9	9
A.11	2.5	A.10	10
A.12	2.75	A.11	11
A.13	3	Refer to clause 6.14	
A.14	3.25	Refer to clause 6.4	
A.15	3.5	Refer to clause 6.15A	

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Cadastral 1904/2017 © City of Sydney



Scale 1:5,000 @A3

Projection: GDA 1984

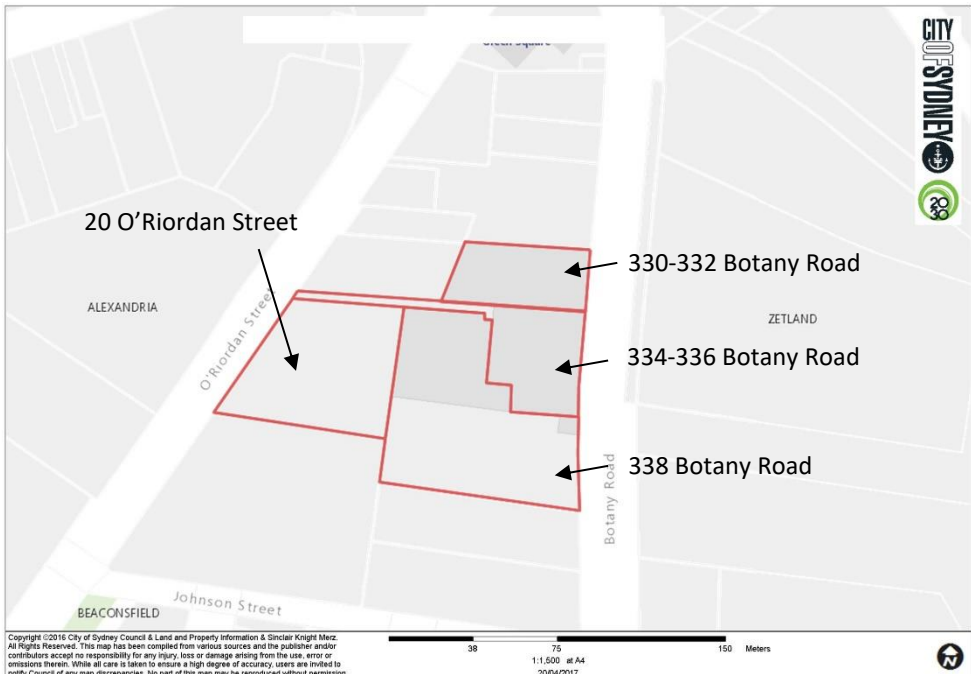
Zone 56

Map identification number: 2012-LEP-Map-018-005-20170418

RANDWICK LGA

Figure 3: Proposed Floor Space Ratio Map amendments

AMENDMENT 3 – REDISTRIBUTION OF ALLOCATED FLOOR SPACE – 330-338 BOTANY ROAD AND 20 O'RIORDAN STREET, ALEXANDRIA

Objectives/ intended outcomes	To formalise the floor space allocation for the two development parcels and the reservation for the Green Square to Ashmore Connector created with subdivision and boundary adjustments of 330-338 Botany Road and 20 O'Riordan Street, Alexandria.
Site identification	The subject sites are located in the suburb of Alexandria along the route of the new Green Square Connector Road, between Botany Road and O'Riordan Street, and immediately to the west of the Green Square town centre. See Figure 1. Subject lots are: • 330-332 Botany Road, Alexandria - Lot 5 and Lot 6 DP 16475 • 334-336 Botany Road, Alexandria - Lot 1 DP 739598 • 338 Botany Road, Alexandria - Lot 101 DP 569709 • 20 O'Riordan Street, Alexandria – Lot 7, Lot 9, Lot 10, Lot 11 and Lot 12 DP 214410  Figure 1: Location of 330-332 Botany Road, 334-336 Botany Road, 338 Botany Road and 20 O'Riordan Street, Alexandria
Explanation	The proposed outcome will be achieved by amending the Floor Space Ratio Map to reflect the subdivision of the subject sites.
Justification	The Green Square to Ashmore Connector is a proposed new road that runs east-west from Botany Road to Bourke Road connecting Geddes Avenue in the Green Square town centre with Bowden Street. The road is being delivered by the City to improve road and transport access to the town centre. It also has a critical drainage function with the main trunk drain under construction by the DG Alliance along its alignment. The current program for delivery of the road by the City is for completion by early 2020. To deliver this major piece of infrastructure, the City has been acquiring several sites along the route. The portions of these sites not needed for infrastructure are

