

Planning Proposal

Heritage Listing of 119-127 Kippax Street, Surry Hills

January 2014

Introduction

This Planning Proposal explains the intent of, and justification for, the proposed amendment to *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). The amendment will identify the warehouse building at 119-127 Kippax Street, Surry Hills as a heritage item.

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

119-127 Kippax Street, Surry Hills is located on the southern side of Kippax Street, with its eastern site boundary along Lacey Street (see Figure 1). It has an approximate site area of 1549m² and is identified as Lot 11 DP 582591. The site is not currently listed as a heritage item in Sydney LEP 2012, nor is it within a heritage conservation area. The site is occupied by a Federation warehouse Building.



Figure 1: Aerial Photograph showing 119-127 Kippax Street, Surry Hills



Figure 2: Photograph of Federation warehouse building at 119-127 Kippax Street, Surry Hills

In July 2013, the City of Sydney engaged City Plan Heritage Pty Ltd to undertake the Industrial and Warehouse Buildings Heritage Study. The purpose of the study was to identify potential items for heritage listing. The Study involved the surveying and researching of potential items and providing data forms to accompany its potential listing. The study is currently being finalised.

In November 2013, Council officers held discussions with a number of interested parties about potential redevelopment options for the site as the site was for sale. Council officers considered the building was worthy of potential listing as the building appeared intact. This was also a view shared by Council's Heritage Specialist. Separately, the building was already identified by City Plan Heritage Pty Ltd as a potential item, through the Industrial and Warehouse Buildings Heritage Study.

As the advertising material for the sale of the building indicate that it was a potential redevelopment site, it was considered necessary to progress an assessment of the potential for the listing the building as a heritage item.

In December 2013, the City of Sydney engaged TKD Architects Pty Ltd to undertake a thorough heritage assessment of the building and advise whether it has sufficient heritage significance to warrant a heritage listing. The report concludes the Federation warehouse has sufficient heritage significance to warrant retention and listing. See Appendix A.

Part 1 – Objectives or Intended Outcomes

The Objectives or intended outcome of the planning proposal is to protect the heritage significance of the Federation warehouse at 119-127 Kippax Street.

Part 2 – Explanation of the Provisions

To achieve the intended outcomes, the Planning Proposal seeks to amend the Sydney LEP 2012 Heritage Schedule to include the Federation warehouse at 119-127 Kippax Street (Lot 11 DP 582591) as a heritage item of local significance.

The following words will be inserted into Schedule 5 of Sydney LEP 2012, under Part 1, Heritage Items:

Surry Hills	Former Ford Sherington Trunk Factory	119-127 Kippax Street	Lot 11 DP 582591	Local	I1563A
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Part 3 – Justification

This section of the planning proposal provides the rational for the amendment to Sydney LEP 2012 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 October 2012.

Section A – Need for the planning proposal

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

Yes. The planning proposal arises from identification of the Federation warehouse at 119-127 Kippax Street as a potential heritage item in the draft Industrial and Warehouse Buildings Heritage Study prepared by City Plan Heritage Pty Ltd.

In addition, a Heritage Assessment Report prepared by TKD Architects Pty Ltd also found the building has sufficient heritage significance to warrant retention and listing as an item of local heritage significance..

The building is amongst the earlier 20th Century industrial buildings in Surry Hills and provides evidence of the major incursion of industry into the suburb. It is associated with the firm of Ford Sherington, a major national manufacturer of luggage and other items, which commissioned its construction and occupied it from around 1913 to the mid 1960s. The original section was designed by the well-known architectural firm Roberston and Marks and extended to the design of prominent architect Gordon Keesing. 119-127 Kippax Street is an important contribution to the streetscape and is part of the group of Surry Hills' Federation era warehouse buildings, which contribute to the locality's distinctive character.

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

Yes. Appropriate heritage protection for the Federation warehouse may only be achieved via its identification as a heritage item in an environmental planning instrument.

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?

In March 2013 the NSW Government published the draft *Metropolitan Strategy for Sydney to 2031*. Once adopted, it will replace the *Metropolitan Plan for Sydney 2036*. The draft *Sydney City Subregional Strategy* is also applicable. In assessing the consistency of this Planning Proposal with metropolitan-wide objectives, both the adopted and new draft strategies have been considered, as shown in the following tables.

