

**PROPOSED HOUSEKEEPING AMENDMENTS TO
LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2013**

PLANNING PROPOSAL

Amendment to Schedule 1 *Additional Permitted Uses* to include 44-46 Smith Street, Rozelle (Lots 1&2 DP 782330, Lot 1 DP 782348 & Lot 1 DP 228261) and the following land uses as permissible with consent:

- **Boarding Houses**
- **Function Centre**
- **Hospitals**
- **Markets**
- **Place of Public Worship**
- **Public Administration Building**
- **Residential Care Facility**
- **Seniors Housing**
- **Telecommunication Facility**

Part 1 – Objectives or Intended Outcomes

This is a planning proposal to resolve an anomaly that arose through the translation of *Leichhardt Local Environmental Plan (LEP) 2000* to *Leichhardt Local Environmental Plan 2013*. This will be achieved with an amendment to Schedule 1 *Additional Permitted Uses* of the *Leichhardt Local Environmental Plan 2013* to include an additional site as shown in italics below.

Part 2 – Explanation of the Provisions

Schedule 1 Additional permitted uses

9 Use of certain land at 44-46 Smith Street, Rozelle

(1) This clause applies to land identified as "J" on the Additional Permitted Uses Map, being Lots 1-2 DP 782330, Lot 1 DP 782348 and Lot 1 228261.

(2) Development for any of the following purposes is permitted with development consent:

- (a) Boarding Houses*
- (b) Function Centre*
- (c) Hospitals*
- (d) Markets*
- (e) Place of Public Worship*
- (f) Public Administration Building*
- (g) Residential Care Facility*
- (h) Seniors Housing*
- (i) Telecommunication Facility*

This site is slightly unusual as the only privately owned school site in the local government area (LGA) and is also a site declared surplus to educational needs by the Minister for Education in 1997. Prior to the *Leichhardt Local Environmental Plan 2013*, the *Leichhardt Local Environmental Plan 2000* Public Purpose zone land use table included a range of non-educational land uses that were permissible with consent on this site.

In translating the former *Leichhardt Local Environmental Plan 2000* Public Purpose Zone to Special Purpose (SP2) Infrastructure under the *Leichhardt Local Environmental Plan 2013*, a number of land uses that had been permissible with consent became prohibited. Other permissible uses were removed from *Leichhardt Local Environmental Plan 2013* as they became permissible under the *State Environmental Planning Policy (Infrastructure) 2007* or *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

A comparison between the former and current land use tables of the Public Purpose Zone and the SP2 Infrastructure Zone shows that the following formerly permissible land uses are now prohibited:

- Advertisements,
- Boarding Houses,
- Car Parks,
- Registered Club,
- Depots (Industrial or Rural Development Types),
- Function Centre;
- Markets,
- Place of Public Worship,
- Transport Depots
- Recreational Facilities (Outdoor), and

- Water-based Commercial and Recreational Facilities.

The owner of 44-46 Smith Street, Rozelle, being Lots 1-2 DP 782330, Lot 1 DP 782348 and Lot 1 228261, has requested that an appropriate selection of these recently prohibited land uses be reinstated as permissible within the *Leichhardt Local Environmental Plan 2013* through a site specific amendment. The site is currently zoned SP2 (Educational Establishment). The following land uses are to be reinstated:

- Boarding Houses;
- Function Centre;
- Markets; and
- Place of Public Worship.

A number of land uses which were previously permissible with consent in the *Leichhardt Local Environmental Plan 2000* in the Public Purpose zone became permissible under the *State Environmental Planning Policy (Infrastructure) 2007* and *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. As such, they did not have to be explicitly listed in the LEP 2013 SP2 Infrastructure Land Use Table. The owner has requested these uses be reinstated in the *Leichhardt Local Environmental Plan 2013* as permissible development types of the site for reasons of clarity:

- Hospitals;
- Public Administration Facility
- Residential Care Facility
- Seniors Housing; and
- Telecommunication Facility.

Hospitals are permissible under the *Infrastructure SEPP* and *Housing for Seniors or People with a Disability SEPP* permits seniors housing and residential care facilities. Markets are permissible at educational establishments under Clause 28(3) of the *Infrastructure SEPP* if they are considered to fulfil a 'community purpose'. The following other previously permissible use will not be included in the site specific amendment and will continue to be prohibited:

- Advertisements
- Car parks
- Depots
- Recreation Facilities (Outdoor)
- Registered Clubs
- Transport Depots

These are considered inappropriate uses for this site location.