AMENDMENT 3 – REDISTRIBUTION OF ALLOCATED FLOOR SPACE – 330-338 BOTANY ROAD AND 20 O’RIORDAN STREET, ALEXANDRIA

	surplus to Council’s operations. The sites are currently zoned B7 Business Park which permits affordable rental housing, but not private residential development. Other permitted uses include offices, business and serviced apartments. In August 2016, Council approved the City’s master plan for the development of approximately 310 affordable rental housing dwellings on the lands residual to the infrastructure for the section of the Green Square to Ashmore Connector between Botany Road and O’Riordan Street. Council approved the master plan to start market testing with community housing providers prior to offering the land for sale. The implementation of the master plan will consolidate the residue lands into three land parcels for development: a northern development lot of 6,683 square metres, a southern development lot of 2,252 square metres, and the Green Square to Ashmore Connector road reservation of 3,750 square metres. The City’s subdivision plan will create the three lots. Aligning with these new boundaries and to facilitate disposal of the residue lands, the LEP amendment reallocates the total floor space derived from the current FSR permitted on the original lots including the road reservation. Table 1 below shows the total floor space and FSR calculations. The following FSR changes are proposed: • Southern lot – part 338 Botany Road – 3:1 (up from 1.5:1) plus 1:1 incentive for the provision of Green Square ‘community infrastructure’ (Area 8). • Northern lot – part 338 Botany Road, 330-336 Botany Road and 20 O’Riordan Street – 2:1 (from 2:1 and 1.5:1) plus 1.5:1 incentive for the provision of ‘community infrastructure’ (Area 9). • Green Square to Ashmore Connector reservation – 0:1 FSR (down from 1.5:1) The combined total floor space that will be achievable on the northern and southern lots with the proposed FSRs, including the community infrastructure floor space, is 32,400 square metres. Under the current FSRs the total floor space potential for the combined lots is 35,550 square metres. The master plan approved by Council for the development of about 310 affordable dwellings produces a total floor space of 30,400 square metres. The proposed FSRs result in a slight reduction in the current floor space potential of the combined lots. However the proposed FSRs will still allow some floor space flexibility to account for alternative schemes and building mass to floor space efficiencies in the design. The proposed amendment is primarily an administrative remapping of FSRs. No increase is proposed to the total floor space achievable. No change is proposed to the height of buildings.
Drafting instructions	Replace the current Floor Space Ratios shown for the subject sites in Floor Space Ratio Map - Sheet FSR_011 and Sheet FSR_018 with the Floor Space Ratios as shown in Figure 2.

**Floor Space Ratio Map -
Sheet FSR_011**

Maximum Floor Space Ratio (m:1)

0.35	0.375
0.4	0.45
0.5	0.55
0.6	0.65
0.7	0.75
0.8	0.85
0.9	0.95
1.0	1.05
1.1	1.15
1.25	1.35
1.5	1.65
1.75	1.85
2.0	2.1
2.5	2.6
2.75	2.85
3.0	3.1
3.25	3.35
3.5	3.6