Table 1 - Consistency with Metropolitan Plan for Sydney 2036

Consistency with Metropolitan Plan for Sydney 2036	
Action	Consistency
B3.3: Provide for the protection and adaptive reuse of heritage items in centres undergoing urban renewal	The Planning Proposal is to provide protection of a building with heritage significance.

Table 2 - Consistency with draft Metropolitan Plan for Sydney to 2031

Consistency with draft Metropolitan Plan for Sydney to 2031	
Objective	Consistency
2: Strengthen and grow Sydney's centres	The Planning Proposal will not inhibit the delivery of, or the priorities identified for Global Sydney, of which it forms part.
8: Create socially inclusive places that promote social, cultural and recreational opportunities	The listing of the Federation warehouse building is consistent with promoting Sydney's heritage.

Table 3 - Consistency with Sydney City Draft Subregional Strategy

Consistency with Sydney City Draft Subregional Strategy	
Strategy E: Environment, Heritage and Resources	
Directions	Consistency
E6: Conserve Sydney's Cultural Heritage	The Planning Proposal identifies an item of heritage significance that was undertaken as part of a review and update of existing items in a heritage study.

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

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 targets against which to measure progress.

The Planning Proposal identifies the Federation warehouse as a heritage item, allowing the building to be retained and help in understanding the history of development in Surry Hills and in particular the former industrial use.

As such, the Planning Proposal is consistent with *Sustainable Sydney 2030*, particularly Strategic Direction 7 – A Cultural and Creative City.

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

The consistency of the Planning Proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in Table 4. Those SEPPs which have been repealed or were not finalised are not included in this table.

Table 5 shows the consistency of the Planning Proposal with former Regional Environmental Plans (REPs) for the Sydney Regions, which are deemed to have the weight of SEPPs.

Table 4 - Consistency with State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy (SEPP)	Comment
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State Environmental Planning Policy (SEPP)	Comment
SEPP No 1—Development Standards	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 6—Number of Storeys in a Building	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 15—Rural Landsharing Communities	Not applicable.
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 22—Shops and Commercial Premises	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 29—Western Sydney Recreation Area	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Not applicable.
SEPP No 33—Hazardous and Offensive Development	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 39—Spit Island Bird Habitat	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Not applicable.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 55—Remediation of Land	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 59—Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 60—Exempt and Complying Development	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 62—Sustainable Aquaculture	Not applicable.
SEPP No 64—Advertising and Signage	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 71—Coastal Protection	Not applicable.
SEPP No. 74 – Newcastle Port and Employment Lands	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Major Development) 2005	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Infrastructure) 2007	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.

State Environmental Planning Policy (SEPP)	Comment
SEPP (Temporary Structures) 2007	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Affordable Rental Housing) 2009	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Development on Kurnell Peninsula) 2005	Not applicable.
SEPP (Urban Renewal) 2010	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (State and Regional Development) 2011	Consistent - The Planning Proposal will not contradict or hinder application of this SEPP.

Table 5 - Consistency with former Sydney Regional Environmental Plans (REPs) now deemed SEPPs.

Regional Environmental Plan (REPs)	Comment
Sydney REP No 9—Extractive Industry (No 2—1995)	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 28—Parramatta	Not applicable.
Sydney REP No 30—St Marys	Not applicable.
Sydney REP No 33—Cooks Cove	Not applicable.
Sydney REP (Sydney Harbour Catchment) 2005	Consistent - The Planning Proposal will not contradict or hinder application of this REP.

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 Table 6 below.

Table 6 - Consistency with applicable Ministerial Directions under Section 117

No.	Title	Comment
1. 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
1.5	Rural Lands	Not applicable
2. Environment and Heritage		
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. The intended outcome of the planning proposal is to protect the heritage significance of the Federation warehouse at 119-127 Kippax Street, Surry Hills.
2.4	Recreation Vehicle Areas	Not applicable
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home	Not applicable

	Estates	
3.3	Home Occupations	Consistent. The Planning Proposal does not contradict or hinder application of the home occupation provisions of Sydney LEP 2012.
3.4	Integrating Land Use and Transport	Consistent. The planning proposal does not contradict or hinder achievement of the aims, objectives and principles of Improving Transport Choice – <i>Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4. Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent. The 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. The 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. 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
6. Local Plan Making		
6.1	Approval and Referral Requirements	Consistent. The 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. The Planning Proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions	Not applicable
7. Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Consistent. The Planning Proposal does not contradict or hinder achievement of the vision, policies, outcomes or actions of the <i>Metropolitan Plan for Sydney 2036</i> .

