

## **ATTACHMENT A**

**PLANNING PROPOSAL:  
BIDURA CHILDREN'S COURT &  
METROPOLITAN REMAND CENTRE,  
357 GLEBE POINT ROAD, GLEBE**

**(INCLUDES HERITAGE AND ADAPTABILITY  
ASSESSMENTS AS APPENDIX)**



# Planning Proposal: Bidura Children's Court & Metropolitan Remand Centre, 357 Glebe Point Road, Glebe

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

November 2017



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# Introduction

This planning proposal explains the intent of, and justification for, the proposed amendment to Sydney Local Environmental Plan 2012 (SLEP 2012). The amendment will identify the former Bidura Children's Court & Metropolitan Remand Centre building, otherwise known as the Metropolitan Remand Centre (MRC), at 357 Glebe Point Road, Glebe, as a heritage item, and amend the height and floor space ratio development standards that apply to the site.

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 guidelines, including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

## Background

### Site identification

The Bidura Children's Court & Metropolitan Remand Centre is located at 357 Glebe Point Road, Glebe, as shown below in the aerial photograph at **Figure 1**. The site is legally described as Lot 1 DP 64069 and has a total site area of 5,556 square metres.

The former state government site is privately owned by Vision Land Glebe Pty Ltd.

The site includes two main buildings. The first is a Victorian villa, "Bidura House", designed by the architect, Edmund Blacket, and built 1857-1862, shown in the photograph at Figure 2. The second is a purpose-built children's court and remand centre designed in the brutalist style by the NSW Government Architect, built in 1983, shown in the photograph at Figure 3. The 1983 building is also known as the Metropolitan Remand Centre or MRC.

The Victorian villa is listed as a heritage item in Sydney Local Environmental Plan 2012 (SLEP 2012). The Victorian villa is also listed on the State Heritage Register as the "Bidura House Group". The Bidura Children's Court & Metropolitan Remand Centre is excluded from the state listing curtilage. The site is also contained within the Glebe Point Road heritage conservation area.



**Figure 1 – Bidura site**



**Figure 2 – Bidura House, rear view from remand centre**



**Figure 3 – Bidura Children’s Court & Metropolitan Remand Centre**



## Planning background

### Recent background

#### 2017

In April 2017, the Heritage Council resolved to recommend listing the item named “Bidura House Group” on the State Heritage Register. The recommended state listing excluded the 1983 Children’s Court & Metropolitan Remand Centre building. The Heritage Council’s minutes note that this recommendation would not prevent the future possibility of state listing the MRC, and reaffirms the “potential state heritage significance of the entire allotment as a Child Welfare and Juvenile Justice Precinct”. Bidura House Group, excluding the MRC building, was listed on the State Heritage Register on 28 August 2017.

At the same time as this state listing recommendation, the Heritage Council resolved to urge the City of Sydney “to provide heritage protection to the entire Bidura Child Welfare and Juvenile Justice Precinct (the entire allotment)”. A later letter in July 2017 clarified that the Heritage Council did not reach a resolution on the likely significance of the Bidura Children’s Court & Metropolitan Remand Centre building and noted it may also reach a threshold for local significance.

In response to the Heritage Council’s request, City of Sydney commissioned an independent heritage assessment from Robertson & Hindmarsh in September 2017. This commission included investigating the building’s adaptability, in terms of its capacity for re-use and redevelopment in a manner that retains its assessed significance.

Completed in October 2017, the heritage assessment by Robertson & Hindmarsh recommended that the MRC be listed as a heritage item in SLEP 2012. The adaptability assessment concludes the most appropriate building envelope for the site is reflected in the existing building envelope. It further identifies that the MRC building is capable of adaptation to a number of new uses, and how some change could occur, in a manner that maintains its assessed heritage significance.

The National Trust of Australia and the Australian Institute of Architects recently listed the MRC building in 2017. These are community heritage listings without legal effect.