Any proposal to use this site for the permissible with consent uses would be subject to the development application merit assessment process.

The site was previously owned by the Department of Education who considered the subject site to be surplus land at the time it was sold to its current owner Vamona Pty Ltd by the Minister on 29 August 1997. The subject site is currently leased to the private Inner West Montessori Primary School.

It should be noted that the site will remain zoned SP2 Infrastructure which reflects Council policy to protect existing educational facilities for the increasing population of school aged children. The subject site is also a local heritage item (I804) and subject to heritage conservation provisions.

Part 3 – Justification

Section A – Need for planning proposal

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

No, the Planning Proposal will reinstate appropriate uses as permitted with consent on the subject site that became prohibited with the publication of the *Leichhardt Local Environmental Plan 2013*. The Planning Proposal also aims to include land uses which are permissible in the SP2 zone under the *SEPP (Infrastructure) 2007* and *SEPP (Housing for Seniors or People with a Disability)* in the *Leichhardt Local Environmental Plan 2013* Land Use Table. These amendments are to be facilitated by a site specific amendment to Schedule 1 of the *Leichhardt Local Environmental Plan 2013* and the Additional Permitted Uses Map.

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

Although the proposal is a reinstatement of uses that were previously permissible under the LEP 2000 it involves an amendment to the LEP 2013. The planning proposal is the best way of achieving this change to the LEP 2013.

Q3. Is there a net community benefit?

Yes, the proposed expansion of permissible uses on the site will increase the range of potential community facilities that could operate on the site. Any such proposals would have to be the subject of a merit based assessment by Council.

Section B – Relationship to strategic planning framework.

Q4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the State Government's current Metropolitan Plan *A Plan for Growing Sydney* and the Draft Inner West Subregional Strategy. The following actions and objectives outlined in the tables below are of particular relevance.

A Plan for Growing Sydney
Objective
Direction 3.4: Promote Sydney's heritage, arts and culture

Draft Inner West Subregional Strategy
Action
A3.3 Encourage emerging businesses
E6.2 Recognise where Sydney's cultural heritage contributes to its character and manage change appropriately to reinforce local distinctiveness.
E6.3 Interpret and promote Sydney's cultural heritage
G1.2 – Improve local planning and assessment

Q5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

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

Leichhardt 2025+
Community Wellbeing
• People are connected to each other. • Our impacts on the natural environment and heritage are minimised.
Sustainable Service and Assets
• Transparent, consistent, efficient and effective participative processes are delivered.

Q6. Is the planning proposal consistent with applicable state environmental planning policies?

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

Consideration of State Environmental Planning Policies (SEPPs)

SEPP Title	Applicable	Comments
1. Development Standards	No	Does not apply to this LGA.
14. Coastal Wetlands	No	This LGA does not contain any coastal wetlands.
15. Rural Landsharing Communities	No	This LGA does not contain any rural land.
19. Bushland in Urban Areas	No	N/A to proposal.
21. Caravan Parks	No	N/A to proposal.
26. Littoral Rainforests	No	This LGA does not include any littoral rainforests.
29. Western Sydney Recreation Area	No	Does not apply to this LGA.
30. Intensive Agriculture	No	Development covered by this SEPP does not occur in this LGA.
32. Urban Consolidation (Redevelopment of Urban Land)	No	N/A to proposal.
33. Hazardous and Offensive Development	No	N/A to proposal.
36. Manufactured Home Estates	No	Does not apply to this LGA.
39. Spit Island Bird Habitat	No	Does not apply to this LGA.
44. Koala Habitat Protection	No	Does not apply to this LGA.
47. Moore Park Showground	No	Does not apply to this LGA.
50. Canal Estate Development	No	Does not apply to this LGA.
52. Farm Dams and Other Works in Land and Water Management Plan Areas	No	Does not apply to this LGA.
55. Remediation of Land	No	N/A to proposal.
59. Central Western Sydney Regional Open Space and Residential	No	Does not apply to this LGA.
62. Sustainable Aquaculture	No	Development covered by this SEPP does not occur in this LGA.
64. Advertising and Signage	No	N/A to proposal.
65. Design Quality of Residential Flat Development	No	N/A to proposal.
70. Affordable Housing (Revised Schemes)	No	N/A to proposal.
71. Coastal Protection	No	Applies only to the coastal zone. LGA is not within the