Section C – Environmental, social and economic impact

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 is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

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 amendments to SLEP 2012 will result in development creating any environmental effects that cannot readily be controlled.

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

Identification of the Federation warehouse at 119-127 Kippax Street, Surry Hills as a heritage item offers social benefits by facilitating the conservation of an item that has significance for the local community.

Section D: State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Yes. There is no change in the permissible use or planning controls for the site. 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.

What are the views of State and Commonwealth public authorities consulted in the gateway determination?

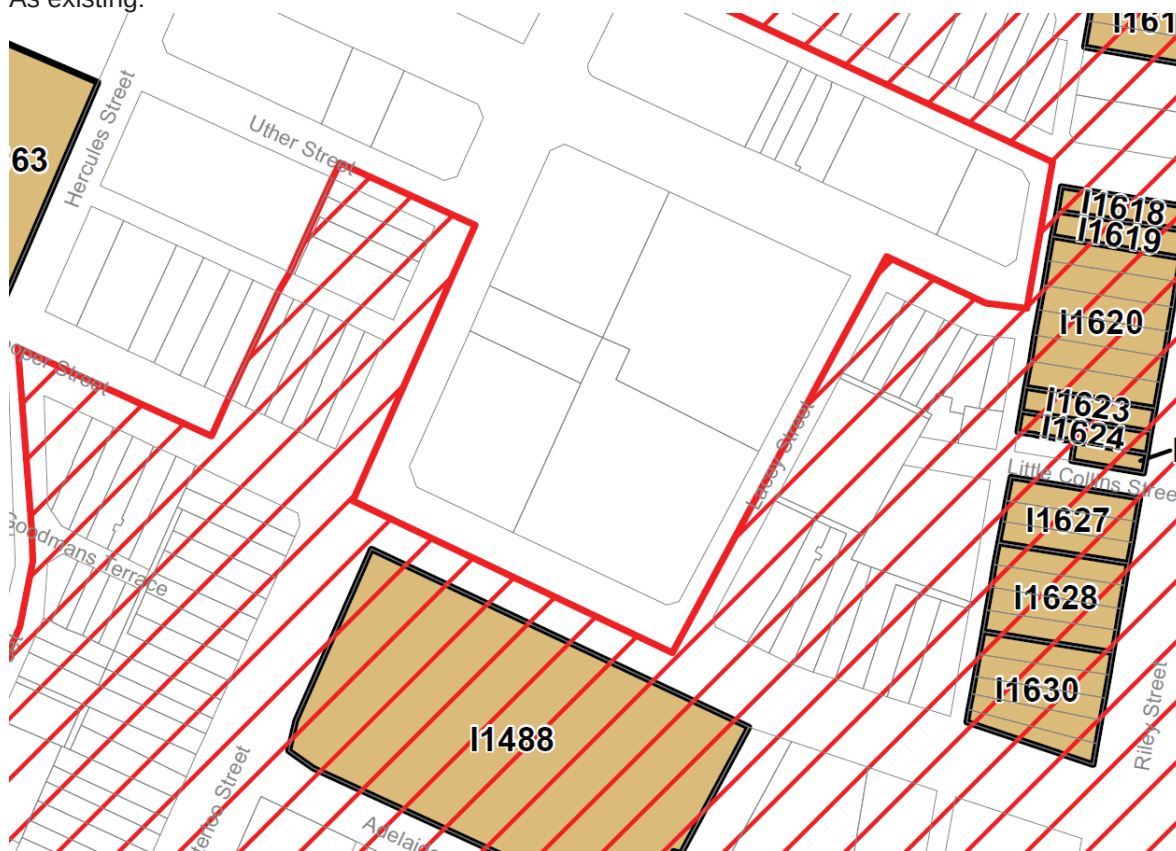
None. It is not considered necessary to consult with other public authorities as the Planning Proposal relates to the listing of a heritage item that is of local significance.