On 9 May 2017, Council received a Stage 1 concept development application for the site from Vision Land Glebe Pty Ltd proposing to retain Bidura House, demolish and redevelop the MRC for residential apartments. The development application is now the subject of a deemed refusal appeal to the Land and Environment Court. The conciliation meeting is set for late November 2017 and the matter has been listed for a hearing in late February 2018.

## **Earlier background**

### **2010-2012**

In 2010, development standards different to those eventually adopted were originally proposed by the City of Sydney when drafting the Sydney LEP. Initially, in September 2010 the draft Sydney LEP proposed the height of 9 metres and FSR of 1:1 for the site. The draft Sydney DCP proposed a 2-storey height for the site. These controls were recommended in the urban design study prepared by HBO + EMTB Urban and Landscape Design.

After consideration of alternate options requested by City of Sydney, the Department of Planning required the current height controls of 27 metres and 9 metres and the FSR of 1.5:1 to be included in the final Sydney LEP. These standards were supported by a planning review report prepared by Grech Planners for the State Property Authority (the then owner of the site), dated 9 September 2010. The existing development standards were gazetted as a part of SLEP2012, and came into effect on 14 December 2012.

### **2015-2016**

On 29 September 2015, an earlier development application also proposed demolition of the MRC and site redevelopment. This was appealed by the proponent as deemed refusal in the Land and Environment Court on 12 April 2016.

In June 2016, the Lord Mayor requested the Minister for Heritage to place an interim heritage order on the building to enable the City to investigate its potential heritage significance and listing. City of Sydney cannot make an interim heritage order using its authorisation under the Heritage Act 1977 because the building is located within a heritage conservation area

Following a three-day hearing in September 2016, the Land and Environment Court dismissed this appeal on 26 October 2016, primarily because of adverse impacts on the significance of Bidura House and other non-heritage reasons, including impacts on the solar access of neighboring properties and inadequate separation to adjoining sites.

On 2 November 2016, the Minister for Heritage, then Mark Speakman, informed the City of his decision not to place an interim heritage order on the MRC.



## Current planning controls

The site is identified in SLEP 2012 in Schedule 5, Environmental Heritage, as follows:

- a) Heritage item I763: House “Bidura” including interiors, former ball room and front garden; and
- b) Heritage conservation area C29: Glebe Point Road.

The Bidura Children’s Court & Metropolitan Remand Centre building is not identified or described in the schedule and therefore is not captured in the existing heritage listing.

SLEP2012 contains zoning and principal development standards for the site, including:

- a) B2 Local Centre zone, which permits most uses, excluding a range of prohibited industrial uses, with the following objectives;
  - 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 allow appropriate residential uses so as to support the vitality of local centres.
- b) Floor space ratio (FSR) of 1.5:1; and
- c) Maximum building heights of 9 metres and 27 metres over different parts of the site, as shown in the map extract at Figure 4 below. The 27-metre height applies to the area of the site 15 metres from the boundary with Glebe Point Road and 50 metres from Avon Street. The 9-metre height applies to the remainder of the site.

**Figure 4: Height of building standards in SLEP 2012**



Sydney Development Control Plan 2012 (DCP) contains site specific controls including:

- a) maximum heights of 5 and 2 storeys as shown in the map extract at Figure 5 below; and
- b) 'Contributory building' listing for the site within the Glebe Point Road heritage conservation area.

The neighbouring Forsyth towers to the north-west are identified as detracting buildings, meaning they detract from the significance of the conservation area. All other adjoining buildings are identified as contributory.

**Figure 5: Height of buildings in storeys controls in SDCP 2012**



# Part 1 – Objectives or intended outcomes

The objective of the planning proposal is to protect the heritage significance of the former Bidura Children's Court & Remand Centre building, otherwise known as the Metropolitan Remand Centre, and provide for its appropriate development in a manner that maintains its significance. A further objective is to align the existing item description of Bidura House with the recent State Heritage Register listing.