SEPP Title	Applicable	Comments
		coastal zone.
SEPP (Affordable Rental Housing) 2009	No	N/A to proposal.
SEPP (Building Sustainability Index: BASIX) 2004	No	N/A to proposal.
SEPP (Exempt and Complying Development Codes) 2008	No	N/A to proposal.
SEPP (Housing for Seniors or People with a Disability) 2004	No	N/A to proposal.
SEPP (Infrastructure) 2007	No	N/A to proposal.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	No	Does not apply to this LGA.
SEPP (Kurnell Peninsula) 1989	No	Does not apply to this LGA.
SEPP Major Development 2005	No	N/A to proposal.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No	N/A to proposal.
SEPP (Penrith Lakes Scheme) 1989	No	Does not apply to this LGA.
SEPP (Port Botany and Port Kembla) 2013	No	Does not apply to this LGA.
SEPP (Rural Lands) 2008	No	Does not apply to this LGA.
SEPP (SEPP 53 Transitional Provisions) 2011	No	Does not apply to this LGA.
SEPP (State and Regional Development) 2011	No	N/A to proposal.
SEPP (Sydney Drinking Water Catchment) 2011	No	Does not apply to this LGA.
SEPP (Sydney Region Growth Centres) 2006	No	Does not apply to this LGA.
SEPP (Three Ports) 2013		Does not apply to this LGA.
SEPP (Miscellaneous Consent Provisions) 2007	No	N/A to proposal.
SEPP (Urban Renewal) 2010	No	N/A to proposal.

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

REP Title	Applicable	Consistent
REP No. 2 - Georges River Catchment	No	Does not apply to this LGA.
Hunter REP 1989 - Heritage	No	Does not apply to this LGA.
Illawarra REP No. 1	No	Does not apply to this LGA.
Illawarra REP No. 2 - Jamberoo Valley	No	Does not apply to this LGA.
Jervis Bay REP 1996	No	Does not apply to this LGA.
Lower South Coast REP No. 2	No	Does not apply to this LGA.
North Coast REP	No	Does not apply to this LGA.
Central Coast Plateau Areas	No	Does not apply to this LGA.
Riverina REP No. 1	No	Does not apply to this LGA.
Willandra Lakes REP No. 1 - World Heritage Property	No	Does not apply to this LGA.
Murray REP No. 2 - Riverine Land	No	Does not apply to this LGA.
Orana REP No.1 - Siding Spring	No	Does not apply to this LGA.
REP No.8 - Central Coast Plateau Areas	No	Does not apply to this LGA.
REP No.9 - Extractive Industry (No 2—1995)	No	Does not apply to this LGA.
REP No.16 - Walsh Bay	No	Does not apply to this LGA.
REP No.18 - Public Transport Corridors	No	Does not apply to this LGA.

REP Title	Applicable	Consistent
REP No.19 - Rouse Hill Development Area	No	Does not apply to this LGA.
REP No.20 - Hawkesbury-Nepean River (No 2—1997)	No	Does not apply to this LGA.
REP No.24 - Homebush Bay Area	No	Does not apply to this LGA.
REP No.26 - City West	No	N/A to proposal.
REP No.30 - St Marys	No	Does not apply to this LGA.
REP No.33 - Cooks Cove	No	Does not apply to this LGA.
SREP (Sydney Harbour Catchment) 2005	No	Does not apply to this part of the LGA.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

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

Consideration of Ministerial Directions

s.117 Direction Title	Applicable	Consistent	Comments
1. Employment & Resources			
1.1 Business and Industrial Zones	No	N/A	
1.2 Rural Zones	No	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	No	N/A	
1.4 Oyster Aquaculture	No	N/A	
1.5. Rural lands	No	N/A	
2. Environment & Heritage			
2.1 Environment Protection Zones	No	N/A	
2.2 Coastal protection	No	N/A	
2.3 Heritage Conservation	Yes	Yes	Inclusion of the uses in the proposed Schedule 1 Clause 8 are consistent with the terms of this direction.
2.4 Recreation Vehicle Areas	No	N/A	
3. Housing Infrastructure & Urban Development			
3.1 Residential Zones	No	N/A	
3.2 Caravan Parks and Manufactured Home Estates	No	N/A	
3.3 Home Occupations	No	N/A	
3.4 Integrating Land Use & Transport	Yes	Yes	Consistent with the terms of this direction.
3.5 Development near licensed aerodromes	Yes	Yes	Consistent with the terms of this direction.
3.6 Shooting Ranges	No	N/A	
4. Hazard & Risk			
4.1 Acid Sulphate Soils	No	N/A	
4.2 Mine Subsidence and Unstable	No	N/A	

