

# **ATTACHMENT J**

**MATTERS RAISED IN CONSULTATION  
UNDER SECTION 62 OF THE  
*ENVIRONMENTAL PLANNING & ASSESSMENT  
ACT, 1979***



## Consultation with Government departments, adjoining councils and other bodies under section 62 of EP&A Act

<b>NSW and Commonwealth Government agencies</b>	<b>Adjoining councils</b>
Ageing, Disability and Home Care (Department of)	Botany Council
Air Services Australia	Leichhardt Council
Casino Control Authority	Marrickville Council
Centennial Park and Moore Park Trust	Randwick Council
Civil Aviation Safety Authority	<b>Other organisations</b>
Education and Training (Department of)	Metro Transport Sydney – monorail / light rail
Energy Australia	Property Council of Australia
Environment and Climate Change (Department of)	Sydney Airport Corporation Limited
Fire Brigade	Transgrid
Health – Sydney South West Area (Department of)	Urban Taskforce
Heritage Council	
Historic Houses Trust	<b>Other agencies, councils and organisations invited to comment – no submission received</b>
Housing NSW	City West Housing
Landcom	Commerce (Department of)
Lands (Department of)	Defence (Department of)
Primary Industries (Department of)	Integral Energy
Rail Corporation & Transport Infrastructure Development Corporation	Metropolitan Lands Council
Redfern Waterloo Authority	Northern Sydney Regional Organisation of Councils
Roads and Traffic Authority	North Sydney Council
State Transit Authority – Sydney Buses	NSW Maritime
Sydney Harbour Foreshore Authority	Southern Sydney Regional Organisation of Councils
Sydney Metro – CBD metro	State and Regional Development (Department of)
Sydney Ports	State Emergency Services
Sydney Water	State Property Authority
Tourism NSW	Sydney Ferries Corporation
Transport (Ministry of)	Sydney Cricket and Sports Ground Trust
Water and Energy (Department of)	Western Sydney Regional Organisation of Councils
	Woollahra Council

Department of Ageing, Disability & Home Care			
	Issue	Consideration	Outcome
1	<b>Implications for SEPP 9 – Group Homes</b> SEPP 9 will no longer apply under the Standard LEP and DADHC is currently considering how this will affect development of accommodation for people with a disability. Look forward to further consultation once LEP has been drafted.	Noted. SEPP 9 (Group Homes) has been repealed and provisions incorporated into the Infrastructure SEPP.	No impact on Draft LEP.
2	<b>Zoning of property</b> DADHC does not currently own properties that may be affected by changes in zoning.	Noted.	No impact on Draft LEP.

Air Services Australia (Federal)			
	Issue	Consideration	Outcome
1	<b>Building heights</b> Developments in certain locations and of certain heights may have operational and/or performance impacts for air traffic management and aeronautical facilities at Sydney Airport. A detailed assessment of impacts cannot be undertaken without height and location controls. Particularly interested in Green Square Town Centre, Victoria Park and other Green Square localities.	Section 117 Ministerial direction requires consent from the Federal body (or its delegate) for LEP controls that allow development to encroach the Obstacle Limitation Surface (OLS). As a consequence, in 2009 the City supplied Sydney Airports Corporation Limited with maps of the proposed height controls in the draft LEP. They subsequently forwarded details of proposed heights for the Lachlan and Epsom Park precincts to Air Services Australia and other relevant Commonwealth agencies for assessment. To date no response has been received.  Informal advice suggests that the relevant Commonwealth bodies are unable to form an opinion without the level of detail that is only available at DA stage. The draft LEP includes a clause which provides that relevant Commonwealth bodies will be consulted when DAs are submitted that may penetrate the OLS.	Draft LEP <i>clause 7.6 Airspace Operations</i>
2	<b>Sensitive Zones</b> Developments in 'sensitive zones' for navigational facilities may also require assessment by Airservices Australia. Early notification should be given to ensure potential impacts are fully assessed and appropriate mitigations can be implemented before development consent is granted.	As above	Draft LEP <i>clause 7.6 Airspace operations</i>

<b>Air Services Australia (Federal)</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
3	<b>Other height obstacles of interest</b> Legislation also captures construction cranes and plumes from industrial chimneys where causing turbulence (i.e. where at a velocity of 4.3m <sup>2</sup> ).	The draft LEP is not considered to be a suitable mechanism for addressing this concern.	Not applicable to draft LEP
4	<b>Public safety zone</b> Noted for information and interest that Queensland Government legislation (State Policy 1/02) provides for a public safety zone at the ends of runways to minimise harm in the event of a crash.	Noted.	Not relevant to Draft LEP
5	<b>Draft Clause 6.15 Aircraft related noise</b> The Clause implies that residential purposes are acceptable at 20 Australian Noise Exposure Forecast (ANEF) and this is inconsistent with the Australian Standard. Airservices Australia identified a number of recommended changes to the proposed draft clause.	The draft LEP adopts the model clause recommended by the Department of Planning in April 2010.	Draft LEP <i>clause 7.7 Development in areas subject to airport noise</i>

<b>Casino Control Authority</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Pawnbrokers shops and money lending business</b> Casino Control Authority (CCA) supports maintaining a provision that prohibits pawn brokers and money lending businesses in Ultimo/Pymont	The City proposed to include a similar clause in the draft LEP. However, it was omitted on the advice of the Department of Planning because, by creating a sub-zone, it was inconsistent with the Standard Instrument.	Clause 116 of <i>Sydney LEP 2005</i> has not been carried forward into the draft LEP
2	<b>Location of Brothels within 200m of Star City Casino</b> CCA opposed deleting Clause 117 in <i>Sydney LEP 2005</i> about brothels to be replaced by draft Clause 6.9 <i>Particular Assessment of amusement centres, sex industry premises, adult entertainment premises, late opening premises which serve alcohol and the like</i> .  The draft clause does not contain the current restriction on locating brothels within 200ms of Star City casino. The restriction was imposed due to concerns of local residents that the Casino would be a 'magnet' for brothels and that a proliferation of brothels would adversely impact on the local residential amenity.	The City discussed proposed draft clauses with CCA and Department of Planning. The Department indicated that they did not support a locally-specific clause relating to six industry premises and recommended adoption of the model clause 6.6 <i>Sex services premises</i> to apply to the entire LGA. The model clause will not address the matters raised by CCA and is not appropriate for the entire LGA. It is therefore proposed to rely on DCP controls for sex industry premises. In addition, the casino and adjoining land are proposed to be zoned B3 Commercial Core and sex services premises is a prohibited use in the B3 zone.	Zoned B3 Commercial Core prohibits sex services premises in this location.  Draft DCP provisions for Adult Entertainment and Sex Industry Premises
3.	<b>Transfer of SEPP 41 – Casino Entertainment Complex into</b>	Clause 1.9 of the draft LEP repeals SEPP 41. The	Draft LEP Clause 1.2 <i>Aims of</i>

<b>Casino Control Authority</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	<p><b>Sydney LEP</b> In regards to existing SEPP objectives to be transferred into Ultimo-Pyrmont section of the LEP, it is submitted that addressing the potential social impacts of the casino should not be an objective of the planning instrument and the existing policy aims of the SEPP should be retained.</p>	<p>proposed Ultimo-Pyrmont section of the LEP, including the objective to address the impacts of the casino, has been abandoned to achieve greater consistency with the Standard Instrument. While the policy aims of SEPP 41 were relevant to the establishment of the casino, they are less relevant now that the casino and associated development is in place. The aims of the draft LEP and the aims of the B3 Commercial Core zone do not preclude the ongoing operation of the casino in Pyrmont.</p>	<p>Plan and Zone B3 Commercial Core</p>
4	<p><b>Sydney Casino Entertainment Complex</b> In paragraph (1) of proposed Draft LEP Clause the land boundary should also refer to Union Street so that the Switching Station Site is included in the zone map.</p>	<p>The proposed clause for the casino has been abandoned in favour of a B3 Commercial Core zoning. The Switching Station Site is also included in the B3 Commercial Core Zone.</p>	<p>Zone B3 Commercial Core</p>
	<p>In paragraph (2)(c)(i) – CCA notes that by incorporating the words ‘includes, but is not limited to’ at the start (i) and deleting ‘and any other purposes that are ancillary to development for the purposes of a casino’ has no material effect on the range of uses permitted.</p>	<p>The proposed clause for the casino has been abandoned in favour of a B3 Commercial Core zoning.</p>	<p>Zone B3 Commercial Core</p>
	<p>SEPP 41 prohibits residential use adjacent to the Casino and this prohibition should also be maintained.</p>	<p>The SEPP 41 prohibition of residential uses is to be retained via the land use zoning.</p>	<p>B3 Commercial Core zone prohibits residential uses in this location</p>

<b>Centennial Park and Moore Park Trust</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<p><b>Land boundaries</b> The Trust owns the land occupied by Fox Studios, but this is covered by SEPP 47 and the Major Projects SEPP rather than this LEP.</p>	<p>Noted. SEPP 47 Moore Park Showground will not be transferred into Draft LEP.</p>	<p>Not applicable to Draft LEP.</p>
2	<p><b>Zoning</b> <i>Uses permissible without consent:</i> a) The Trust does not support exclusion of ‘gardening, landscaping, public lighting’ from the new provision.  b) The Trust find it is less acceptable that events and event related car parking would need development consent unless</p>	<p>Noted and largely addressed in subsequent revisions of Land Use Table. However, the draft LEP is largely irrelevant to the Trust lands and activities given the primacy of the <i>Infrastructure SEPP</i>. Amongst other things <i>the Infrastructure SEPP</i> enables development by or on behalf of the Trust for any purpose without consent if it is for the purpose of implementing a plan</p>	<p>Land Use Table</p>

<b>Centennial Park and Moore Park Trust</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
<p>adequately incorporated in a relevant management plan.</p> <p><i>Uses permissible with consent:</i></p> <p>c) It is not clear where activities such as events and car parking fit in unless this is addressed in the new plan in the proposed stand alone clause relating to Moore Park</p> <p>d) The proposed new zone specifically prohibits all other uses not listed as not permitted. This contrasts with the existing provisions which do not specify prohibited development. The Trust requires greater flexibility than the proposed land use provisions and requests that a stand alone clause in relation to Moore Park be included in the draft plan as proposed (Clause 107).</p>	of management.	
<p>3 <b>Special Provision relating to Moore Park and ES Marks Field</b></p> <p>The stand alone clause on Moore Park and ES Marks Field in the existing SS LEP should be retained without substantial modification to provide the flexibility required. It provides for a wider range of uses than the proposed Clause 16.</p>	Special provisions no longer considered necessary given the provisions of the <i>Infrastructure SEPP</i>	No impact on draft LEP
<p>4 <b>Tree preservation</b></p> <p>The Trust requests exemption from the Tree Preservation provisions. Moore Park open space is covered by the Master and Management Plan both endorsed by the Minister for Sport &amp; Recreation as subsidiary plans to the Centennial Parklands Plan of Management.</p>	The Trust is exempt from the Tree Preservation provisions by virtue of the <i>Infrastructure SEPP</i> .	No impact on draft LEP

<b>Civil Aviation Safety Authority (Federal)</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
<p>1 <b>Aircraft noise</b></p> <p>Reference to Civil Aviation Safety Authority is out of date in relation to aircraft noise. Reference should be to Airservices Australia or to consultants with appropriate specialisation.</p>	The draft LEP adopts the model clause recommended by the Department of Planning in April 2010.	Draft LEP <i>clause 7.7 Development in areas subject to airport noise</i>
<p>2 <b>Control of building heights</b></p> <p>Other legislation relating to the control of building heights is made under the Civil Aviation Act (1998). These are:</p> <p>(i) subpart 139.E (Obstacles and Hazards) of the <i>Civil Aviation Safety Regulations (CASR) 1998</i></p>	Noted.	Draft LEP <i>clause 7.6 Airspace operations</i>

<b>Civil Aviation Safety Authority (Federal)</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	(ii) the <i>Civil Aviation (Building Control) Regulations 1988</i> , and (iii) Part 95 of the <i>Civil Aviation Regulations (CAR) 1988</i> .		
3	<b>Bird and animal hazard management</b> CASR 1998 requires airport operators to have a bird and animal management plan in place. CAR 96 prevents the dumping of rubbish which may attract birds in the vicinity of an airport.	This type of hazard is not dealt with by an LEP or DCP. Further work on future Alexandra Canal Masterplan should address the issue of regeneration of natural system that would attract birds.	Not applicable to Draft LEP.
4	<b>Dangerous lights</b> Regulations require dangerous lights and lasers near an airport to be removed or shielded.	Noted	Draft DCP clause for External Lighting refers to aviation requirements.