The intended outcomes to achieve these objectives are to:

- list the former Bidura Children's Court & Metropolitan Remand Centre building at 357 Glebe Point Road, Glebe, as a heritage item in Schedule 5 of Sydney Local Environmental Plan 2012 (SLEP2012);
- update the existing heritage item description for Bidura House in Schedule 5 of SLEP 2012 to reflect the State Heritage Register listing for the "Bidura House Group"; and
- amend the height and floor space ratio standards for Bidura House and the former Bidura Children's Court & Metropolitan Remand Centre building at 357 Glebe Point Road, Glebe, to reflect existing building envelopes.

## Part 2 – Explanation of the provisions

The final clauses in Sydney Local Environmental Plan 2012 would be subject to drafting and agreement by Parliamentary Counsel's Office but may be written as follows to achieve the intended outcomes

### Heritage schedule amendments

The planning proposal seeks to amend the SLEP 2012 Schedule 5 heritage schedule by inserting or replacing the following words as shown below in **Table 1**. Text to insert is shown as **bold underline**. Text to omit is shown as **~~bold strikethrough~~**.

**Table 1 – Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items**

Locality	Item name	Address	Property description	Significance	Item no.
Glebe	<del>House "Bidura"</del> <b><u>Bidura House Group</u></b> including interiors, former ball room and front garden, <b><u>and former Bidura Children's Court &amp; Metropolitan Remand Centre building including interiors and pocket park</u></b>	357 Glebe Point Road	Lot 1, DP 64069	<del>State (part)</del> <b><u>Local (part)</u></b>	I763

To ensure the SLEP 2012 provides for sympathetic development within the existing building envelopes, and the development standards align with the heritage conservation objectives, the planning proposal also seeks to amend the developments standards in Part 4 Development Standards to:

- It is intended that the shape of the existing buildings on the site are taken to form the building envelopes and that any new building must be contained entirely within this envelope. The existing building heights vary across the site, as shown in the long cross section for the Metropolitan Remand Centre at Figure 6 below.

By removing FSR, rather than specifying a new FSR to reflect the existing building's gross floor area, this allows greater flexibility to potentially achieve additional floor space for new uses within the existing building envelopes, such as through excavation, change of use or enclosure.

[illegible]

## Section A – Need for the planning proposal

Yes. The planning proposal is a result of heritage and adaptability assessment reports of the MRC prepared by Robertson & Hindmarsh in October 2017. City of Sydney commissioned these reports in response to a Heritage Council request to investigate the significance of the site, including the MRC building. The report was prepared by heritage consultants with appropriate expertise in assessing brutalist architecture, in order to establish whether the building meets the Heritage Council criteria for local listing.

## Heritage schedule

The heritage assessment concluded that the former Bidura Children's Court & Metropolitan Remand Centre building (MRC) has sufficient heritage significance to warrant listing, and recommended that the MRC is listed as a heritage item on SLEP 2012. It found that the MRC satisfies at least six of the Heritage Council's listing criteria at a local level for its historic, associations, aesthetic, social, research and rarity value. The building is also assessed as state significant for its historic, association and aesthetic value.

This assessment found the MRC building is a rare surviving example of a purpose-built remand centre and children's courthouse on a site that has been associated with juvenile justice, care and rehabilitation since the early decades of the 20<sup>th</sup> century. Both Bidura House and the MRC demonstrate the legacy of significant government architects, including the NSW Colonial Architect Edmund Blacket, who designed Bidura House, and NSW Government Architects during the 1970s who designed the MRC. The MRC demonstrates the development of NSW and Australian architecture during the late 20th century, in particular how the Government Architects Office introduced the restoration of historic public buildings and designed new public works to be sympathetic to surrounding 19th century buildings even before they were legally listed. The full Robertson & Hindmarsh assessments are appended to this planning proposal.