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Refer to clause 6.14

Refer to clause 6.4

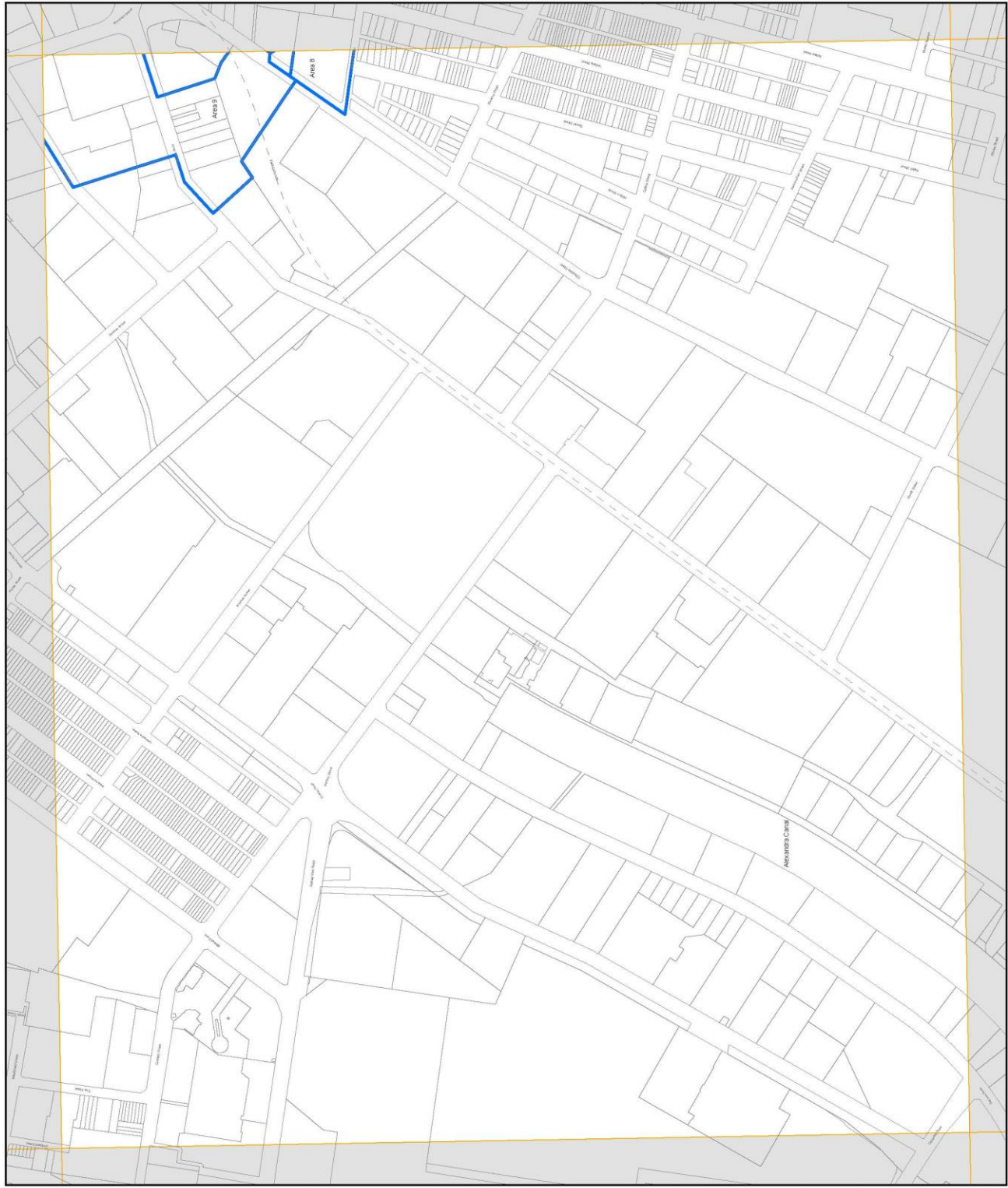
Refer to clause 6.15A

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Scale 1:5,000 @ A3

Projection: GDA 1984
Zone 56
Map identification number:
FSR_011_002_20120418



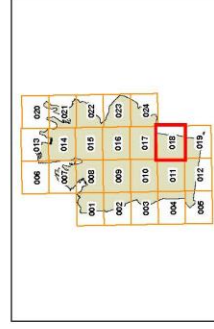
**Floor Space Ratio Map -
Sheet FSR_018**

Maximum Floor Space Ratio (m:1)

A	0.35	0.35	3.75
B	0.6	4	
C	0.7	4.5	
D	0.8	5	
E	0.9	6	
F	1	6.5	
G	1.25	7	
H	1.5	7.5	
I	1.75	8	
J	2	9	
K	2.5	10	
L	2.75	11	
M	3		Refer to clause 6.14
N	3.25		Refer to clause 6.4
O	3.5		Refer to clause 6.15A

Cadastral

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Scale 1:5,000 @ A3
Projection: GDA 1994
Zone 56