<b>Department of Education and Training</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Zoning of schools and TAFE properties</b>  DET would prefer Council apply the following criteria:  a) existing sites zoned other than 'Special Uses' should retain that zoning (provided educational uses remain permitted) b) existing sites zoned 'Special Uses' should adopt zoning of immediately adjoining land (provided educational uses remain permitted)	Properties owned by the DET and developed as educational establishments are zoned from Special Uses to the zoning of adjoining land (as per Department of Planning instruction on Special Uses zonings). The exceptions are properties where there is not appropriate adjoining zone that can be adopted, such as Sydney Boys/Girls High School, surrounded by recreation zones.	Proposed zoning same as adjoining land unless there is not an appropriate adjoining zone.
2	<b>Permitted uses</b> <ul style="list-style-type: none"> <li>Future additional development for educational purposes should be permitted on existing sites.</li> <li>Educational uses should remain a permitted use on those where it is currently permissible.</li> </ul>	Noted. Educational uses are permitted with consent on land in all prescribed zones in the Infrastructure SEPP and educational uses are permissible in these prescribed zones in the draft LEP.	Educational establishments are permitted development with consent on all existing and proposed future sites.
3	<b>DET sites</b> A list of DET facilities was submitted for reference.	Noted.	No impact on Draft LEP.
4	<b>Future demand/residential development</b> DET would appreciate being informed of all substantial new residential proposals in order to assess need for education facilities.	Noted.	Not applicable to Draft LEP.

<b>Energy Australia</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>

Energy Australia			
	Issue	Consideration	Outcome
1	<b>Zoning proposal for distribution substation</b> No objection to council's intentions to rezone Energy Australia distribution substations at Rosebery and Glebe.	The substation at 1A Harcourt Parade, Rosebery being rezoned from Zone 5(a) Special Uses to zone B4 Mixed Use to reflect the surrounding land use and the substation at 2-4 Edward Street, Glebe to be rezoned from Zone 5(a) Special Uses to Zone R1 Residential to be consistent with the surrounding land use.	Draft LEP Land Zoning Map.

Department of Environment and Climate Change			
	Issue	Consideration	Outcome
1	<b>Ecologically sustainable development</b> The LEP provides opportunity to make decisions about zoning and planning controls that support achievement of ESD principles.	ESD principles are embedded in aims of draft LEP land and objectives of its provisions.	LEP Clause 1.2 <i>Aims of Plan</i>
2	<b>Biodiversity conservation</b> A number of threatened species have been recorded in the City LGA in last 10-15 years. A flora and fauna study would facilitate greater understanding. Environmental Protection zonings should be considered to assist habitat conservation.	The City has funded various ecology projects through its environmental grants program. A detailed LGA wide study would be useful however is not planned at this stage. No areas in the City are identified as critical habitat or wilderness area.	Zoning Map does not propose any Environmental Protection Zones
3	<b>Biodiversity certification</b> Council needs to indicate whether it will seek 'biodiversity certification' under the <i>Threatened Species Conservation Act 1995</i> (Sec. 126G). Certification will 'switch off' the need for further threatened species assessments. To achieve certification, Council needs to demonstrate the LEP will lead to 'maintained or improved' biodiversity values. Applications for certification need to be exhibited – ideally during the LEP exhibition process.	Biodiversity certification scheme is relevant to LGAs with significant environmental protection zoning. The City is not seeking certification.	Not applicable.
4	<b>Aboriginal cultural heritage</b> Recommend Council undertake a strategic approach to identifying and incorporating into the LEP areas of Aboriginal cultural heritage. The Metropolitan Local Aboriginal Land Council should be consulted. In the meantime, Aboriginal cultural heritage assessments should be routinely required for development consent. The LEP could include an advisory note about the (separate) obligations under the <i>National</i>	One of the objectives of <i>Sustainable Sydney 2030</i> is to "encourage the appreciation and development of Aboriginal and Torres Strait Islander cultural heritage and its contemporary expression". Actions to support this include the proposed Eora Journey pathway, intended to link Redfern to Sydney Harbour, and the establishment of an Aboriginal and Torres Strait Islander committee to advise Council on indigenous	Draft LEP Clause 5.10 <i>Heritage conservation</i>

Department of Environment and Climate Change			
	Issue	Consideration	Outcome
	<i>Parks and Wildlife Act 1974</i> in respect to aboriginal objects.	<p>issues.</p> <p>The Metropolitan Lands Council was invited to comment on the draft Plan as part of consultation under s62 of the Act.</p> <p>Draft LEP clause 5.10 <i>Heritage Conservation</i> provides for the protection of items and places of Aboriginal heritage significance. Changes to the clause to more appropriately address the protection of aboriginal objects and aboriginal places of heritage significance are currently proposed by the Department of Planning as part of changes to the Standard Instrument. If, and when, these changes are incorporated into the Standard Instrument they will be reflected in the draft LEP.</p>	
5	<b>DECC reserves/land</b> Cadman's Cottage is gazetted as DECC land and should be zoned E1 National Parks and Nature Reserves.	Cadman's Cottage is in the area under the planning control of the Sydney Harbour Foreshore Authority.	Not applicable to the LEP because it does not cover the property.
6	<b>Water management</b> Control of runoff into waterways is important for water quality and aquatic habitat. Council may want to consider a W1 Natural waterways zoning and/or combined with E2 Environmental Protection zonings.	Draft LEP does not propose either Waterway or Environment Protection zonings.	Not applicable to City of Sydney LGA
7	<b>Air quality</b> DECC supports the LEP intent to shift from off-street car parking to an emphasis on walking, cycling and public transport.	Noted. Council endorsed general change in parking policy to restrict the amount of car parking in favour of encouraging sustainable transport choices.	Draft LEP clause 7.10 <i>Car parking ancillary to other development</i>
8	<b>Environmental amenity – noise, odour, dust</b> Major new developments likely to create land use conflicts with noise, odour, dust and air quality impacts should be identified to allow targeted assessments and planning measures to ensure compliance with the <i>Protection of the Environment Operations Act 1997</i> .	Compliance with the <i>Protection of the Environment Operations Act 1997</i> has been confirmed through existing planning instruments. It is the part of development assessment process and has been included in standard conditions of consent.	Not applicable to Draft LEP
9	<b>Contaminated land</b> SEPP 55 (Remediation of land) requires planning authorities to consider contamination issues at rezoning stage.	The draft LEP is consistent with SEPP55. The proposed zonings generally do not result in changes to permitted uses compared to zonings in existing LEPs. Where the draft LEP does propose a change of	Draft DCP – Contamination clause

Department of Environment and Climate Change			
Issue	Consideration	Outcome	
	<p>zoning of land that has been occupied by potentially contaminating uses (being a small number of sites in Glebe/Forest Lodge currently zoned Industrial), these sites are relatively small, and the ability to address contamination issues at the DA stage or through the <i>Contaminated Land Management Act 1997</i> is retained.</p> <p>The Draft DCP maintains existing provisions in <i>City of Sydney Contaminated Land DCP 2004</i> which requires that all development applications, including rezoning, be consistent with SEPP 55 and the <i>Contaminated Land Management Act 1997</i>.</p>		
10	<p><b>Acid sulphate soils</b> Revised wording of the acid sulphate clauses was submitted as well as general requirements for exempt and complying developments.</p>	<p>The draft LEP adopts clause 7.1 <i>Acid-sulfate soils</i> which is a model Standard Instrument clause developed by the Department of Planning in consultation with relevant agencies. Exempt and complying development is now largely determined by a SEPP and the requirements do not apply to the draft LEP.</p>	Draft LEP Clause 7.1 <i>Acid-sulfate soils</i>
11	<p><b>Floodplain management</b> The DECC recommends carrying out an overall Floodplain Risk Management Plan given the likelihood, particularly in the southern part of the LGA, of redevelopment of 'brownfield' sites that typically have only moderate existing infrastructure for managing flood waters.</p>	<p>A Flood Planning Risk Management process for flood prone land in the LGA is underway. The <i>Green Square and West Kensington Study and Floodplain Risk Management</i>, completed in March 2008, is the third of six stages in the process. The next stage, due for completion by the end of 2010, involves the development of the Floodplain Risk Management Study and Plan which will provide management options to address flooding in the Green Square area.</p> <p>A separate flood study for the Alexandra Canal catchment is underway. The first stage is due to be completed at the end of 2010.</p> <p>The draft LEP adopts the DOP's model clause for flood planning (Clause 7.17 ). Until the City completes a Flood Planning Map, the clause will simply apply to land at or below the flood planning level (1:100 average recurrent interval flood event plus 0.5m</p>	Draft LEP Clause 7.2 <i>Flood planning</i>

Department of Environment and Climate Change			
	Issue	Consideration	Outcome
		freeboard).	
12	<p><b>Environment Protection and Biodiversity Conservation Act 1999 (Cmth)</b> Council is reminded it needs to separately consider the requirements of this Act.</p>	<p>The Act provides a legal framework for matters of world and national environmental and heritage significance. Any proposed development that may have significant impact on these matters or Commonwealth land and buildings must be referred for assessment to the Department of the Environment, Water, Heritage and the Arts.</p> <p>Although Sydney Opera House is identified in the LEP as a World significant heritage item, it is largely protected by State-level planning instruments. SEPP (Major Projects) 2005 identifies development on the site as a Part 3A project and <i>SREP (Sydney Harbour Catchment) 2005</i> includes provisions applying to a buffer zone around the Opera House.</p>	Not applicable to Draft LEP.