The assessment identifies significant features of the MRC building as including the building exteriors, pocket park, building interiors, and its important visual relationship to Bidura House. The exterior is assessed as well-executed with sophisticated modelling that breaks up the mass of the building to respond to its urban context. The existing building heights and setbacks maintain the intended views from Bidura House towards the central business district, Glebe Island and Glebe Island Bridge, and relates to the scale and character of the conservation area. The interiors are assessed as a masterful composition of form and light in the greatest tradition of modern architecture. The assessment recommends retention of the principal characteristics of the major public spaces, as part of any internal layout changes.

## Development standards

The City also engaged Robertson & Hindmarsh to complete an adaptability assessment report to investigate the building's capacity for re-use and redevelopment. This adaptability assessment finds the most appropriate building envelope for the site is reflected in the existing building envelope, in order to retain the assessed heritage significance of both the MRC building and Bidura House, as well as the amenity of surrounding properties. It further identifies that the MRC building is capable of adaptation to a number of new uses, and how some change could occur, in a manner that maintains its assessed heritage significance.

The assessment recommends that building heights and setback controls for the site should follow the outline of existing buildings with no further increase. Part of the significance of the building is that the design was developed, revised and modelled with great care by the Public Works Department, with intervention from Premier Neville Wran, to respond to the scale of surrounding terrace housing, be sited below Bidura House, and safeguard the amenity of citizens. The existing building envelope also maintains significant views from the rear verandah of Bidura House, where Conrad Martens painted and gave art lessons to both Blacket and his daughter.



For appropriate uses, the assessment provides examples of adaptation of major brutalist complexes to demonstrate what can be achieved, including the Barbican Centre and the National Theatre on the London South Bank. The assessment concludes the buildings could be adaptively re-used for any of the uses permissible in the zone. The MRC construction and planning provides flexibility for use by one or multiple tenants. Uses identified include commercial, educational, medical, day spas, recreation, and community, such as sporting activities using the auditorium or pool, meeting rooms or adult education classes, or a combination of these. For residential options, it concludes the building is more suited to student accommodation with shared common rooms, noting that apartment uses would be problematic other than for the upper levels.

The assessment recommends the floor area of the building is only increased by potential excavation under the MRC building or roofing over of the Boy's recreation terrace on Level F. It also indicates that the internal layouts can be altered after recording, while retaining the principal characteristics of the major public spaces. These would alter the floor space ratio.

The supporting reports are attached as an appendix to this planning proposal.

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

Yes. Appropriate heritage protection and development that maintains the local significance of the Bidura Children's Court & Metropolitan Remand Centre may only be achieved through its identification as a local heritage item in an environmental planning instrument and amendments to the development standards.

City of Sydney cannot use its authorisation to make interim heritage orders for this site because it is located in a conservation area. Recent non-statutory listings by the National Trust and Institute of Architect's provide no legal protection.

The MRC is proposed for demolition in a current development application lodged in May 2017. This application is now the subject of a deemed refusal appeal to the Land and Environment Court. The conciliation meeting is set for late November 2017 and the matter is listed for hearing in late February 2018.

The existing development standards, including a floor space ratio of 1.5:1 and up to 27 metres maximum building height, would provide for a scale of development far exceeding the existing built form. Development of the site to the maximum existing FSR and/or maximum building heights in SLEP 2012 would detract from the heritage significance of Bidura House, the MRC and the surrounding conservation area, and would be inconsistent with the heritage conservation objectives in SLEP 2012.

To ensure the SLEP 2012 provides for sympathetic development within the existing building envelopes, it is proposed to amend the developments standards to specify that maximum building heights match existing structures and remove FSR for the site.

This approach prevents the need to prescribe an FSR and multiple building heights across the site, given the two differing building types and complex building forms contained on the site. Compared to specifying an FSR, this approach allows greater flexibility to achieve additional floor space within the existing building envelopes, such as through excavation, change of use or enclosure.

Progressing this local listing and review of development standards, as recommended and supported by independent assessments, will ensure the local heritage significance of this building is appropriately considered and maintained as part of future plans or redevelopment.