Map identifier number
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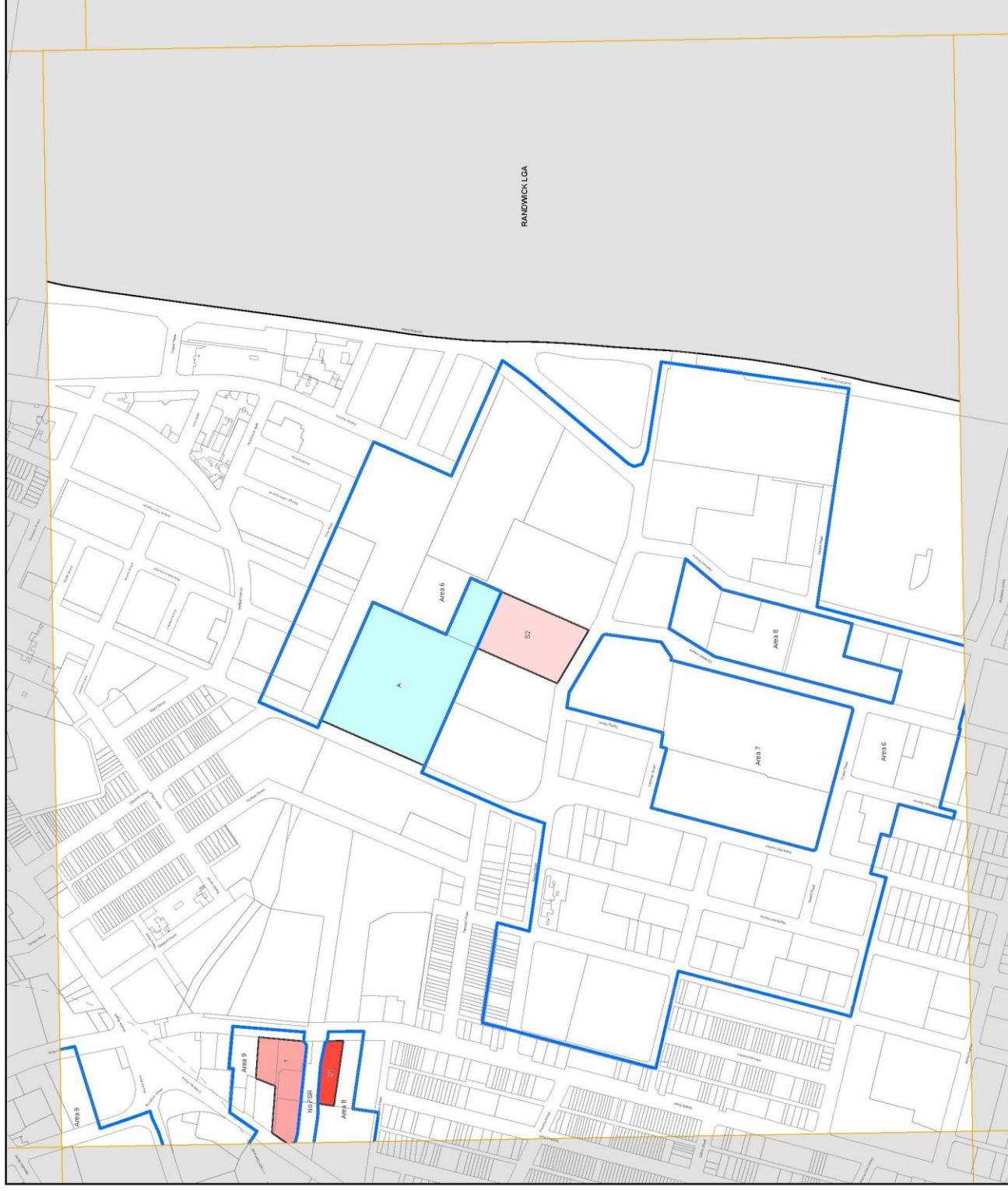


Figure 2: Proposed Floor Space Ratio Map amendments

AMENDMENT 4 – USE OF CERTAIN LAND AT BIRMINGHAM STREET AND BOTANY ROAD, ALEXANDRIA

Objectives/ intended outcomes	To provide an accurate description of the affected lands in Schedule 1 (1AA).
Site identification	Applicable development at Birmingham Street and Botany Road, Alexandria (between Gardeners Road and Morley Avenue) (see Figure 1).
Explanation	To correct an omission to the suburb of Rosebery in the description of the lands.

Justification

Schedule 1 (1AA) Use of certain land at Birmingham Street and Botany Road, Alexandria of Sydney LEP 2012 identifies additional permitted uses in certain areas of the local government area. 1AA allows the development of shop top housing and seniors housing on land at Birmingham Street and Botany Road, Alexandria, as edged in red and marked '(iv)' on the Locality and Site Identification Map (sheet CL1_012).