s.117 Direction Title	Applicable	Consistent	Comments
land			
4.3 Flood Prone Land	No	N/A	
4.4 Planning for Bush Fire Protection	No	N/A	
5. Regional Planning			
5.1 Implementation of Regional Strategies	No	N/A	
5.2 Sydney Drinking Water Catchments	No	N/A	
5.3 Farmland of State and Regional Significant on the NSW Far North Coast	No	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	
5.5 Revoked	No	N/A	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.8 Second Sydney Airport: Badgerys Creek	No	N/A	
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	Consistent with the terms of this direction.
6.2 Reserving Land for Public Purposes	No	N/A	
6.3 Site Specific Provisions	No	N/A	
7. Metropolitan Planning			
Implementation of A Plan for Growing Sydney	Yes	Yes	Consistent with the terms of this direction see Q3.

Section C – Environmental, social and economic impact

Q8. *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 proposal will not have any adverse impacts on critical habitat or threatened species, populations or ecological communities, or their habitats.

Q9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

If the current school occupant of the site was to relocate some of the proposed permissible with consent uses may have environmental effects that are different to those created by the school. These effects would be managed through the development assessment process.

Q10. *How has the planning proposal adequately addressed any social and economic effects?*

The planning proposal reinstates uses that were permissible with consent on the site until publication of the *Leichhardt Local Environmental Plan 2013* in 2014. If the current school occupant of the site was to relocate some of the proposed permissible with consent uses

may have social and economic effects that are different to those created by the school. These effects would be managed through the development assessment process.

Section D – State and Commonwealth interests

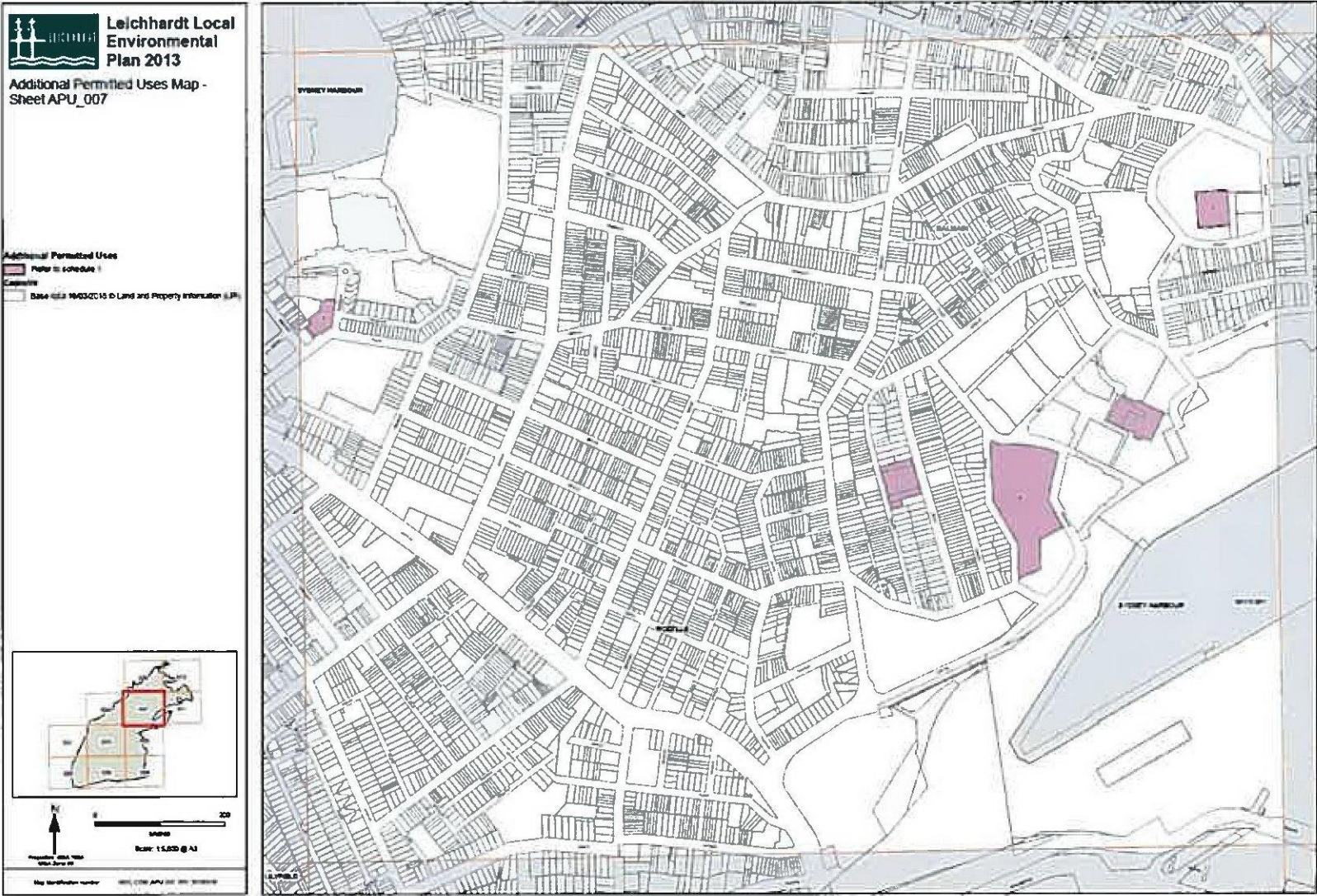
Q11. Is there adequate public infrastructure for the planning proposal?