NSW Fire Brigade			
	Issue	Consideration	Outcome
1	Zoning of sites owned by the NSWFB should reflect the use of sites and the desired future character.	All NSWFB properties are proposed to be zoned same as the surrounding zone.	Draft LEP Clause 2.3 <i>Zone objectives and land use table</i>
2	NSWFB requested further information about HFS provisions given that it owns a number of heritage listed buildings.	Existing HFS provisions are retained but eligibility for award now restricted to land in Metropolitan Centre zone. This change does not affect any NSWFB buildings.	Draft LEP Clause 7.9 <i>Heritage floor space</i>

Department of Health – Sydney South West Area Health Service			
	Issue	Consideration	Outcome
1	<p><b>Proposed rezoning for properties owned by the Department</b> The Area Health Service requests that the entire RPAH site be zoned SP2 - Infrastructure Zone to provide the flexibility that the site requires.</p>	Agreed. SP2 Zoning is consistent with provisions of the Infrastructure SEPP.	Land Use Zoning Map
2	<p><b>Building Heights</b> The Department objected to height limits for RPAH site recommended by urban design study. Hospitals and health related facilities have high floor to ceiling heights to</p>	<p>Agreed</p> <p>Significant development on this large site is likely to trigger a requirement for the preparation of a site-</p>	<p>Height controls have not been applied to the site.</p> <p>Clause 7.11 <i>Development</i></p>

Department of Health – Sydney South West Area Health Service			
	Issue	Consideration	Outcome
	accommodate medical and support equipment. The proposed height limits do not consider the site's unique function and form.	specific DCP.	<i>requiring preparation of a development control plan</i>
3	<p><b>Floor Space Ratio</b></p> <p>The Department would prefer the LEP to remain silent on FSR controls for the entire RPAH site to ensure the functional efficiency of future health service facilities and retain the flexibility required for future functional and spatial planning without the need to seek LEP amendments. The lack of FSR controls will also ensure future buildings will be capable of providing simple and large floor plates for discrete medical purposes.</p>	<p>Agreed</p> <p>Significant development on this large site is likely to trigger a requirement for the preparation of a site-specific DCP.</p>	<p>FSR controls have not been applied to the site.</p> <p>Clause 7.11 <i>Development requiring preparation of a development control plan</i></p>

Heritage Council of NSW and Heritage Office			
	Issue	Consideration	Outcome
1	<p><b>Deletion of some properties listed as Heritage Items</b></p> <p>Heritage items should only be deleted from the heritage list if they do not meet the gazetted Heritage Council criteria. Even demolition does not always destroy all aspect of heritage significance.</p>	Some properties, listed as heritage items were assessed by Council's heritage officers and proposed to be deleted from the list either because they no longer exist or a review suggested they are not worthy of listing.	Draft LEP Schedule 5 – <i>Environmental Heritage, Part 1 Heritage Items</i>
2	<p><b>Identifying 'heritage streetscapes' as a separate category</b></p> <p>No objection, but should be included in the LEP dictionary. Seek advice how to map the streetscapes as only part of each property (the street elevation) will be included in the listing.</p>	Heritage streetscapes are not proposed to be a separate category. It is now proposed to either incorporate 'heritage streetscapes' into surrounding conservation areas or to identify them as new conservation areas.	Draft LEP Schedule 5 – `
3	<p><b>Potential Archaeological Sites</b></p> <p>No objection to a clause to conserve potential but unconfirmed archaeological sites given the City's detailed archaeological study. Requires mapping and detailed description of the assessment required under subclause (c).</p>	This clause has since been removed from the Standard LEP. Sites of potential archaeological significance are dealt with under other legislation ( <i>Heritage Act 1977</i> and <i>National Parks and Wildlife Act 1974</i> ) and therefore do not need to be dealt with in the LEP. The DCP includes relevant provisions which, amongst other things, direct developers to the Central Sydney Archaeological Zoning Plan on the City's website and to the Aboriginal Heritage Information Management System maintained by the Department of Environment and Climate Change.	Draft DCP provisions relating to Heritage
4	<b>Potential Aboriginal Heritage significance</b>	Same consideration as above.	Draft DCP provisions relating

Heritage Council of NSW and Heritage Office			
	Issue	Consideration	Outcome
	Same as above concern.		to Heritage
5	<p><b>Deletion of clause 26(3) South Sydney LEP 98 – Heritage Conservation Incentives</b></p> <p>This clause allows existing heritage buildings to be excluded from floor space calculations of new development proposals while any proposed additional floor space does not adversely affect the heritage significance of the item, the amenity of area, etc. No objection is raised to the proposal to delete this provision.</p>	It is considered that deleting this clause will not have a detrimental impact on heritage conservation given that heritage-listed buildings to which it applies have, these days, a value related to heritage significance and heritage conservation is now an accepted part of development.	Clause 26(3) South Sydney LEP 98 – <i>Heritage conservation Incentives</i> not adopted.
6	<p><b>Buildings older than 50 years</b></p> <p>Proposed subclause 5(A) to clause 5.10 <i>Heritage Conservation</i> refers to buildings older than 50 years and enables the identification of heritage significance of older buildings that may have been missed in heritage studies. Why 50 years? Why not 60 or 70 years?</p>	The Department of Planning has advised that it does not support the proposed sub-clause as the timeframe is arbitrary and the provision is unnecessarily onerous. The proposed sub-clause has therefore been omitted from the draft LEP but relevant provisions are included in the DCP.	Draft DCP provisions relating to Heritage
7	<p><b>Interior non-structural changes</b></p> <p>Proposed subclause (2)(c) is an amendment to the Standard LEP and requires development consent for non-structural changes to the interior of a heritage item.</p>	<p>The City has requested the Department of Planning to amend the compulsory Standard Instrument clause 5.10 <i>Heritage Conservation</i> to address non-structural changes to the interior of a heritage item. The Standard Instrument does not allow for a local council to amend such a clause.</p> <p>In March 2010 the Department of Planning exhibited a number of potential amendments to the Standard Instrument, including the City's proposal for the Heritage clause. The consultation period closed on 14 May 2010. Until the proposed amendments to the Standard Instrument are finalised, the draft LEP is required to adopt the current version of clause 5.10 <i>Heritage Conservation</i>. If, and when, clause 5.10 is ultimately amended, the new provision will be incorporated into the LEP.</p>	Draft LEP Clause 5.10 <i>Heritage Conservation</i> and Department of Planning's Draft Potential Amendments to the Standard Instrument

Historic Houses Trust			
	Issue	Consideration	Outcome

<b>Historic Houses Trust</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Elizabeth Bay House</b> HHT agrees with inclusion of existing clause 50 (South Sydney LEP 1998) <i>Development in the vicinity of Elizabeth Bay House</i>	The Department of Planning has indicated that it does not support retention of the existing concurrence role for the Historic Houses Trust. Accordingly, the LEP only retains, in an abbreviated form, the heads of consideration for development in the vicinity of Elizabeth Bay House.	Draft LEP Clause 7.5 <i>Development between Elizabeth Bay House and the foreshore</i>
2	HHT recommends the limitation of height to the present envelopes for development adjacent to the EB House, particularly: 6, 8 and 11 Onslow Avenue and 40 Macleay Street. In the case of 11 Onslow Avenue the height should be limited to 7 metres above street level so that EBH is not hemmed in as it is presently.	Building height recommendations in the Urban Design Study for City East and Darlinghurst/ Surry Hills are similar to the existing controls and are considered appropriate given existing built form and residential densities.	Draft LEP Clauses 4.3 <i>Height of buildings</i> and <i>Height of Buildings Map</i>

<b>Housing NSW</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Millers Point and HFS</b> HousingNSW has previously sought (about 4 years ago) to have the Heritage Floor Space provisions apply to Millers Point to allow the award of HFS on HousingNSW properties.	The existing FSR in Millers Point (2:1) is considered appropriate for the heritage precinct. Many of the buildings in that area are built to or close to that limit; therefore there may be very little unused development capacity to transfer to other sites in the form of Heritage Floor Space.	Heritage Floor Space provisions in draft LEP apply only to heritage items in Central Sydney (FSR Areas 1, 2, 3 and 4).
	<b>Millers Point</b> HousingNSW doing a lot of work in this area including preparing conservation management guidelines. Will submit to council for comment by end 2007. No anticipated concern with proposed provisions – intention is to manage rather than change housing stock in this area.	Noted.	No impact on Draft LEP
2	<b>Provisions for HousingNSW properties in Redfern-Waterloo area</b> Reiterates position made in 2006 about the Redfern-Waterloo Urban Design Study that given the opportunities for future master planning on HousingNSW sites and the broader social and economic factors that need to be considered before sites can be developed, the HousingNSW would be concerned if the urban design study proposals were incorporated without	After additional consultation with HousingNSW it has been clarified and accepted that Waterloo Redfern Urban Design Study has offered reasonable and appropriate LEP recommendations. Redfern Waterloo Authority Built Environment Plan – Stage 2, as advised by the Authority, will not be dissimilar to Council's recommendations and strategy for this area.	Waterloo-Redfern Urban Design Study recommendations included in draft LEP.

Housing NSW			
	Issue	Consideration	Outcome
	<p>further detailed discussion and before the evaluative work by the HousingNSW and the Redfern-Waterloo Authority is completed.</p> <p>HousingNSW recommends deferral of the Redfern-Waterloo area until the Redfern Waterloo Authority has completed the second stage of its Built Environment Plan which focuses on public housing sites.</p>		
	<p><b>Redfern-Waterloo area</b></p> <p>Requests consideration of Redfern-Waterloo being treated as a key 'planning district' in the same way that Green Square is currently recognised and Ultimo-Pyrmont was previously identified. This is now supported by identification of this area as a 'City Renewal Area' in Council's Sustainable Sydney 2030 consultation paper.</p>	<p>The Redfern Waterloo Authority is responsible for planning of the area. The land uses and planning controls are outlined in the SEPP (Major Projects) 2005 and Redfern-Waterloo Built Environment Plans. Sydney 2030 identified Redfern-Waterloo as a renewal site in general terms but area's development is beyond Council's planning authority.</p>	<p>No impact on Draft LEP</p>
3	<p><b>Consultation provision in Woolloomooloo</b></p> <p>Clause 48 of SSLEP 1998 appears to relate to the tripartite agreement dating from 1970s between Commonwealth, State and Council about public housing in Woolloomooloo. HousingNSW legal unit looking at whether this agreement is current. Retain provision until this matter is resolved.</p>	<p>Section 117 Direction 6.1 discourages inclusion of referral provisions. A proposed draft clause to carry forward the existing referral provision was omitted at the request of the Department of Planning.</p> <p>Administrative procedures of the City's Assessments Unit will ensure that the Department of Housing is consulted in respect of DAs in Woolloomooloo.</p>	<p>Clause 48 of SSLEP 1998 has not been carried forward into the Draft LEP.</p>
4	<p><b>Zoning of Department of Housing property</b></p> <p>No objection to proposed zoning change of No. 616-660 Elizabeth Street, Redfern from Special Uses (Activity Centre) to Standard Template zone R1 General Residential.</p>	<p>To zone No. 616-660 Elizabeth Street, Redfern R1 General Residential will be consistent with the surrounding land use and with DoP instructions on how to deal with existing Special Uses zonings. (Currently zoned No. 5 Special Uses Zone under SSLEP 1998).</p>	<p>Draft LEP Clause 2.1 <i>Land use zones</i></p>
5	<p><b>Laneway Development in Glebe Conservation Area</b></p> <p>It is proposed that development on rear lanes generally be restricted to one-storey in order to prevent a haphazard development pattern. This restriction may be appropriate in some locations with predominantly individual private ownership where different owners have different building aspirations and there is little scope for collaborative development. However, 2-storey development facing laneways can be valuable option for meeting public housing</p>	<p>Glebe Conservation Area Study and Glebe and Forest Lodge Urban Design Study recommended that rear lane development be restricted to one storey in some lanes. This limit is imposed where it is felt that 2-storeys would have a negative impact on the heritage streetscape and/or residential amenity. Council endorsed both Glebe Conservation and Urban Design studies' recommendations for progression into the draft LEP</p>	<p>Draft LEP map <i>Height of Buildings</i></p>