Part 4 – Mapping

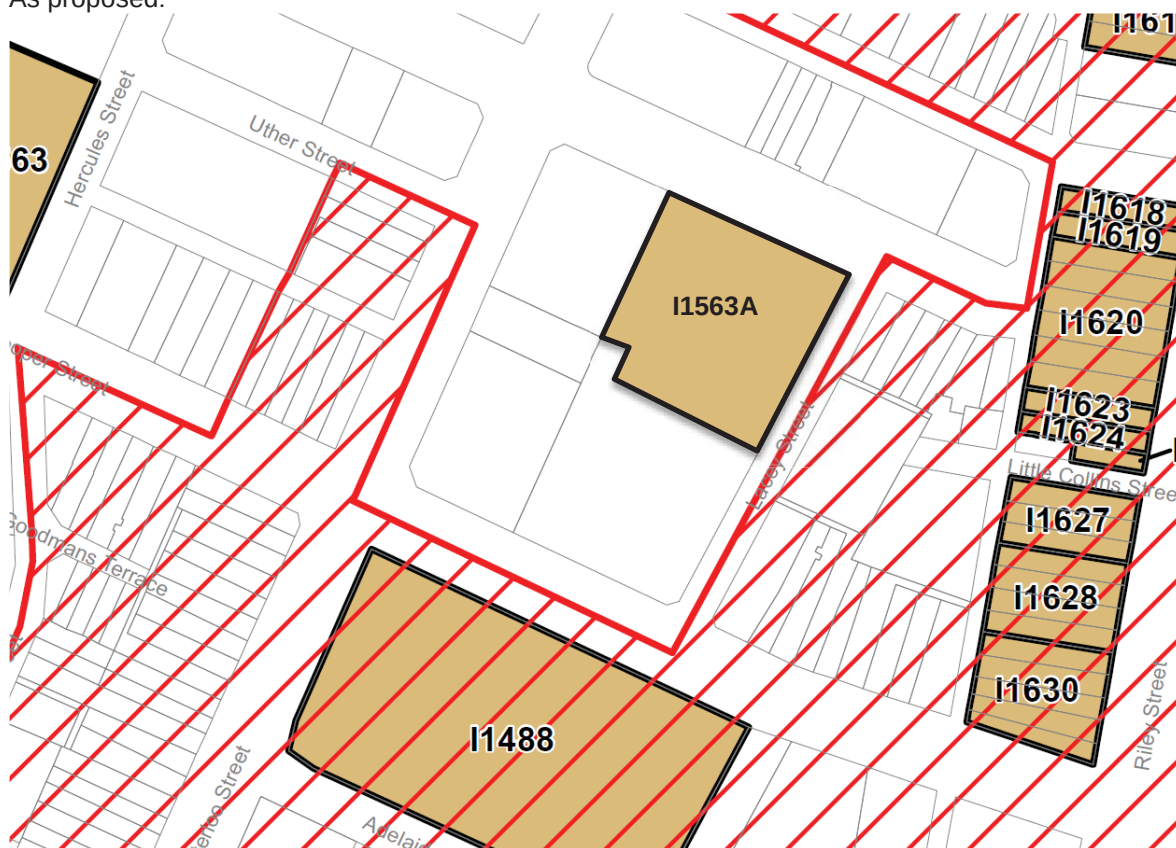
This Planning Proposal seeks to amend the Heritage Schedule and Map to identify 119-127 Kippax Street as a heritage item in *Sydney Local Environmental Plan 2012* in accordance with the map on the following page.

Map 1: Heritage Map – Sheet HER_017

As existing:



As proposed:



Part 5 – Community Consultation

Public Exhibition

This Planning Proposal is to be exhibited in accordance with the Gateway Determination once issued by the Minister for Planning and Infrastructure. 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*.

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 occupiers.

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:

Action	Anticipated Date
Commencement / Gateway determination	24 March 2014
Pre-exhibition government agency consultation	24 March – 14 April
Public Exhibition	1 April -14 April
Consideration of submissions	14 April – 21 April
Post exhibition consideration of proposal	19 June 2014 (CSPC) 23 June 2014 (Council)
Draft and finalise LEP	23 June – 4 August 2014
LEP made (if delegated)	8 August 2014
Plan forwarded to DoPI for notification	11 August 2014

Appendix 1 – Heritage Assessment Report for 119-127 Kippax Street, Surry Hills prepared by TKD Architects Pty Ltd

Appendix 2 – Heritage Inventory Sheet for 119-127 Kippax Street, Surry Hills prepared by TKD Architects Pty Ltd