The planning proposal reinstates uses that were permissible with consent until 2014. The public infrastructure in the area remains the same as in 2014.

Q12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

This section of the planning proposal will be completed following the issue of a Gateway Determination which identifies the State and Commonwealth Public Authorities to be consulted.

Part 4 – Mapping: Inclusion of 44-46 Smith Street, Rozelle on the Additional Permitted Use Sheet as "I"



Part 5 – Community Consultation

The planning proposal is considered to be low impact, in that:

- it restores a limited number of land uses as permissible with consent on the subject site that had been permissible up to February 2014 when the LEP 2013 was published.
- it is consistent with the pattern of surrounding land uses,
- it is consistent with the strategic planning framework,
- presents no issues with regards to infrastructure servicing,
- is not a principal Local Environmental Plan, and
- does not reclassify public land.

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

Part 6 – Project Timeline

Anticipated Project Timeline	Proposed Date (s)
Anticipated commencement date (date of Gateway determination)	5 June 2015
Anticipated timeframe for the completion of required technical information	At this stage not required.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	To be determined
Commencement and completion dates for public exhibition period	Minimum 28 Days – 18 June to 16 July 2015
Dates for public hearing (if required)	To be determined post exhibition
Timeframe for consideration of submissions	26 August 2015
Report final Draft Planning Proposal to Council	14 September 2015
Date of submission to Parliamentary Counsel	Late October 2015

Attachment 1- Delegation of Plan Making Functions to Council

Council is seeking an authorisation to make the plan for this planning proposal. The following response to the evaluation criteria is in support of this request;

(NOTE – where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council Response		Department Assessment	
	Y/N	Not Relevant	Agree	Not Agree
Is the planning proposal consistent with the Standard Instrument Order 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Direction?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments				
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		NA		
Heritage LEPs				
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		NA		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		NA		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		NA		
Reclassifications				
Is there an associated spot rezoning with the reclassification?		NA		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NA		
Is the planning proposal proposed to rectify an anomaly in a classification?		NA		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		NA		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?		NA		
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		NA		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guidelines for LEPs and Council Land</i> ?		NA		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		NA		

Spot Rezoning				
Will the planning proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		NA		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP Format?		NA		
Matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?		NA		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NA		
Does the planning proposal create an exception to a mapped development standard?		NA		
Section 73A Matters				
Does the proposed instrument- a) Correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b) Address matters in the principal instrument that are of a consequential, transitional machinery or other minor nature?; or c) Deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land?		NA		

**PROPOSED HOUSEKEEPING AMENDMENTS TO
LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2013**

PLANNING PROPOSAL

**Amendment to the Heritage Map Sheet 007 to correctly identify
Balmain Hospital - Main Building (I138), Lot 11 DP 1006912 & Lot 1
DP 1012848**

Part 1 – Objectives or Intended Outcomes

This planning proposal seeks to amend the Heritage Map Sheet 007 of *Leichhardt Local Environmental Plan 2013* to correctly identify Balmain Hospital - Main Building. This item is listed as Heritage Item I138 in Schedule 5 of *Leichhardt Local Environmental Plan 2013* and is of State Significance. The Main Building is located within the Balmain Hospital grounds, which is identified as a Local Heritage Item (I139).