Housing NSW			
	Issue	Consideration	Outcome
	needs in a heritage constrained area. The many contiguous Housing NSW properties provide scope for achieving a coherent pattern of development which selectively and sensitively utilises such a form of development. The one-storey restriction should not apply to these areas.		
	<p><b>Glebe Conservation Area</b> Where properties are identified as 'detracting' from the significance of a conservation area, the study encourages redevelopment or treatment such as screen landscaping and/or rendering and painting. Council is advised that the latter is generally not a viable option for public housing properties of unfinished masonry construction due to cost and maintenance implications.</p>	Noted. The encouragement to provide screen landscaping and/or rendering and painting of the streets frontage will be given only as a part of development consent to future applications for redevelopment.	Not applicable to Draft LEP.
6	<p><b>Glebe and Forest Lodge Urban Design Study</b> The proposed controls on height, FSR and site coverage are less than the existing development. The setting of standards at or below what already exists may render any redevelopment of those properties unviable. It is recommended that flexibility be built into planning controls to enable such cases to be considered on a site-by-site merit basis. This has been addressed in the city centre by providing special incentives for identified 'opportunity sites'. A similar approach has been recommended in the East Sydney UDS and should be considered for Glebe.</p>	The provision of housing for a diverse population is a key strategic direction of Sustainable Sydney 2030. Recommended LEP controls for certain sites aim to discourage development that is inappropriate in scale. Proposed site coverage (DCP provision) takes into consideration the private open space outcomes that were often poor on some lots.	Draft LEP Clauses 4.3 <i>Height of buildings</i> and 4.4 <i>Floor space ratio</i>
	Elger St public housing site should be identified as one opportunity site with higher FSR and height than is proposed in the UDS – at least similar FSR and height as proposed for the Council depot site on the opposite side of Bay St.	In May 2010 the Council and CSPC endorsed a planning proposal for the Elger Street public housing site for forwarding to the Minister with a request for a Gateway determination. The planning proposal is proceeding separately to this draft LEP and may be incorporated into this LEP at a later date. In the meantime, the draft LEP reflects the Height and FSR controls recommended in the UDS for this area.	Draft LEP Clauses 4.3 <i>Height of buildings</i> and 4.4 <i>Floor space ratio</i>
7	<p><b>Secondary Dwellings in Glebe Conservation Area</b> It is understood that Council may be considering secondary dwellings as an affordable housing option. This would support reconsideration of the proposed prohibition on 2-storey laneway development where it is provided as a secondary dwelling.</p>	Secondary dwellings are permissible in all residential zonings. Single-storey rear lane development is proposed on the basis of protecting adjacent residential amenity and complying with minimum private open space for every residential dwelling.	Draft LEP Part 2 – <i>Permitted or prohibited development, Land Use Table</i>

<b>Housing NSW</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
8	<p><b>Surry Hills Urban Design Study</b> HousingNSW wants to further review the implications of this study on HousingNSW stock. HousingNSW provided comments in June 2006 requesting general flexibility in planning controls for public housing sites. A clause in the draft LEP to provide special treatment for public housing sites or identifying them as opportunity sites would enable HousingNSW to more effectively and efficiently meet the needs of very low income residents of the City. This would be consistent with the strategic directions of the 2030 Strategy and Affordable Housing Strategy.</p>	<p>Sustainable Sydney 2030 identifies provision of housing for a diverse population as a key strategic direction. The City in partnership with HousingNSW will further implement the objectives of the Affordable Housing Strategy and Action Plan.</p> <p><i>SEPP (Affordable Rental Housing) 2009</i> is the State Government's response to this issue. The Department of Planning has advised that it does not support the LEP introducing new provisions for affordable housing.</p>	Not applicable to Draft LEP.
9	<p><b>Ultimo-Pyrmont</b> Jones St - Henry Ave sites contain a mix of stock including some older style 3-storey walk-up flats. Given their close location to facilities and the scale of redevelopment occurring in the locality, there may be opportunities in the future to consider redevelopment of these sites for substantially greater density.</p>	The current height and FSR for Ultimo Pyrmont area are not proposed to differ from the current controls for the area.	Draft LEP Clauses 4.3 <i>Height of buildings</i> and 4.4 <i>Floor space ratio</i>
10	<p><b>General strategy</b> HousingNSW is concerned that Council is not including a strategic review component in the work to prepare the new LEP.</p>	In addition to Sustainable Sydney 2030 and the Strategic Framework, the strategic part of draft LEP is outlined in Part 1, Clause 1.2 <i>Aims of Plan</i> .	Draft LEP Part 1, Clause 1.2 <i>Aims of Plan</i>
11	<p><b>Car Parking rates</b> Support lower car parking requirements for HousingNSW projects to reflect the lower rate of car ownership of public housing tenants in inner City areas. Support lower car parking requirements for residential development generally as a means of contributing to housing choice and affordability;</p>	Draft LEP proposes constrained parking rates (or no parking at all). Draft LEP establishes maximum rates of on-site parking are determined on the basis of accessibility to public transport services and land use and transport integration level.	Draft LEP Clause 7.10 <i>Car Parking ancillary to other development</i>
12	<p><b>Wider Strategic Factors</b> Concern that future planning controls should not merely reinforce the status quo of existing built environments but should consider wider strategic factors. This is now supported by the proposition in the Sustainable Sydney 2030 consultation paper that more intense residential development</p>	The rationale for the proposed planning provisions took into consideration the objectives and strategies of Sydney Metropolitan Strategy, Sydney Subregional Strategy and Sustainable Sydney 2030.	Draft LEP responds adequately to the State Metropolitan Strategy residential targets

<b>Housing NSW</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	than that delivered by current trends and policies could be considered in the longer term.		
13	<b>Exception to development standards</b> Ensure that the provision allowing variation of development standards (Clause 4.6 of the Standard LEP) is applied without limitation to areas with significant public housing.	Standard Template compulsory clause <i>Exceptions to development standards</i> applies LGA wide without limitation to areas occupied by public housing.	Draft LEP Clause 4.6 – <i>Exceptions to development standards</i>
14	<b>Minimum subdivision lot size</b> Support for the proposed continued use of the existing qualitative test to determine appropriate minimum lot sizes for subdivision;	Noted. A draft clause establishing performance criteria for subdivision has been omitted at the request of the Department of Planning because the Standard Instrument does not allow for the level of discretion proposed. The DCP includes provisions relevant to subdivision.	<i>Draft DCP provisions for Subdivision, Strata Subdivision and Consolidation</i>
15	<b>Industrial Areas</b> Consideration of the important role of existing industrial areas in providing local employment opportunities for low skilled workers – as now recognised in the Sustainable Sydney 2030 consultation paper; Recognition of the important role of light industry and manufacturing activities in the southern mixed employment area (Zetland, Rosebery & Alexandria) in providing employment opportunities for low skilled workers, including public housing residents in nearby Redfern-Waterloo.	Southern Industrial Area Land Use and Urban Design Study recommended the retention of predominantly industrial-based employment land and identified additional land for industrial uses in the area (southern portion along the Alexandra Canal currently zoned Mixed Uses) and this recommendation is reflected in the zone objectives and permissible land uses.	Draft LEP Clause 2.3 <i>Zone objectives and land use table</i>
16	<b>Buildings older than 50 years</b> Should conform with Clause 5.1 of the Standard LEP which requires a heritage impact statement only for developments affecting heritage items or in a conservation area and not any building over 50 years old.	SSLEP 1998 Clause <i>23B Buildings older than fifty years</i> was proposed to be carried forward in this LEP. Council's heritage specialists consider the clause to be useful because it enables the identification of the heritage significance of older buildings that may have been missed in other appraisals. However, the Department of Planning has advised that it does not support the proposed clause as the timeframe is arbitrary and the provision is unnecessarily onerous. Consequently, the draft LEP adopts Standard Instrument clause 5.10 <i>Heritage conservation</i> while the DCP includes provisions for buildings older than 50 years.	Draft DCP provisions relating to heritage and pre 1950 buildings.
17	<b>Affordable Housing</b>	Sustainable Sydney 2030 recommended 'investigating	Not applicable to Draft LEP at

Housing NSW			
	Issue	Consideration	Outcome
	Consideration to be given to the introduction of affordable housing provisions in the CBD controls. It is understood that this will be one of the options considered in Council's preparation of an Affordable Housing Strategy;	opportunities to expand existing affordable housing levies (Eg. in future renewal areas or all commercial development in the City) to fund the not-for-profit housing sector. However, the Department of Planning has advised that it will not support the inclusion of relevant provisions in the draft LEP as they believe that the Affordable Rental Housing SEPP is the most appropriate policy response to this issue.	this stage
18	<b>Adaptable Housing</b> The need to provide flexibility in application of the adaptable housing and diverse housing provisions transferred from Leichhardt LEP.	Draft DCP provisions relating to <i>Flexible, Adaptable, Accessible and Affordable Housing</i> maintain existing provisions in the current City of Sydney Access DCP 2004.	Not applicable to Draft LEP

Landcom			
	Issue	Consideration	Outcome
1	<b>Green Square Town Centre</b> There is a significant potential for the Green Square Town Centre to play a broader role in supporting Southern Industrial Area and may warrant a greater commercial role for the Centre than currently provided in the existing LEP. Suggest increasing the proportion of non-residential (commercial and retail) floor space within the Town Centre or potentially expanding the boundary of the defined Town Centre area.	These matters are under consideration in the current review of the controls in Green Square Town Centre. As the draft LEP does not apply to the Town Centre it does not alter the current controls under South Sydney LEP 1998. Should the review result in changes to LEP controls they are likely to proceed separately to this LEP.	Not applicable to the Draft LEP at this stage
2	<b>Transport Corridors</b> Strategic transport corridors should be identified in the LEP. The proposal to identify potential corridors in the DCP is considered inadequate because it does not provide the City or landowners with certainty.	Identification of potential transport corridors in the LEP may trigger acquisition obligations. In the absence of an identified acquisition authority, it is proposed to identify the transport corridors in the DCP.	Draft DCP provisions for Green Square
3	<b>Parking</b> Landcom cautions moves to significantly reduce parking rates in short-term given that the goal of reducing car usage is a long-term one requiring substantial attitudinal shifts. The residents moving into Green Square fall within the high income earner group and car ownership is likely to be relatively high despite proximity to the CBD.	Travel demand management to discourage excessive car ownership and use is a significant component of the City's integrated public transport strategies. The parking rates proposed in the draft LEP are based on accessibility to public transport and centres.	<i>Draft LEP clause 7.10 Car parking ancillary to other development</i>

<b>Landcom</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
4	<p><b>Environmental Targets</b> Providing a series of incremental targets that lead to an end goal is generally more palatable than mandating a significant leap from the current requirements. It is also preferable to specify desired outcomes and not mandate solutions. Providing a range of incentives can help to offset the costs on new initiatives.</p>	<p><i>Sustainable Sydney 2030</i> establishes 10 targets to make the City more sustainable, and identifies strategic actions that will individually and collectively achieve environmental targets. The draft LEP aims, amongst other things, to promote ESD and both the LEP &amp; draft DCP include numerous provisions which will contribute to realising the SS2030 targets and ESD.</p>	<p>Draft LEP clause 1.2 <i>Aims of LEP</i> and Draft DCP provisions</p>
5	<p><b>City Land Holdings</b> The City owns substantial land holdings within the LGA. These land holdings should be leveraged, where possible, in support of the City's policy initiatives and as a catalyst for promoting desired outcomes (eg. environmental initiatives, reduced parking, and affordable housing).</p>	<p>The City constantly assesses management of its assets and the public domain for social and environmental sustainability and also advocates with other public agencies.</p>	<p>Not applicable to Draft LEP.</p>