The area edged in red takes in both sides of Botany Road, which represents the boundary between the suburbs of Alexandria (on its western side) and Rosebery (on its eastern side). The description of the affected lands in Schedule 1AA therefore needs to be amended to include both suburb names.

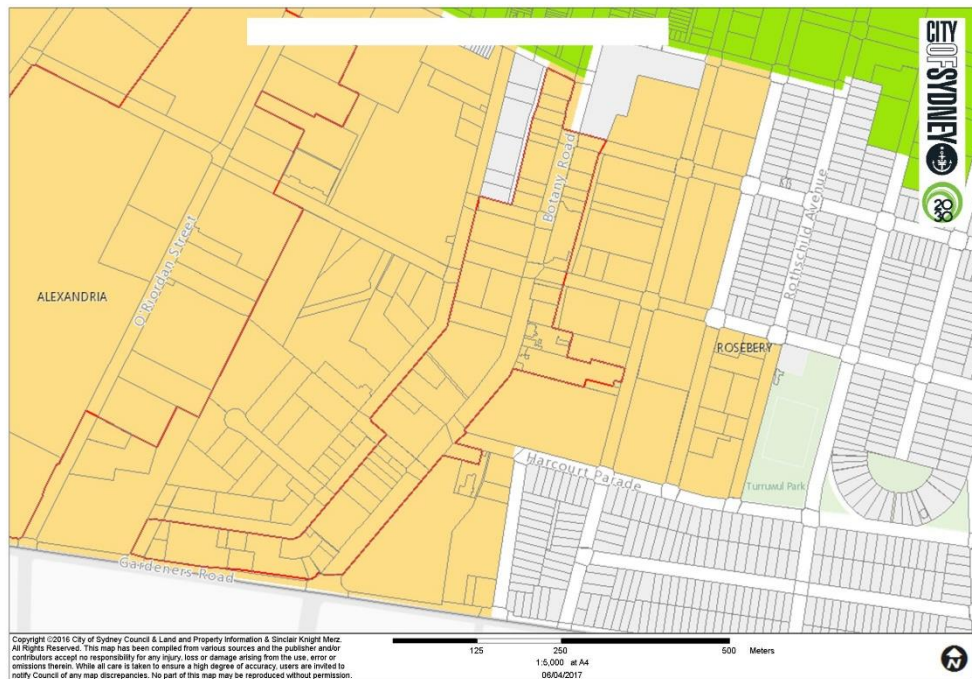


Figure 1: location of affected lands in Schedule 1 (1AA)