The *Leichhardt Local Environmental Plan 2013* Heritage Map incorrectly depicts the location of the Balmain Hospital - Main Building, as the location of the new five (5) storey Thornton Wing building. This proposed amendment will correctly identify the location of State Heritage Listed Main Building of the Balmain Hospital.

Part 2 – Explanation of the Provisions

It is important to note that the State Heritage Register correctly identifies the Balmain Hospital - Main Building (SHR00814) and the site is protected by State Heritage provisions. No amendments are proposed to Schedule 5 of the *Leichhardt Local Environmental Plan 2013*.

The proposal will be achieved by an amendment to the *Leichhardt Local Environmental Plan 2013* Heritage Map Sheet 007 for Lot 11 DP 1006912 and Lot 1 DP 1012848, which will correctly identify the State Heritage Item known as the Main Building of the Balmain Hospital.

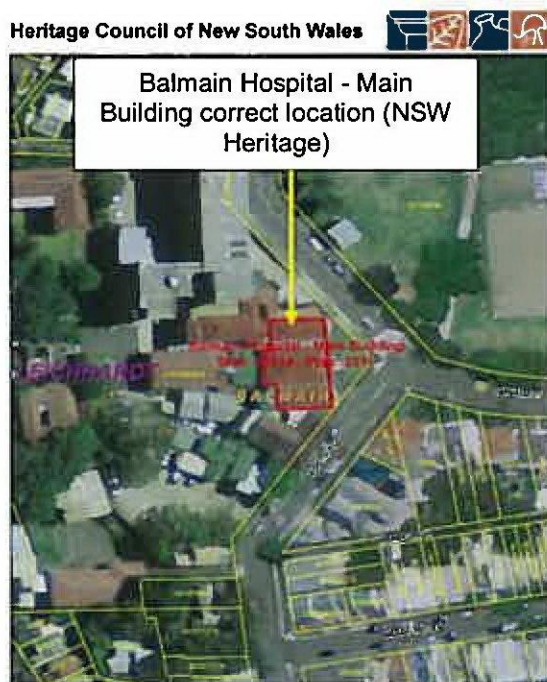


Figure 1: NSW Heritage correct location of Balmain Hospital - Main Building

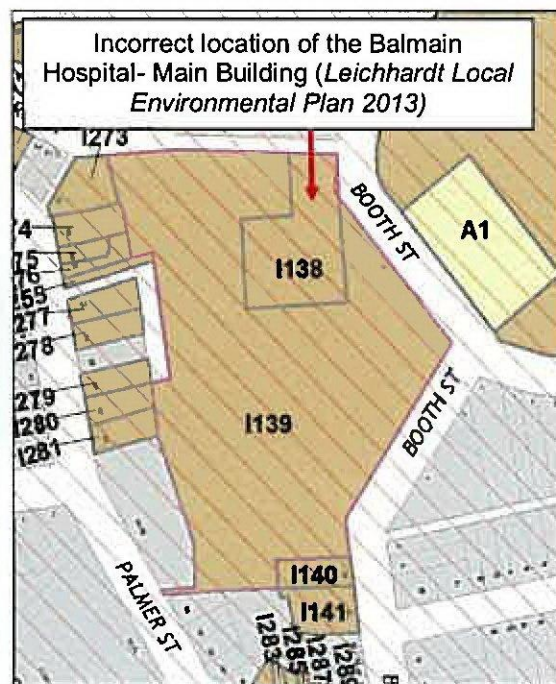


Figure 2: Incorrect location of the Balmain Hospital - Main Building in Leichhardt Local Environmental Plan 2013

Part 3 – Justification

Section A – Need for planning proposal

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

No this planning proposal is not a result of any strategic study or report. The planning proposal has been prepared in response to the detection of an error in the identification of the location of Balmain Hospital - Main Building (Item I138 within the *Leichhardt Local Environmental Plan 2013*) on the Heritage Map Sheet 007.

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

This planning proposal is the only way to amend the *Leichhardt Local Environmental Plan 2013* Heritage Map Sheet 007 to correctly identify the location of State Heritage Item - Balmain Hospital Main Building.