<b>Department of Lands</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<p>Enquiry about permissible land uses on land zoned RE1 – Public Recreation to ensure that uses (such food and drink premises, cafes, retail, etc) could be carried out beneath public recreation land such as railways under Wynyard Park, Hyde Park, etc.</p>	<p>There are a number of sites throughout the LGA where land used for recreation purposes accommodates other uses below ground level. Permissible uses in the RE1 zone include food and drink premises, kiosks. A clause is proposed to be included in the LEP to allow other uses, including business and retail premises, beneath land used for public recreation.</p>	<p><i>Draft LEP Clause 5.3A Development below ground level in Zone RE1 Public Recreation</i></p>

<b>Department of Primary Industries</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<p><b>Acid Sulfate Soils</b> The Department supports the proposed draft clause about acid sulfate soils.</p>	<p>Noted.</p>	<p>Draft LEP Clause 6.13 <i>Acid Sulfate Soils</i></p>

<b>Rail Corporation and Transport Infrastructure Development Corporation</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<p><b>Rail corridor concurrence</b> LEP should provide a concurrence provision for all rail corridors (including the Light Rail which is on land owned by RailCorp and leased to Sydney Light Rail), similar to Clause 11 of SEPP 63 (Major Transport Projects), to protect the</p>	<p>Concurrence now dealt with under <i>SEPP (Infrastructure) 2007</i>. <i>SEPP 63 (Major Transport Projects)</i> was repealed and provisions incorporated into the Infrastructure SEPP.</p>	<p>Not applicable to Draft LEP</p>

<b>Rail Corporation and Transport Infrastructure Development Corporation</b>			
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>	
	safe operation from development by. The criteria in SEPP 63 should be used to determining developments types.		
2	<p><b>Identification of corridors</b>            RailCorp supplied maps of affected land - under and above-ground corridors.</p> <p>Should distinguish on the map and in the written provision between different types of corridors (eg. Cross City tunnel and rail corridor). The map of SEPP 63 corridors could be in the DCP.</p>	<p>It is no longer necessary to include a map of RailCorp corridors in the draft LEP because it is now addressed by <i>SEPP Infrastructure 2007</i>.</p>	Not applicable to Draft LEP.
3	<p><b>Zoning of Rail Corp land</b>            The City recommended zoning railway lines SP2 – Infrastructure (formerly zoned Zone No.5 Special Uses in South Sydney LEP 1998).</p>	No objection from Rail Corp.	Proposed zoning - SP2 Infrastructure
	Concerned about proposal to zone Newtown Station SP2 Infrastructure. (Currently zoned No.3 Business under <i>SSLEP 1998</i> )	Rail Corp requests site be zoned B4 - Mixed Use and railway purposes be included as a permitted use. After consideration B2 - Local Centre zoning is proposed. This is same as existing Zone No.3 Business and adjacent zonings in King Street.	Proposed zoning – B2 Local Centre
4	<p><b>Allowable uses</b>            RailCorp would like to review the range of uses permitted with and without consent in conjunction with railway stations. Development which is 'incidental' than 'ancillary' to the main use rather is likely to be the preferred provision.</p>	Noted. This matter is now dealt with under <i>SEPP (Infrastructure) 2007</i> and is no longer an issue for the LEP.	Not applicable to draft LEP.
5	<p><b>Further review</b>            RailCorp requests a copy of completed draft LEP be referred for review before exhibition.</p>	Further consultation will be undertaken during public exhibition of the draft LEP.	Public exhibition of the draft LEP.

<b>Redfern-Waterloo Authority</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>

<b>Redfern-Waterloo Authority</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<p><b>Exclusion from LEP</b> The RWA area should be excluded. The planning provisions for these sites are in the <i>Major Projects SEPP</i> and <i>Redfern-Waterloo Built Environment Plan (Stage 1)</i>.</p>	Draft LEP does not apply to RWA strategic sites.	Draft LEP Clause 1.3 – <i>Land to which Plan applies</i> (Land Application Map)
2	<p><b>Planning provisions for Department of Housing properties</b> RWA and HousingNSW are reviewing HousingNSW properties for Stage 2 of the <i>Redfern-Waterloo Built Environment Plan</i> as part of the RWA brief to address housing issues in its broader area of operations (i.e. not just in relation to specific sites dealt with in Stage 1 of the <i>Redfern-Waterloo Built Environment Plan</i>). This review was foreshadowed in RWA submissions to the Redfern-Waterloo Urban Design Study in 2006. It will include recommendations on opportunities to upgrade existing stock, private sector involvement and affordable housing. The Affordable Housing Contributions Plan (covering RWA's operational area) and the Voluntary Planning agreement on the CUB site will provide funding.</p> <p>RWA does not support new provisions (such as FSR and heights) in the LEP for these sites because it would pre-empt review outcomes. Could comprise a 'deferred matter' in the LEP.</p>	<p>Following receipt of this submission, a meeting was held with RWA and HousingNSW in May 2008 which confirmed that the City's UDS for Waterloo Redfern offered reasonable and appropriate LEP recommendations. The RWA advised that the <i>Built Environment Plan – Stage 2</i> will not be dissimilar to Council's recommendations and strategy for the area.</p> <p>The meeting also indicated that the review may support Council's social/affordable housing objectives given RWA will obtain affordable housing contributions from development in its area.</p>	Waterloo-Redfern Urban Design Study recommendations included in Draft LEP.
3	<p><b>Other strategic plans</b> The LEP should incorporate provisions from Sydney 2030 and the subregional component of the Metropolitan Strategy. It is unclear how this will occur.</p>	The aims and provisions of the draft LEP implement both State and Local Government objectives and strategies in <i>Sustainable Sydney 2030</i> , <i>Sydney Metropolitan Strategy</i> and the draft <i>Sydney Sub-regional Strategy</i> .	Draft LEP Clause 1.2 <i>Aims of Plan</i>
4	<p><b>Redfern-Waterloo Urban Design Study</b> RWA made a number of comments in 2006 in respect to the draft Redfern-Waterloo Urban Design Study.</p>	Issues raised about the Urban Design Study were reported to Council and addressed. Redfern Waterloo Urban Design LEP recommendations have informed draft LEP <i>Height of Buildings Map</i> .	Draft LEP <i>Height of Buildings Map</i>

<b>Roads and Traffic Authority</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<p><b>Road corridors/tunnels</b> Reference should be to corridors, rather than tunnels and include protection of motorway company assets as well.</p> <p>Should be a concurrence provision – the RTA will therefore</p>	Ministerial Directions under Section 117 of the Act discourage concurrence provisions and clause 49 of <i>SSLEP 1998</i> has been repealed by <i>SEPP (Repeal of Concurrence and Referral Provisions) 2008</i> . Road corridor provisions are now addressed by	Not applicable to draft LEP

Roads and Traffic Authority		
Issue	Consideration	Outcome
<p>defend the position taken</p> <p>Prefer corridors shown as a general strip rather than identifying lots given that lot boundaries can change. It also better reflects the issue/intention.</p> <p>RTA can supply mapping details following some additional survey work required on the Cross City Tunnel (though Lot and DP details will take years).</p>	Infrastructure SEPP.	
<p>2 <b>Zoning of RTA property</b> No official position on whether roads should be shown as coloured or uncoloured. Prefer uncoloured for easy interpretation.</p>	Classified roads are zoned SP2 - Infrastructure and will be coloured as per Standard LEP requirements. Other roads are required by the Standard LEP to be zoned the same as the surrounding area.	Draft <i>LEP Land zoning Map - Zone SP2 Infrastructure</i>
Land reserved for acquisition and land already acquired but not yet constructed as a road need to be zoned SP2 - Infrastructure given the acquisition clause is tied to this zoning.	Land reserved for acquisition or future public roads is zoned SP2 - Infrastructure.	Draft LEP Clause 5.1 <i>Relevant acquisition authority</i>
Change in existing split zoning on RTA land at Bourke and Stanley Streets, Darlinghurst needs to be finalised following meetings with Lord Mayor and local community. RTA is willing to dedicate part as open space provided the remainder is zoned Residential.	Following consideration of the proposal, the City advised the RTA that it is only prepared to rezone 237-241 Bourke Street if there is a commitment from the RTA to dedicate 231 Bourke Street as a public reserve. Since the RTA had not provided any such commitment as of 19 May 2010, the draft LEP reflects the existing zoning.	Draft LEP Clause 2.3 <i>Zone objectives and land use table and Land Zoning Map</i>
Eastern Distributor toll gates building is located at 43- 45 Bourke St and used as control centre for the distributor.	The site is currently Zone No. 5 Special Uses-Council Depot under <i>SS LEP 1998</i> . Proposed to zone B4 - Mixed Use because the site also contains offices.	Draft LEP Clause 2.3 <i>Zone objectives and land use table and Land Zoning Map</i> Proposed zoning – B4 Mixed Use
RTA advised on preferred zonings on residue land from Eastern Distributor.	<p>It was agreed that:</p> <p>Land between Junction Street (unmade) and Junction Lane:</p> <ul style="list-style-type: none"> <li>• Lot 18 DP1108553 (134 Cathedral St) – proposed private car park for Kidman Terrace – to be zoned RI General Residential.</li> <li>• Lot 2 DP 78050 (56-64 Palmer St) used as open space contiguous with adjoining land under viaduct – to be zoned RI General Residential as per adjoining open space.</li> </ul>	Draft LEP Clause 2.3 <i>Zone objectives and land use table and Land Zoning Map</i>

Roads and Traffic Authority			
Issue	Consideration	Outcome	
	<p>As a result of further rationalisation of the zonings in this area, the draft LEP proposes that both of the above sites be zoned B4 Mixed Use, consistent with the zoning of surrounding land.</p> <p>Land between Junction Lane and Cathedral St:</p> <ul style="list-style-type: none"> <li>• Eastern Distributor roadway to be zoned SP2-Infrastructure;</li> <li>• other land to be zoned B4 - Mixed Use.</li> </ul> <p>Land between Cathedral Street and St Kilda Lane to be zoned B4 -Mixed Uses.</p> <p>Land immediately to the south of St Kilda Lane to be zoned B4 -Mixed use.</p> <p>Land north of William Street to be zoned part B2-Local Centre and part B4 - Mixed Use. Council to determine zone boundary. RTA suggests all be zoned B2 - Local Centre.</p> <p>As a result of further rationalisation of the zonings in this area, the draft LEP proposes that this land be zoned B4, consistent with the zoning of surrounding land.</p> <p>Land between William Street and Stanley Street: all to be zoned B4 - Mixed Use.</p>		
3	<p><b>Eastern Distributor Corridor Master Plan</b> Former South Sydney Council was helped to prepare LEP amendments for these lands. Now out of date due to Cross City Tunnel, but be relevant for the DCP.</p>	<p>The document was used primarily by RTA and not Council. Controls for the land were not discussed in meetings. Zoning and other development controls are informed by the recommendation of Council's urban design study.</p>	Not relevant to Draft LEP.
4	<p><b>Cross City tunnel exhaust vent</b> RTA endorsed the inclusion of an LEP clause and considers that accompanying Explanatory Notes should quote the condition on the CTT consent because the clause implements the condition.</p>	<p>Following the approval of the Cross City Tunnel, arrangements were established between the City and RTA on assessing the air quality of development near the Cross City Tunnel Ventilation stack. Council has a protocol in place that requires a 2 level air quality assessment for development within a specific radius and height.</p> <p>The Department of Planning has requested that the</p>	<p>Draft LEP <i>clause 7.13 Development near the Cross City Tunnel ventilation stack</i>, and associated DCP provisions</p>