**AMENDMENT 4 – USE OF CERTAIN LAND AT BIRMINGHAM STREET AND BOTANY ROAD,
ALEXANDRIA**

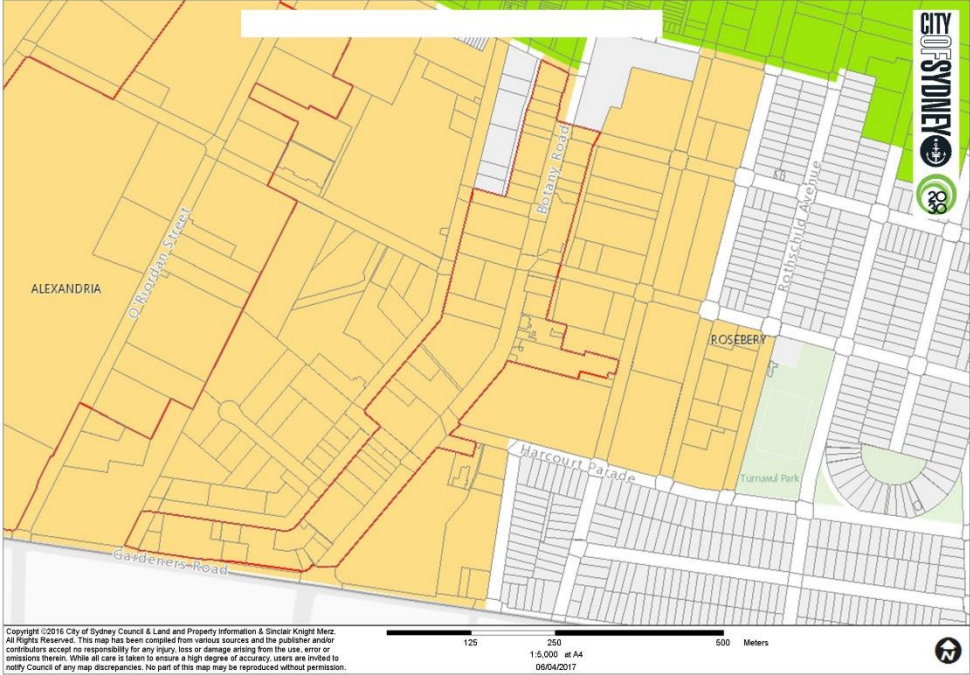
**Drafting
instructions**

Amend the Schedule 1 (1AA) to include both suburb names, with additional text shown as **bold underline**:

**1AA Use of certain land at Birmingham Street, Alexandria and Botany Road,
Alexandria and Rosebery**

- (1) This clause applies to land at Birmingham Street, **Alexandria** and Botany Road, Alexandria **and Rosebery** (between Gardeners Road and Morley Avenue), as shown edged heavy red and marked “(iv)” on the Locality and Site Identification Map.
- (2) Development for the purposes of shop top housing and seniors housing is permitted with consent.

AMENDMENT 5 – AFFORDABLE HOUSING IN ZONE B7

Objectives/ intended outcomes	To clarify that where a site is located in the B7 zone, and is also located in the lands identified in 1AA in Schedule 1, that shop top housing and seniors housing are permitted.
Site identification	Applicable development at Birmingham Street and Botany Road, Alexandria (between Gardeners Road and Morley Avenue) (see Figure 1).  Figure 1: location of affected lands in Schedule 1 (1AA)
Explanation	To introduce further text to clarify the provisions of Schedule 1 prevail over the more restrictive provisions of Clause 7.13A.
Justification	There has been some confusion about the permissibility of shop top housing, seniors housing and affordable housing on land zoned B7 - Business Park. This has arisen from the interaction of: • a land use table that prohibits all forms of residential development in the B7 zone • clause 7.13A Affordable housing in Zone B7, that provides that in B7 zoned land, affordable housing is permitted where it meets the criteria in the clause • Schedule 1 Additional permitted uses (1AA), that provides that on certain B7 zoned land identified in on the Locality and Site Identification Map marked “(iv)”, shop top housing and seniors housing is permitted with consent. In order to make the permissibility of uses clear to landowners, applicants and the Development Assessment unit, an amendment to Sydney LEP 2012 is required which clarifies that where land is identified in Schedule 1 Additional permitted uses, the provisions of the Schedule prevail over the more restrictive provisions of Clause 7.13A Affordable housing in Zone B7 that applies to other land in the B7 zone. This is because clause 2.5 Additional permitted uses for particular land of Sydney LEP

AMENDMENT 5 – AFFORDABLE HOUSING IN ZONE B7

	2012 provides that, despite any other part of the plan, the specified use can be provided with consent if it is consistent with the conditions in Schedule 1 Additional permitted uses. In this case there are no conditions, beyond the obtaining of consent. Clause 7.13A Affordable housing in Zone B7 will only apply to the relevant land in relation to residential flat buildings (which are not a use nominated as permissible with consent in Schedule 1 Additional permitted uses). If shop top housing is proposed on the land identified in Schedule 1 Additional permitted uses, it is merely permissible with consent and does need to comply with the requirements of Clause 7.13A Affordable housing in Zone B7. The proposed amendments will provide the community and proponents with clearer and more robust planning controls. They will ensure greater consistency in the working of some provisions to reduce potential misinterpretation.
Drafting instructions	Amend Clause 7.13A to include clarifying text, with additional text shown as <u>bold underline</u>: <u>7.13A Affordable Housing in Zone B7</u> <u>(3) To avoid doubt, on land in Zone B7 Business Park, that is also in land identified in Schedule 1 (1AA), shop top housing and seniors housing is permissible with consent in accordance with that Schedule. There is no requirement for the shop top housing and/or seniors housing to be used for the purposes of affordable housing.</u>

AMENDMENT 6 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 106-112 BURTON STREET, DARLINGHURST

Objectives/ intended outcomes

To provide an accurate item name for the heritage listing for 106-112 Burton Street, Darlinghurst.

Site identification

106-112 Burton Street, Darlinghurst is located on the northern side of Burton Street, east of Forbes Street and west of Darley Street (see Figure 1).