Q3. Is there a net community benefit?

Yes, a culturally significant State Heritage Listed Item will be accurately mapped on *Leichhardt Local Environment Plan 2013* Heritage Map Sheet 007.

Section B – Relationship to strategic planning framework.

Q4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the State Government's current Metropolitan Plan and the Inner West Draft Subregional Strategy. The following actions and objectives outlined in the tables below are of particular relevance.

Metropolitan Plan - A Plan for Growing Sydney
Objective
Direction 3.4: Promote Sydney's heritage, arts and culture.

Inner West Draft Subregional Strategy
Action
E6 Conserve Sydney's cultural heritage
G1.2 – Improve local planning and assessment

Q5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

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

Leichhardt 2025+
Community well being
• People are connected to place
Place where we live and work
• Our town plan and place plans optimise the potential of our area through integrating the built and natural environment with a vision of how we want to live as a community and how areas should develop to meet future needs.
• A clear, consistent and equitable planning framework and process is provided that enables people to develop our area according to a shared vision for the community.

Q6. Is the planning proposal consistent with applicable state environmental planning policies?

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

Consideration of State Environmental Planning Policies (SEPPs)

SEPP Title	Applicable	Comments
1. Development Standards	No	N/A to proposal.
14. Coastal Wetlands	No	This LGA does not contain any coastal wetlands.
15. Rural Landsharing Communities	No	This LGA does not contain any rural land.
19. Bushland in Urban Areas	No	N/A to proposal.
21. Caravan Parks	No	N/A to proposal.
26. Littoral Rainforests	No	This LGA does not include any littoral rainforests.
29. Western Sydney Recreation Area	No	Does not apply to this LGA.
30. Intensive Agriculture	No	Development covered by this SEPP does not occur in this LGA.
32. Urban Consolidation (Redevelopment of Urban Land)	No	N/A to proposal.
33. Hazardous and Offensive Development	No	N/A to proposal.
36. Manufactured Home Estates	No	Does not apply to this LGA.
39. Spit Island Bird Habitat	No	Does not apply to this LGA.
44. Koala Habitat Protection	No	Does not apply to this LGA.
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50. Canal Estate Development	No	Does not apply to this LGA.
52. Farm Dams and Other Works in Land and Water Management Plan Areas	No	Does not apply to this LGA.
55. Remediation of Land	No	N/A to proposal.
59. Central Western Sydney Regional Open Space and Residential	No	Does not apply to this LGA.
62. Sustainable Aquaculture	No	Development covered by this SEPP does not occur in this LGA.
64. Advertising and Signage	No	N/A to proposal.
65. Design Quality of Residential Flat Development	No	N/A to proposal.
70. Affordable Housing (Revised Schemes)	No	N/A to proposal.
71. Coastal Protection	No	Applies only to the coastal zone. LGA is not within the coastal zone.
SEPP (Affordable Rental Housing) 2009	No	N/A to proposal.
SEPP (Building Sustainability Index: BASIX) 2004	No	N/A to proposal.
SEPP (Exempt and Complying Development Codes) 2008	No	N/A to proposal.
SEPP (Housing for Seniors or People with a Disability) 2004	No	N/A to proposal.
SEPP (Infrastructure) 2007	No	N/A to proposal.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	No	Does not apply to this LGA.
SEPP (Kurnell Peninsula) 1989	No	Does not apply to this LGA.
SEPP Major Development 2005	No	N/A to proposal.
SEPP (Mining, Petroleum Production and	No	N/A to proposal.

SEPP Title	Applicable	Comments
Extractive Industries) 2007		
SEPP (Penrith Lakes Scheme) 1989	No	Does not apply to this LGA.
SEPP (Rural Lands) 2008	No	Does not apply to this LGA.
SEPP (State and Regional Development) 2011	No	N/A to proposal.
SEPP (Sydney Drinking Water Catchment) 2011	No	Does not apply to this LGA.
SEPP (Sydney Region Growth Centres) 2006	No	Does not apply to this LGA.
SEPP (Three Ports) 2013	No	N/A to proposal
SEPP (Miscellaneous Consent Provisions) 2007	No	N/A to proposal.
SEPP (Urban Renewal) 2010	No	N/A to proposal.
SEPP (Western Sydney Employment Area) 2009	No	Does not apply to this LGA.
SEPP (Western Sydney Parklands) 2009	No	Does not apply to this LGA.