<b>Roads and Traffic Authority</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	<p>following proposed LEP provisions be addressed through the DCP</p> <ol style="list-style-type: none"> <li>1.a requirement to consult with the RTA and SHFA about development affected by the ventilation stack;</li> <li>2.a requirement for the preparation of an Air Quality Assessment Report for development within a specified height and distance from the ventilation stack.</li> </ol> <p>The broad question of whether a site is suitable because of air quality is a matter for consideration in the draft LEP.</p>	

<b>State Transit Authority - Sydney Buses</b>			
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>	
1	<p>The LEP and DCP must incorporate provisions that include planning controls facilitating transit-oriented development close to public transport nodes and corridors.</p>	<p><i>Sustainable Sydney 2030</i> includes integration of transport and land use and these principles underlie objectives and provisions in the draft LEP and DCP. Further studies currently underway as part of Sydney 2030 will inform future reviews of the LEP.</p>	<p>Clause 1.2 <i>Aims of Plan</i> Clause 7.10 <i>Car parking ancillary to other development</i></p>
2	<p>The LEP and DCP must incorporate land use provisions which maintain and encourage diversity to promote shorter, local trips as well as the use of public transport.</p>	<p><i>Sustainable Sydney 2030</i> supports mixed use development in the City's villages, and objectives and provisions in the LEP and DCP reflect this.</p>	<p>Clause 1.2 <i>Aims of Plan</i></p>
3	<p>The LEP and DCP must incorporate adequate protection of existing or potential transport corridors to maintain future access opportunities for road-based public transport, cyclists and pedestrians.</p>	<p>Road corridor provisions are generally addressed by Infrastructure SEPP.</p>	<p>Not applicable to draft LEP</p>
4	<p>The LEP and DCP must incorporate public domain objectives and strategies to facilitate walking and bicycle access to and from rail station, major bus stops and interchanges in the CBD and wider LGA.</p>	<p>A city for walking and cycling and integrated transport are directions in <i>Sustainable Sydney 2030</i>, and objectives and provisions in the LEP and DCP facilitate this.</p>	<p>Draft LEP Clause 1.2 <i>Aims of the Plan</i> and DCP provisions for the Public Domain</p>
5	<p>The LEP and DCP must incorporate strategies to improve passenger amenity at bus stops through the more judicious locations and practical design.</p>	<p>Under the Infrastructure SEPP, bus stops are generally exempt development and must comply with STA design guidelines and local DCPs. Relevant DCP</p>	<p>Draft DCP controls for the Public Domain</p>

State Transit Authority - Sydney Buses			
	Issue	Consideration	Outcome
		controls ensure they are considered in the context of the City's public domain plan and public domain code.	
6	The LEP and DCP must incorporate strategies to ensure that impact on bus stops and passengers are adequately managed when construction work is taking place.	The State Transit Authority is included in discussions about Works Zones near bus stops when they are considered by the Traffic Committee. Development assessment or consent conditions also consider this issue.	Not relevant to Draft LEP

Sydney Harbour Foreshore Authority			
	Issue	Consideration	Outcome
1	<b>Consultation provision in Ultimo-Pyrmont</b> SHFA agrees to continuation of Clause 126 of <i>Sydney LEP 2005</i> which requires the views SHFA be obtained before consent granted for development in Ultimo-Pyrmont.	Ministerial Directions under Section 117 of the Act discourage referral provisions and the clause has been repealed by <i>SEPP (Repeal of Concurrence and Referral Provisions) 2008</i> .	Clause 126 of <i>Sydney LEP 2005</i> is not reflected in draft LEP.
2	<b>Acquisition of Public Recreation land</b> (Clause 127 of <i>Sydney LEP 2005</i> ) SHFA does not support continuation of this clause given that it will be redundant following acquisition of the only remaining parcel of land to which it applies (1 Bank street Pyrmont).	The draft LEP applies Zone RE1 Public Recreation to all land that is zoned for public recreation and currently in public ownership.  Several strips of privately-owned land along the eastern foreshore of Blackwattle Bay at Banks Street have long been identified for inclusion in a continuous foreshore walk around the Pyrmont peninsula. Under SLEP 2005 they are currently zoned for public recreation and SHFA is identified as the relevant acquisition authority. With SHFA's role in Pyrmont now complete and no other State authority identified to take on its acquisition role, the draft LEP zones the privately-owned foreshore strip the same as the adjoining land (B3 Commercial Core) with a Foreshore Building Line to acknowledge its intended role as future open space.	Clause 127 of <i>Sydney LEP 2005</i> is not reflected in draft LEP
3	<b>Proposed clause re development in vicinity of Cross City tunnel vent</b> Support the proposed clause with variation to: (i) change 'may refer' to 'must refer' (ii) reference to the 'air quality assessment process' rather	Following the approval of the Cross City Tunnel, arrangements were established between the City and RTA on assessing the air quality of development near the Cross City Tunnel Ventilation stack. Council has a protocol in place that requires a 2 level air quality	Draft LEP <i>clause 7.13 Development near the Cross City Tunnel ventilation stack</i> , and associated DCP provisions

<b>Sydney Harbour Foreshore Authority</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
than to the condition number of the Ministerial approval.	<p>assessment for development within a specific radius and height.</p> <p>The Department of Planning has requested that the following proposed LEP provisions be addressed through the DCP</p> <p>3. a requirement to consult with the RTA and SHFA about development affected by the ventilation stack;</p> <p>4. a requirement for the preparation of an Air Quality Assessment Report for development within a specified height and distance from the ventilation stack.</p> <p>The broad question of whether a site is suitable because of air quality is a matter for consideration in the draft LEP.</p>	
4 <b>Adjacent zonings</b> Further consultation about zoning is preferred given proposed amendments to SEPP (Major Projects) for The Rocks, Darling Harbour and Barangaroo.	Further consultation will be undertaken during public exhibition of the draft LEP.	Land use table
5 <b>Proposed Global Centre zone</b> SHFA would appreciate details on the objectives and application of this zone.  <u>Note:</u> It is now intended to call this new zone 'Metropolitan Centre'.	Further information will be available during the public exhibition period.	Land use objectives and table
6 <b>Boundaries</b> Minor boundary adjustments are being discussed with Council and would require LEP boundary adjustments: (i) transfer of land in George St north (ii) change of consent authority boundary at Sydney Wildlife World.	As proposed new EPIs for The Rocks and Darling Harbour did not proceed, the proposed boundary adjustments are no longer relevant.	Not relevant to Draft LEP

<b>SydneyMetro</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>

<b>SydneyMetro</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	The LEP should reflect the CBD Metro corridor for consistency with (SEPP) Infrastructure.	The rail corridor is protected by <i>SEPP (Infrastructure) 2007</i> . For the sake of consistency, no additional or duplicate provisions are included in the draft LEP.	Not applicable to the Draft LEP
	Council should consider future Metro West rail lines and stations when preparing the LEP, including the potential for a station serving Sydney University and Broadway.	The submission from Sydney Metro predates the release of the <i>Metropolitan Transport Plan</i> (February 2010) and the State Government's announcement that consideration of new metro rail lines is indefinitely deferred.	Not applicable to the draft LEP at this stage.
	The 2006 Urban Transport Statement includes metro lines from CBD to south east, lower north shore and northern beaches. Council should consider the potential for these lines when preparing the LEP	As above	As above
	SydneyMetro supports off-street parking rates that reference a sites relationship with public transport	The parking rates included in the draft LEP related to the relative accessibility of a site to public transport.	Clause 7.10 <i>Car parking ancillary to other development</i>
	Council should, concurrent with preparation of the LEP, consider reviewing on-street parking management near proposed metro stations. Improved pedestrian and cycle access to stations through restricted on-street parking is supported.	The City has recently completed studies aimed at improving the management of on-street parking.	Not applicable to the Draft LEP
	SydneyMetro understands that Council is considering removing the cap on the discount for heritage floor space to improve incentives for design competitions. It supports development incentives for opportunity sites near metro stations.	Under the current controls, the applicant of a successful design competition may be eligible for a 50% reduction in the allocation of HFS. The possibility of removing this cap was considered but has not been adopted in the draft LEP.	Draft LEP provisions relating to HFS and Design Excellence

<b>Sydney Ports</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Port Botany radar system</b> The Port Botany Radar System monitors ship movements in Botany Bay and extends from Sydney Airport to the Harbour Control Tower at Miller's Point; and from La Perouse to Circular Quay. Development adjacent to or protruding into the radar 'line of sight' would compromise the safety of shipping movements. DAs in this area should be referred to Sydney Ports. No statutory requirement, however there are safety implications. If a referral provision is included in the LEP, a 21-	As Ministerial Directions under Section 117 of the Act discourage referral provisions, the draft LEP does not include a relevant provision. Given the extent of affected land and that the issue is also relevant to other LGAs, it would be more appropriately addressed by the Infrastructure SEPP.	Not applicable to Draft LEP

Sydney Ports			
	Issue	Consideration	Outcome
	day response period is preferred. A map of the critical area and suggested wording for an explanatory note was provided.		
2	<b>Provision of industrial land near Port Botany</b> Port Botany will grow and there will be a demand for port-related industrial uses such as large-lot warehousing and transport terminals. More industrial land in this area is supported.	The retention and extension of employment land near Port Botany has been investigated in the Southern Industrial Area Study. The proposed zoning in the draft LEP retains current industrial land uses in the Southern Industrial Area. In addition, the draft LEP increases the land zoned for industrial uses by changing the zoning of the land along Alexandra Canal from Zone No.10 Mixed Use (SS LEP 1998) to IN1 - General Industrial zone.	Draft LEP Clause 2.3 <i>Zone objectives and land use table</i>
3	<b>Freight transport issues</b> The EIS for the Port Botany expansion included a transport study. It is intended: (i) for heavy vehicles to use Foreshore Drive to the M5; (ii) a rail/road intermodal facility be opened at Enfield and use the existing Port Botany goods rail line; (iii) a grain silo be constructed at the existing Cooks River terminal.	Noted.	Not applicable to the Draft LEP

Sydney Water			
	Issue	Consideration	Outcome
1	A former sewerage pumping site at 21-25 Sussex Street is heritage listed however has been ineligible for HFS because of its Maritime and Transport zoning in Sydney LEP 2005. Please consider reviewing the property's ability to achieve HFS.	The property's heritage listing is retained in the draft LEP. It is proposed to be zoned B8 Metropolitan Centre, which would entitle it to be awarded HFS.	Draft LEP Clause 2.3 <i>Zone objectives and land use table</i>
2	<b>Sydney Water suggested the zoning for 49 properties that it owns/operates following advice from DOP about SEPP (Infrastructure) and the Standard LEP. The suggested zonings were either 'Same as the surrounding zone' or SP2 – Infrastructure.</b>	The DOP provides guidelines for zoning infrastructure according to the Infrastructure SEPP and states that infrastructure that, under the SEPP, is permitted on all land should be zoned the same as the surrounding zone. The land has been zoned according to DOP guidelines. Sydney Water to raise the issue with DOP.	Draft LEP Clause 2.3 <i>Zone objectives and land use table</i>
3	Sydney Water is currently finalising a servicing strategy for major developments at Green Square, Redfern Waterloo and other locations. The strategy includes recycled water sourced from an existing pipeline and may require pumping stations and storage facilities in the City LGA. However the location of these facilities cannot be confirmed until late-2009	Noted. It is difficult to accommodate without specific locations. The LEP can be amended to accommodate the strategy if necessary.	No impact on draft LEP at this stage.
4	Sydney Water encourages minimum water efficiency	The draft DCP includes provisions to reduce the use	Draft DCP provisions

	requirements for non-residential development. A recommended clause was provided.	of water in non-residential buildings.	relating to ecologically sustainable development
5	Sydney Water supports removing Clause 125 which requires water supply, sewerage and drainage to new developments in Ultimo-Pyrmont to the satisfactory of Sydney Water. Assessment of water services to new developments can occur as part of the development assessment process.	Noted.	Clause 125 of <i>Sydney LEP 2005</i> not included in draft LEP
6	Sydney Water (by email of 20/8/09) indicated a preference for their water, wastewater and stormwater assets (currently zoned 5a Special Uses) to be zoned SP2 Infrastructure. In particular, they requested that Alexandra Canal be zoned SP2 Infrastructure. They consider the Canal's primary use to be a stormwater channel and, in part because of contamination and odour issues, do not support any activity that encourages public access to the Canal foreshore or increases the range of activities permissible on, or within the vicinity of the Canal.	See above response to issue (2).  The banks of Alexandra Canal have long been identified for future recreational use, as shown in <i>Sydney Draft Subregional Plan</i> (Fig 36). This is reflected in the establishment of Foreshore Building Lines along both sides of the canal and associated DCP provisions. As an SP2 zoning of the canal would contradict the objectives of these controls, it is proposed to retain the existing situation under <i>SSLEP 1998</i> whereby the canal is unzoned. The canal will therefore be subject to Clause 2.4 Unzoned Land and, in the case of development for the purpose of stormwater management systems, the Infrastructure SEPP.	Land Use Zoning Map