## Section B – Relationship to strategic planning framework

**Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

### **A Plan for Growing Sydney**

The Plan for Growing Sydney outlines the state government's vision for 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:

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

To achieve these goals, the plan proposes 22 directions and associated actions, including: Direction 3.4 Promote Sydney's heritage, arts and culture.

The planning proposal is consistent with relevant goals, directions and actions of the plan in that it will promote conservation and appropriate re-use of a heritage building.

### **Draft Central District Plan**

The Greater Sydney Commission's draft District Plan sets a vision, priorities and actions for the development of the central district of greater Sydney. The central district includes the local government areas of Bayside, Burwood, Canada Bay, Inner West, Randwick, Strathfield, the City of Sydney, Waverley and Woollahra.

The plan establishes a 40-year vision for the central district to be a global sustainability leader, managing growth while maintaining and enhancing the district's liveability, productivity and attractiveness for residents and visitors. Priorities and associated actions for productivity, liveability and sustainability seek to deliver this vision.

By providing for the conservation and re-use of a heritage building, this planning proposal is consistent with this vision. In particular, it will support the Liveability Priority 4.7.1 to conserve and enhance the district's environmental heritage.

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

Yes. The City's Sustainable Sydney 2030 Strategic Plan 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 the key directions of Sustainable Sydney 2030, particular Direction 7 for 'A Cultural and Creative City'.

The planning proposal identifies the MRC as a heritage item with development standards reflecting existing building forms, allowing the building to be retained and allowing present and future generations understand the breadth of Australia's architectural heritage to the late 20th century. The listing and development standards

will ensure any future development of the site considers and maintains the heritage significance of the building.

**Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?**

Yes. The planning proposal is consistent with, does not contradict or hinder application of the following applicable State Environmental Planning Policies (SEPPs):

- SEPP No 1—Development Standards
- SEPP No 33—Hazardous and Offensive Development
- SEPP No 64—Advertising and Signage
- SEPP No 65—Design Quality of Residential Flat Development
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Infrastructure) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (State and Regional Development) 2011

The planning proposal is consistent with, does not contradict or hinder application of the following applicable with former Regional Environmental Plan (REP) for the Sydney and Greater Metropolitan Regions, which is deemed to have the weight of SEPPs:

- Sydney REP (Sydney Harbour Catchment) 2005

**Q6. Is the planning proposal consistent with applicable ministerial directions (s.117 directions)?**

The planning proposal has been assessed against each Section 117 direction. The consistency of the planning proposal with these directions is shown in the table below.

**Table 2 – Consistency of the planning proposal with ministerial directions**

No	Ministerial direction	Comment
1.1	Business and Industrial Zones	Inconsistency that can satisfy an exception as set out under clause 5 of the direction, and addressed below. .
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2.1	Environment Protection Zones	Not applicable

No	Ministerial direction	Comment
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. This planning proposal provides for the conservation and re-use of a heritage item.
2.4	Recreation Vehicle Areas	Not applicable
3.1	Residential Zones	Not applicable
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 does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4.1	Acid Sulfate Soils	Consistent. This planning proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
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
5.1	Implementation of Regional Strategies	Consistent. This planning proposal is consistent with key strategic goals and directions within A Plan for Growing Sydney and the draft District Plan for the region as outlined above.
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

No	Ministerial direction	Comment
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. As addressed above.
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 introduce unnecessarily restrictive site specific controls.
7.1	Implementation of A Plan for Growing Sydney	Consistent. This planning proposal is consistent with this direction and does not hinder implementation of A Plan for Growing Sydney.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

The only inconsistency relates to the Business and Industrial Zone direction, in terms of the requirement of this direction “to not reduce the total potential floor space area for employment uses and related public services in business zones”. Clause 5 of this ministerial direction sets out the four circumstances when such an inconsistency can be supported by the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary). Two of these circumstances are considered to apply and are addressed as follows:

**Clause 5(b): justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction**

The Robertson & Hindmarsh heritage and adaptability assessments prepared in support of the planning proposal have considered the objective of this direction and are included as an appendix to this report. These establish that the removal of FSR is justified in order to retain the existing building of assessed heritage significance



that is recommended for listing as a heritage item. It also supports that the existing building is capable of conversion to the uses permissible within this local centre zone, including employment uses.