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

REP Title	Applicable	Consistent
REP No. 2 - Georges River Catchment	No	Does not apply to this LGA.
Hunter REP 1989 - Heritage	No	Does not apply to this LGA.
Illawarra REP No. 1	No	Does not apply to this LGA.
Illawarra REP No. 2 - Jamberoo Valley	No	Does not apply to this LGA.
Jervis Bay REP 1996	No	Does not apply to this LGA.
Lower South Coast REP No. 2	No	Does not apply to this LGA.
North Coast REP	No	Does not apply to this LGA.
Central Coast Plateau Areas	No	Does not apply to this LGA.
Riverina REP No. 1	No	Does not apply to this LGA.
Willandra Lakes REP No. 1 - World Heritage Property	No	Does not apply to this LGA.
Murray REP No. 2 - Riverine Land	No	Does not apply to this LGA.
Orana REP No.1 - Siding Spring	No	Does not apply to this LGA.
REP No.8 - Central Coast Plateau Areas	No	Does not apply to this LGA.
REP No.9 - Extractive Industry (No 2—1995)	No	Does not apply to this LGA.
REP No.16 - Walsh Bay	No	Does not apply to this LGA.
REP No.18 - Public Transport Corridors	No	Does not apply to this LGA.
REP No.19 - Rouse Hill Development Area	No	Does not apply to this LGA.
REP No.20 - Hawkesbury-Nepean River (No 2—1997)	No	Does not apply to this LGA.
REP No.24 - Homebush Bay Area	No	Does not apply to this LGA.
REP No.26 - City West	No	N/A to proposal.
REP No.30 - St Marys	No	Does not apply to this LGA.
REP No.33 - Cooks Cove	No	Does not apply to this LGA.
SREP (Sydney Harbour Catchment) 2005	No	Does not apply to this part of the LGA.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

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

Consideration of Ministerial Directions

s.117 Direction Title	Applicable	Consistent	Comments
1. Employment & Resources			
1.1 Business and Industrial Zones	No	N/A	
1.2 Rural Zones	No	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	No	N/A	
1.4 Oyster Aquaculture	No	N/A	
1.5. Rural lands	No	N/A	
2. Environment & Heritage			
2.1 Environment Protection Zones	No	N/A	
2.2 Coastal protection	No	N/A	
2.3 Heritage Conservation	Yes	Yes	
2.4 Recreation Vehicle Areas	No	N/A	
3. Housing Infrastructure & Urban Development			
3.1 Residential Zones	No	N/A	
3.2 Caravan Parks and Manufactured Home Estates	No	N/A	
3.3 Home Occupations	No	N/A	
3.4 Integrating Land Use & Transport	No	N/A	
3.5 Development near licensed aerodromes	Yes	Yes	
3.6 Shooting Ranges	No	N/A	
4. Hazard & Risk			
4.1 Acid Sulphate Soils	No	N/A	
4.2 Mine Subsidence and Unstable land	No	N/A	
4.3 Flood Prone Land	No	N/A	
4.4 Planning for Bush Fire Protection	No	N/A	
5. Regional Planning			
5.1 Implementation of Regional Strategies	No	N/A	
5.2 Sydney Drinking Water Catchments	No	N/A	
5.3 Farmland of State and Regional Significant on the NSW Far North Coast	No	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	
5.5 Revoked	N/A	N/A	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.8 Second Sydney Airport: Badgerys Creek	No	N/A	
5.9 North West Rail Link Corridor Strategy	No	N/A	

s.117 Direction Title	Applicable	Consistent	Comments
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	
6.2 Reserving Land for Public Purposes	No	N/A	
6.3 Site Specific Provisions	No	N/A	
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Yes	Yes	Consistent with the terms of this direction see Q3.

Section C – Environmental, social and economic impact

Q8. *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 proposal will not have any adverse impacts on critical habitat or threatened species, populations or ecological communities, or their habitats.

Q9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

No adverse environmental effects are anticipated.

Q10. *How has the planning proposal adequately addressed any social and economic effects?*

The planning proposal will not have any social or economic effects beyond that which currently exist.

Section D – State and Commonwealth interests

Q11. *Is there adequate public infrastructure for the planning proposal?*

Not applicable.

Q12. *What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?*

This section of the planning proposal would be completed following the issue of a Gateway Determination which will identify State and Commonwealth Public Authorities to be consulted.

Part 4 – Mapping