Figure 1: location of 106-112 Burton Street, Darlinghurst

Explanation

To correct an inaccuracy in the item name for the heritage item at 106-112 Burton Street, Darlinghurst within Schedule 5 of Sydney LEP 2012.

Justification

The site is currently listed as a heritage item under Schedule 5 of Sydney LEP 2012 (I231). The item name for the listing is the “Semi-detached cottage group including interiors”. The listing has the property description as Lot 1, DP 947398; Lot 1, DP 900305; Lot 1, DP 936952; Lot 1, DP 936953.

The buildings are currently listed as a single group of cottages from 106-112 Burton Street, Darlinghurst. This group contains two different building types: a pair of terraces at 106-108 and a pair of semi-detached cottages at 110-112. The amended item name will describe the two different building types.

The only change to the listing extent is to note the fence at 106-108 in the item name. The fence is a significant feature of the heritage item. Exterior features are currently listed through the conservation area listing.

AMENDMENT 6 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 106-112 BURTON STREET, DARLINGHURST

Drafting instructions

Amend the item name under Schedule 5 of Sydney LEP 2012 for 106-112 Burton Street, Darlinghurst as follows, with additional text shown as **bold underline**:

Locality	Item name	Address	Property description	Significance	Item No.
Darlinghurst	<u>Terrace group including interiors and front fence (at 106-108 Burton Street), and</u> Semi-detached cottage group including interiors <u>(at 110-112 Burton Street)</u>	106-112 Burton Street	Lot 1, DP 947398; Lot 1, DP 900305; Lot 1, DP 936952; Lot 1, DP 93695	Local	I231

AMENDMENT 7 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 181 LAWSON STREET, DARLINGTON

Objectives/ intended outcomes

To provide an accurate item name for the heritage listing for 181 Lawson Street, Darlington.

Site identification

181 Lawson Street, Darlington is located on the southern side of Lawson Street, east of Ivy Street and west of Ivy Lane (see Figure 1).



Figure 1: location of 181 Lawson Street, Darlington

Explanation

To update the item name for the heritage item at 181 Lawson Street, Darlington within Schedule 5 of Sydney LEP 2012.

Justification

181 Lawson Street, Darlington is a heritage item under Schedule 5 of Sydney LEP 2012 (I2244). The item name for the listing is the “Former McMurtrie, Kellermann & Co factory including interiors”. The listing has the property description as Lot 100, DP 1049303 (SP 69741).

The heritage item was listed in 2016 as part of the planning proposal for industrial and warehouse buildings. City of Sydney recommended an update for this heritage item in the next available housekeeping amendment, based on a query raised late in the 2016 planning proposal process. A City inspection confirmed the significant interiors of this building are limited to the internal timber structure and the spaces formed by this structure. Consistent with other Council decisions to list the internal structure for some new industrial items, the proposed amendment will therefore limit the internal listing to the building structure.

AMENDMENT 7 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 181 LAWSON STREET, DARLINGTON

Drafting instructions

Amend the item name under Schedule 5 of Sydney LEP 2012 for 181 Lawson Street, Darlington as follows, with deleted text shown as ~~**bold strikethrough**~~ and additional text shown as **bold underline**:

Locality	Item name	Address	Property description	Significance	Item No.
Darlington	Former McMurtrie, Kellerman & Co factory including interiors <u>internal structure</u>	106-112 Burton Street	Lot 1, DP 947398; Lot 1, DP 900305; Lot 1, DP 936952; Lot 1, DP 93695	Local	I231

AMENDMENT 8 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 39-43 CHELSEA STREET, REDFERN

Objectives/ intended outcomes

To provide an accurate item name for the heritage listing for 39-43 Chelsea Street, Redfern.

Site identification

39-43 Chelsea Street, Redfern is located on the southern side of Lawson Street, east of Ivy Street and west of Ivy Lane (see Figure 1).



Figure 1: location of 39-43 Chelsea Street, Redfern

Explanation

To correct an inaccuracy in the item name for the heritage item at 39-43 Chelsea Street, Redfern within Schedule 5 of Sydney LEP 2012.

Justification

39-43 Chelsea Street, Redfern is a heritage item under Schedule 5 of Sydney LEP 2012 (I1290). The item name for the listing is the “Cottage remnant including interior”. The listing has the property description as Lot 1, DP 68124; Lots 12 and 13, DP 192510.