#### **Clause 5(d) of minor significance**

The proposed potential reduction in employment uses is considered minor for the following reasons:

- The change only relates to a single site at 357 Glebe Point Road, Glebe, and therefore will have a minor impact on the potential yield of floor space in the context of the council area.
- The proposed listing encourages retention of an existing commercial building, the Bidura Children's Court & Metropolitan Remand Centre. This non-residential built form will be more likely to retain the current 6,069 square metres of gross floor area (GFA) within the existing buildings on this site for potential employment uses, than a replacement development.
- The subject business zone, B2 Local Centre, also permits residential uses. When the zone is not restricted to employment uses, changes to the floor space ratio will not necessarily impact on potential employment floor space yields. With the existing FSR which exceeds the GFA for the existing building, it is more likely that residential uses will be proposed, as demonstrated by the two most recent development applications for new residential flat buildings in place of the remand centre building. This would result in a net loss of potential employment and public uses on the site through permanent removal of the existing employment floor space.

### **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?**

No. The planning proposal is unlikely to 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?**

No. It is unlikely that the proposed amendment to the heritage schedule of SLEP 2012 will result in development creating any environmental effects that cannot readily be controlled.

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

Identification of the Bidura Children's Court & Metropolitan Remand Centre as a heritage item provides social benefits by facilitating the conservation of an item that has significance for the local community. No changes to the zoning or permissible uses are proposed. The merit-based heritage provisions provide capacity for Council and the proponent to take into account these matters when development is proposed.

## Section D: State and Commonwealth interests

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

Yes. No changes to the permissible uses are proposed. The land to be identified as a heritage item is well located in relation to existing public transport infrastructure, utility services, roads and essential services.

### **Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?**

The Heritage Council of NSW wrote to the City of Sydney urging Council to investigate the significance of this site, including the MRC. This planning proposal is in response to this request. Consultation with the Heritage Council of NSW is recommended following the gateway determination.

It is not considered necessary to consult with other public authorities as the planning proposal relates to the listing of a local heritage item that is privately owned. Local heritage listing will identify heritage impacts as a consideration when public works are proposed for the identified sites, however will not constrain Crown development.

## Part 4 – Mapping

As the subject land is already shaded as a heritage item, no change to the existing heritage map of SLEP 2012 is proposed.

Changes to the height of building and floor space ratio maps will be prepared when the specific changes to the development standard clauses, to achieve the intended outcomes, are determined by Parliamentary Counsel.

## Part 5 – Community consultation

### Public Exhibition

It is anticipated the gateway determination will require a public exhibition for a period of not less than 14 days in accordance with section 4.5 of 'A Guide to preparing Local Environmental Plans'. It will be extended to 28 days if occurring over the Christmas period.

Notification of the public exhibition will be via:

- the City of Sydney website; and
- in newspapers that circulate widely in the area; and
- letters to landowner and occupier/s.

Information relating to the Planning Proposal will be on display at the following City of Sydney customer service centre:

- CBD – Level 3, Town Hall House, 456 Kent Street, Sydney NSW 2000

## Part 6 – Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

**Table 3 – Anticipated timeframe for planning proposal**

Action	Anticipated date
Commencement / gateway determination	20 December 2017
Public exhibition& government agency consultation	2 January 2018 – 30 January 2018
Consideration of submissions	31 January 2018 – 14 February 2018
Post exhibition consideration of proposal	March 2018 meetings
Draft and finalise LEP	March 2018 – April 2018
LEP made (if delegated)	May 2018
Plan forwarded to DoPI for notification	June 2018

## Appendix

**Heritage assessment and adaptability assessment, Robertson & Hindmarsh, Oct 2017**