<b>Tourism NSW</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Visitors needs</b> The LEP should have a targeted focus on visitor needs and services including accommodation and improved accessibility for visitors between and within precincts.	Key directions of <i>Sustainable Sydney 2030</i> focus on these issues. The LEP has objectives, permissible land uses and other provisions that support visitor accommodation and services	Draft LEP clause 1.2 <i>Aims of Plan</i>
2	<b>Short term rental accommodation</b> Tourism NSW is concerned that any attempt to restrict or impede short term rental accommodation conflicts with Council's aim to create a 'global centre' that caters for all visitors.	Short term tourist rental accommodation such as 'serviced apartments' are permissible with consent in Metropolitan Centre, Local Centre and Mixed Use zonings.	Draft LEP clause 1.2 <i>Aims of Plan</i> and Draft LEP Clause 2.3 <i>Zone objectives and land use table</i>
3	<b>Conversion of hotels</b> The conversion of many hotels to apartments in Kings Cross in particular has severely limited visitor accommodation. Retaining and managing existing tourist accommodation requires controls that target the retention of existing lands for these uses through local planning instruments.	It is difficult for planning instruments to address the conversion of existing hotels into other uses as those changes are driven by market forces. Nonetheless, the draft LEP retains the existing FSRs for hotels in Central Sydney, which favour hotels over other land uses.	Draft LEP clause 4.4 <i>Floor Space Ratio</i>

Tourism NSW			
	Issue	Consideration	Outcome
4	<p><b>Connected City</b> The connectivity between Sydney city and its precincts (Glebe, Newtown, Bondi Beach) is vital for easy movement</p>	<p><i>Sustainable Sydney 2030</i> includes transport initiatives that would efficiently connect the City Centre with its Villages and other inner Sydney areas. The State Government has responsibility for most public transport and the City is working in partnership with relevant agencies to implement integrated transport initiatives.</p>	Not applicable to Draft LEP.
5	<p><b>Airport Corridor</b> The CBD to Airport Corridor and its development is critical to the overall operation of the metropolitan area and for visitor access and convenience.</p>	<p>Objectives and provisions in the draft LEP address State and Local Government objectives to facilitate employment lands in the airport corridor.</p>	Draft LEP clause 1.2 <i>Aims of Plan</i> and land use objectives and table.
6	<p><b>Berthing Facilities</b> Existing berthing facilities for cruise ships need to be examined. Tourism NSW will be investigating future demand in the cruise sector, ship visits and the trend towards larger vessels.</p>	<p>This is beyond Council's authority. The State Government is responsible for waterfront areas with berthing facilities in the LGA. The State Government is currently considering options for international passenger cruise terminals that can accommodate large vessels.</p>	Not applicable to Draft LEP.
7	<p><b>Convention and Exhibition Space</b> The outcome of a Review into Sydney Convention and Exhibition Space by John O'Neill AO should be considered when preparing the draft LEP.</p>	<p>The Review's recommendations refer to expansion of Sydney Convention and Exhibition Centre at Darling Harbour which is owned and managed by Sydney Harbour Foreshore Authority and beyond Council's authority.</p>	Not applicable to Draft LEP.
8	<p><b>Tourist Zone</b> Tourism NSW has observed long-term trends that indicate a significant and increasing proportion of visitors are interested in an authentic experience of the way of life of the host communities. Therefore, the SP3 - Tourist Zone should be applied sparingly to land where 'purpose-built' tourist uses and clusters are most concentrated. Any future use of the SP3 - Tourist Zone should be subject to the same feasibility investigations typically undertaken for business or industrial zones.</p>	<p>SP3 - Tourist zone is not considered suitable for implementation anywhere in the City of Sydney LGA.</p>	Not applicable to Draft LEP.

Ministry of Transport (MOT)			
	Issue	Consideration	Outcome
1	<p><b>Metro Rail</b> Long term strategies for inner urban transport include metro</p>	<p>The Infrastructure SEPP caters for metro rail transport corridors.</p>	Not applicable to Draft LEP.

Ministry of Transport (MOT)			
	Issue	Consideration	Outcome
	rail and reservations for proposed lines might need to be included in the LEP.		
2	<p><b>CBD bus strategy</b> The Sydney CBD Bus Strategy, announced as part of the 2006 Urban Transport Statement, will streamline the CBD bus network by:</p> <ul style="list-style-type: none"> <li>• Consolidating bus corridors to George St and Elizabeth Street,</li> <li>• Reducing travel times between Central and Circular Quay</li> <li>• Extending and standardising bus lane hours</li> <li>• Reducing the number of bus lay-overs.</li> </ul> <p>This may warrant a specific objective in the LEP.</p>	Objectives in the draft LEP support sustainable transport choices including public transport, walking and cycling. A specific objective for buses is not considered warranted.	Not applicable to Draft LEP.
3	<p><b>Car parking</b> MOT supports:</p> <ul style="list-style-type: none"> <li>• Changing how on-site parking is calculated</li> <li>• Parking provisions specifying a 'maximum' rate based on a minimalist approach to parking supply</li> <li>• A clause restricting public car parks</li> </ul> <p>Relevant objectives should be included.</p>	<p>In addition to objectives that aim to appropriately limit the provision of parking, the draft LEP includes the following:</p> <ul style="list-style-type: none"> <li>• Parking provisions based on accessibility to local centres (residential development) and public transport (commercial development)</li> <li>• Parking provisions expressed as 'maximum'</li> <li>• A clause for development of public car parks that aims to ensure that they serve an identified need and do not encourage commuter parking.</li> </ul>	Draft LEP <i>clauses 1.2 Aims of Plan, 7.9 Car Parks and 7.10 Car parking ancillary to other development</i>
5	<p><b>Master planning DCPs</b> Provisions that require consideration of DCPs or master plans (now known as Master planning DCPs) provide an opportunity to implement the Integrated Land Use and Transport policy (ILUT).</p>	ILUT was released in 2001 as a package of documents including a draft SEPP and a policy managing travel demand in commercial centres. The draft SEPP was not gazetted and ILUT is currently being superseded by other transport and centres policies. The draft LEP includes a clause about site specific DCPs. This clause is subject to the LEP objectives and also requires transport issues to be addressed.	Draft LEP <i>clauses 1.2 Aims of Plan and 7.11 Development requiring preparation of a DCP</i>
5.	<p><b>Public and Active Transport Benefits</b> MOT supports floor space bonuses in locations supported by public transport networks and services. Planning agreements could be used to secure new pedestrian and cycle links, cycle parking or land dedication</p>	<p>Certain locations where increased densities can be achieved have been identified, including two adjacent to railway stations - Green Square and the Ashmore Estate.</p> <p>Also assessment of development proposals may result in voluntary planning agreements that provide new facilities.</p>	Draft LEP zoning map permits higher density in areas that are well serviced by public transport.
3.	<p><b>Coaches</b> Council should review the 1997 Central Sydney Coach</p>	The Coach Strategic Plan was prepared before commencement of a development at King Street	Not applicable to the draft LEP at this stage.

Ministry of Transport (MOT)			
	Issue	Consideration	Outcome
	Strategic Plan and include any provisions relating to coach transport.	Wharf that includes parking for 55 coaches. An operational review of this facility is due to be completed to determine the need for further facilities and the outcome can be considered when the LEP is reviewed. The DCP includes provisions for King Street Wharf and certain uses to enable access by coaches.	
4	<b>Interchange design</b> MOTs Interchange Design Guidelines should be considered in relation to the DCP.	This suggestion may be based on a new interchange proposed in Park Street as an interchange between bus, metro and rail. The guidelines refer to accessibility for different users, wayfinding, security, etc. The Infrastructure SEPP allows interchanges to be constructed in any zone without consent and these design features will be the responsibility of the State Government.	Not applicable to Draft LEP
4.	<b>Light Rail</b> The Ministry does not support extending the light rail network to Circular Quay. It prefers instead to pursue the CBD Bus Strategy as outlined in the Urban Transport Statement. <u>Note:</u> MOT's submission predates the release of the <i>Metropolitan Transport Plan</i> (February 2010) which provides for expansion of the light rail system.	The draft Sydney Subregional Strategy refers to long-term investigations to consider the feasibility of light rail to Barangaroo. NSW Transport and Infrastructure has recently announced that it has commissioned a feasibility study for an extension of the light rail from Central using Sussex St and Hickson Rd to Circular Quay, and a possible new route on George St.	Not applicable to Draft LEP.
5.	<b>Bike Routes and Bicycle Parking Rates</b> The protection of bike routes through the draft LEP should be explored. Bicycle parking rates and facilities in work places and higher density residential development should also be reflected in the LEP.	Cycling is promoted in the LEP objectives and bike parking rates and cycling routes are addressed in the DCP provisions. The draft LEP also introduces an incentive for the provision of commuter cycle facilities.	Draft LEP Clause 1.2 <i>Aims of Plan</i> and DCP provisions <i>Transport and Parking Clause 6.x End of journey facilities</i>
7.	<b>Shared Parking</b> Council consider the potential for shared parking provisions. Shared parking is where 2 or more land uses with different peak parking demands use a common parking facility. By increasing the opportunity for mixed land uses with different peak demands, overall parking provision can be reduced.	The draft LEP provides significant opportunities for mixed land uses. The parking rates in the draft LEP do not preclude shared parking as they are formulated as maximum rates.	No direct implications on Draft LEP.
8.	<b>Funding Transport</b> Council should facilitate contributions to provide specific improvements in local and regional public transport access and service. Contributions can be collected through variety of means including conditions of consent, S.94 developer contribution plans or planning agreements. The Ministry is	Council can only levy part of the cost of local infrastructure through development contributions. Therefore, new development only contributes a proportion to the cost and Council must fund the balance from other sources. Council can now only fund "local roads" or "local bus infrastructure" with	Not applicable to Draft LEP.