Only a side wall of the cottage remains standing, meaning the item retains no significant interiors. It is therefore recommended that the item name is updated to be described as “Cottage remnant” and to remove “including interior” from the listing.

AMENDMENT 8 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 39-43 CHELSEA STREET, REDFERN

Drafting instructions

Amend the item name under Schedule 5 of Sydney LEP 2012 for 39-43 Chelsea Street, Redfern as follows, with deleted text shown as ~~**bold-strikethrough**~~:

Locality	Item name	Address	Property description	Significance	Item No.
Redfern	Cottage remnant including interior	39-43 Chelsea Street	Lot 1, DP 68124; Lots 12 and 13, DP 192510	Local	I1290

AMENDMENT 9 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 121 MACQUARIE STREET (AND 50 PHILLIP STREET), SYDNEY

Objectives/ intended outcomes

To provide an accurate item name for the heritage listing for 121 Macquarie Street (and 50 Phillip Street), Sydney.

Site identification

121 Macquarie Street (and 50 Phillip Street), Sydney is located on the eastern side of Phillip Street, south of Bridge Street and west of Macquarie Street (see Figure 1).



Figure 1: location of 121 Macquarie Street (and 50 Phillip Street), Sydney

Explanation

To update the item name for the heritage item at 121 Macquarie Street (and 50 Phillip Street), Sydney within Schedule 5 of Sydney LEP 2012.

Justification

121 Macquarie Street (and 50 Phillip Street), Sydney is a heritage item under Schedule 5 of Sydney LEP 2012 (I1872). The item name for the listing is the “Former Chief Secretary’s Building including interiors”. The listing has the property description as Crown land in S268 858R, Lots 32-34, DP 984186.

It is proposed to update the item name to include further significant elements of the heritage item, including the courtyard and carriageway, consistent with the Standard Instrument (Local Environmental Plans) Order 2006 direction for Schedule 5. The Standard Instrument direction requires the item name to contain a brief description of those things that are part of the heritage significance of the item. The full property is currently listed on the State Heritage Register.

AMENDMENT 9 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 121 MACQUARIE STREET (AND 50 PHILLIP STREET), SYDNEY

Drafting instructions

Amend the item name under Schedule 5 of Sydney LEP 2012 for 4 Phillip Street, Sydney as follows, with additional text shown as **bold underline**:

Locality	Item name	Address	Property description	Significance	Item No.
Sydney	Former Chief Secretary's Building including interiors, <u>courtyard and carriageway</u>	121 Macquarie Street (and 50 Phillip Street)	Crown land in S268 858R, Lots 32-34, DP 984186	State	I1872*

AMENDMENT 10 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 4 PHILLIP STREET, SYDNEY

Objectives/ intended outcomes

To provide an accurate item name for the heritage listing for 4 Phillip Street, Sydney.

Site identification

4 Phillip Street, Sydney is located on the eastern side of Phillip Street, south of Albert Street and west of Macquarie Street (see Figure 1).



Figure 1: location of 4 Phillip Street, Sydney

Explanation

To update the item name for the heritage item at 4 Phillip Street, Sydney within Schedule 5 of Sydney LEP 2012.

Justification

4 Phillip Street, Sydney is a heritage item under Schedule 5 of Sydney LEP 2012 (I1906). The item name for the listing is the "Justice & Police Museum including interior". The listing has the property description as Lot 18-23, Section 105, DP 758942.

It is proposed to update the item name to include further significant elements of the heritage item, including the front and rear courtyards, consistent with the Standard Instrument (Local Environmental Plans) Order 2006 direction for Schedule 5. The Standard Instrument direction requires the item name to contain a brief description of those things that are part of the heritage significance of the item. The full property is currently listed on the State Heritage Register.

AMENDMENT 10 - CORRECT DESCRIPTION OF SCHEDULE 5 HERITAGE ITEM – 4 PHILLIP STREET, SYDNEY

Drafting instructions

Amend the item name under Schedule 5 of Sydney LEP 2012 for 4 Phillip Street, Sydney as follows, with additional text shown as **bold underline**:

Locality	Item name	Address	Property description	Significance	Item No.
Sydney	Justice & Police Museum including interiors, <u>front and rear courtyards</u>	4 Phillip Street	Lots 18–23, Section 105, DP 758942	State	I1906