<b>Ministry of Transport (MOT)</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	available to review planning agreements where contributions to public transport can be achieved.	funding received from contributions.	
9.	<b>Motorcycle and Scooter Strategy</b> The Ministry understands that council is currently preparing a Motorcycle and Scooter Strategy. This transport mode should not be promoted at the expense of more sustainable transport such as walking, cycling and mass public transport.	The Strategy aims to address parking and security of scooters and motorcycles and does not promote scooters and motorcycles at the expense of other modes.	Motorcycle and Scooter Strategy and Action Plan have no direct implications on draft LEP.

<b>Department of Water and Energy</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Approvals under Rivers and Foreshores Improvement Act 1948</b> A permit from DWE is required for certain works within 40 metres of a watercourse and/or to do anything that affects riverflow. Conditions may require establishment of vegetation in riparian corridors.	Noted.	Not applicable to Draft LEP.
2	<b>Protection/rehabilitation of riparian corridors and foreshore area</b> LEP should include provisions to protect and rehabilitate the Harbour Foreshore areas and riparian corridors. Suggest corridor widths of 10-40 metres be considered depending on the 'category' of watercourse.	This land is largely protected given that most of it is publicly owned.	Not applicable to Draft LEP
3	<b>Alexandra Canal</b> Recommends a minimum riparian zone width of 20 metres along both sides to permit bank battering to replace the existing canal walling and/or to establish riparian vegetation to mimic a more natural system.	The heritage listed canal is a man made structure with sandstone banks. It is considered inappropriate in this case to recreate a more natural riparian corridor as it would physically affect Canal's fabric. Current planning control for 10m setbacks to Alexandra Canal will be retained.	Not applicable to Draft LEP
4	<b>Green Square Urban Renewal Area</b> DWE supports proposed linkage of water channel at Green Square with Alexandra Canal and recommends an LEP provision to achieve it	The Green Square Urban Strategy proposes currently underground channels be exposed and landscaped to form part of the open space network and this, including links with Alexandra Canal, is captured in the DCP.	Not applicable to the Draft LEP
5	<b>Environmental Conservation Zone</b> LEP should include 'Environmental Conservation' zones to protect areas with environmental sensitivity such as foreshore areas, watercourses, riparian corridors.	No land in the City is identified as having high environmental conservation value and the Standard LEP's environment protection zones are not applicable to the City.	Not applicable to the Draft LEP.

Department of Water and Energy			
Issue	Consideration	Outcome	
6	<p><b>Groundwater</b> Suggest LEP include provisions to protect groundwater resources from adverse impacts of development. Particular issues relate to the Botany Sands Aquifer of the Botany Basin. The submission lists 9 matters that should be addressed in an LEP and also offers to provide a draft clause.</p>	<p>The City included provisions relating to protection of groundwater resources in a draft LEP clause about ecologically sustainable development (ESD). However, the ESD clause has been omitted as the Department of Planning does not support the inclusion of such clauses in LEPs, given that ESD is an object of the <i>Environmental Planning and Assessment Act</i> and implemented via numerous LEP provisions. The need for the Standard Instrument to include a clause specifically aimed at protection of groundwater resources is a matter for consideration by the Department of Planning and relevant government agencies. In the interim, the Draft DCP includes provisions to protect groundwater resources.</p>	<p>Draft DCP provisions relating to Sustainability and Environment</p>

Botany Council			
Issue	Consideration	Outcome	
1	<p><b>Zoning of properties bisected by LGA boundary</b> Note that 1-3 Ricketty Street and 697 Gardeners Road are to be zoned Industrial – this will be consistent with proposed zonings within Botany. (A mixed use zone that permitted residential activity would generate potential amenity issues arising from adjacent industrial zonings within Botany Council area and would not be supported).</p>	<p>Agreed. The small area of 1-3 Ricketty Street within the CoS and the neighbouring property No. 697 Gardeners Road are proposed to be zoned IN1 General Industrial.</p>	<p>Proposed zoning IN1 – General Industrial</p>
2	<p><b>Bulky goods retailing within industrial area</b> No objection, given there is an established pattern of such land use in that area.</p>	<p>Bulky goods retailing is permissible development in certain areas of industrial and business zones, in particular land in the vicinity of O’Riordan St.</p>	<p>Subject to DOP agreement, the draft LEP will include additional permissible use provision for land in the vicinity of O’Riordan St. Draft DCP provisions for <i>Bulky Goods Retailing</i></p>
3	<p><b>Alexandra Canal</b> Proposed setbacks and the intention for a bike path is consistent with Botany Bay Council’s actions to require a 10m setback and to construct a bike path north of Coward Street to Gardeners Road.</p>	<p>The proposed Foreshore Building Line along the banks of the Alexandra Canal provides for a 10m setback to achieve linkages in the local and regional cycling and pedestrian routes.</p>	<p>Draft LEP <i>clause 7.3 Foreshore Building Line</i> and Foreshore Building Line Map</p>
4	<p><b>Implications of proposed Mascot town centre</b></p>	<p>The employment land in South Industrial Area will be</p>	<p>Proposed zoning – IN1</p>

<b>Botany Council</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	The area around Mascot station is designated as a town centre in the Sydney East Draft Subregional Strategy. The area bounded by Gardeners Rd, O'Riordan St., Coward St., Bourke St. is designated as the residential part of this precinct and will provide a range of housing and commercial uses. It has been found that one use in particular (the manufacture of edible oils) nearby with CoS is having an impact on residential amenity (from fumes/smells). CoS should look at zoning this land to be comparable with the zoning of the Mascot precinct.	rezoned IN1 - General Industrial Standard LEP translation of the existing Zone No. 4 Industrial zone under South Sydney LEP 1998.	General Industrial
5	<b>Gardeners Road 'Enterprise Corridor'</b> This is designated in the East Sydney Draft Subregional Strategy. The extent and depth is not certain given constraints on land size. SGS Economics and Planning will investigate as part of the brief to prepare a strategic planning study to support Botany Bay's proposed consolidating LEP.	Noted. The impact of East Sydney subregional Enterprise Corridor (including Gardeners Road) has been investigated as part of Council's Southern Industrial Area Study. However, Sydney City Subregional Strategy has not identified any enterprise corridor within this subregion.	Not currently relevant to Draft LEP.
6	<b>O'Riordan St. 'Enterprise Corridor'</b> Council is keen to zone O'Riordan St. from the airport to Gardeners Rd B6 Enterprise Corridor.	Noted. The extent of the 'enterprise corridor' has been investigated as part of Southern Industrial Area Study taking into consideration the recommendation of the State Government's Sydney City Draft Subregional Strategy.	No impact on Draft LEP.
7	<b>Eastlakes shopping centre</b> This centre is classified as a Town centre in the Sydney East Draft Subregional Strategy and is to be redeveloped to provide a bus interchange and additional retail/commercial floor area.	The proposal for Eastlake shopping centre has been considered in Green Square Retail Strategy.	No impact on Draft LEP.

<b>Leichhardt Council</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Reference to Leichhardt Aboriginal Consultative Committee</b> (Clause 16(5))of Leichhardt LEP 2000) The obligation to consult with this committee should be removed.	Agreed.	Reference to Leichhardt Aboriginal Consultative Committee deleted.

<b>Marrickville Council</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	No issues that have specific implications for the LEP have been	Noted.	No impact on Draft LEP.

<b>Marrickville Council</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
<p>raised. Matters discussed included:</p> <ul style="list-style-type: none"> <li>▪ Marrickville LEP timeframe</li> <li>▪ The <i>Marrickville Urban Strategy</i> has been prepared by SGS Economics and Planning.</li> <li>▪ The strategy considers ways to meet MetroStrategy housing targets given constraints of airport noise, industrial zonings and existing dwelling house densities.</li> <li>▪ Long-standing draft conservation areas to be resolved.</li> <li>▪ SGS have been engaged to undertake a more detailed study of employment lands</li> <li>▪ RTA road corridor along Edgeware Road from the railway to Parramatta Road abandoned in 2006. Noted that this linked into the RTA reservation along Campbell Road in CoS.</li> </ul>		

<b>Randwick Council</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
<p>1 <b>Traffic and parking impacts of Green Square</b> The shift from off-street parking to alternative transport choices needs to be accompanied by improved public transport. Greater demand will be placed on street parking in a currently over-burdened area, particularly Green Square. Existing public transport routes and frequencies in Green Square are limited and do not adequately meet demand. Reliance on the airport line should not be assumed given fares on this line discourage general commuting. The additional residential demand in Green Square also impacts on the road and public transport network shared with Randwick City's community of West Kensington.</p>	<p>The City is working on a number of transport initiatives to alleviate pressure on street parking as a result of increased residential density in Green Square. The Transport Management Accessibility Plan (TMAP) is being prepared in partnership with the Ministry of Transport and other agencies and will guide future development and the provision of transport infrastructure and services by the State Government.</p>	<p>Not applicable to Draft LEP.</p>
<p>2 <b>Industrial zonings</b> Request liaison when reviewing the zoning of Rosebery industrial area given the close proximity of Rosebery to West Kensington and Kingsford, (low density residential areas). Compatibility with the adjacent residential land use, density and planning objectives should be considered.</p>	<p>The draft LEP does not propose changes to the zoning of the Rosebery industrial area. The area is currently zoned Zone No.4 Industrial under the South Sydney LEP 1998 and is proposed to be zoned IN2 – Light Industrial.</p>	<p>Draft LEP Clause 2.1. <i>Land Use Zones</i> and Land Zoning Map</p>
<p>3 <b>Master plans</b> Master planning (site specific DCPs) is also a provision also in Randwick's LEP. Would welcome the opportunity to discuss the details.</p>	<p>The LEP retains provisions requiring initial master planning but now requires preparation of a site-specific DCP rather than a 'stand-alone' document (previously referred to as 'master plans' or 'development plans').</p>	<p>Draft LEP clause 7.11 <i>Development requiring preparation of a DCP</i></p>

<b>Randwick Council</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
		A meeting was held with Randwick council to discuss various issues. There will be opportunity for further discussion once the draft LEP is on public exhibition.	
4	<b>Affordable housing</b> Would welcome the opportunity to discuss adaptable and diverse housing and the retention of affordable housing as a special provision.	A meeting was held with Randwick council to discuss various issues. There will be opportunity for further discussion once the draft LEP is on public exhibition.	Draft LEP Clauses 7.14-15 <i>Affordable housing</i>
5	<b>Additional demand on active use open space areas</b> Although the Green Square development will include provision of public open space, it appears to be primarily orientated to passive open space. This is/will lead to greater demand on the active open space/playing fields in Randwick LGA. The City should consider additional active open space areas.	The Open Space and Recreation Needs Study sets out strategic directions to guide ongoing use and management of the City's open space and recreation facility network including Green Square. In addition to the existing active spaces in Green Square, the precinct south of Victoria Park is planned to provide wet and dry facilities as well as active open space.  Randwick Council was consulted during public exhibition of the various stages of planning for Green Square.	Draft DCP provisions for public open space in Green Square

<b>Metro Transport Sydney Pty Limited</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
1	<b>Sydney Monorail</b> Suggested including provisions to protect monorail and light rail from day-to-day activities (such as window cleaning) and construction activities that could impede safe and efficient operation.	This issue is largely addressed by conditions of development consent. Day-to-day activities (such as window cleaning, maintenance) do not require development consent however permits with conditions are issued by the Construction Regulation Team.	Not relevant to draft LEP.
2	<b>Sydney Light Rail</b> Potential corridors for mass transit should be protected from development that would prevent or hinder future installation of light rail. Potential routes include: <ul style="list-style-type: none"> <li>To Circular Quay via Castlereagh /Bent/Loftus/Young Streets;</li> <li>Broadway to The Rocks via George Street;</li> <li>To Circular Quay via Sussex Street, Hickson Road, and Miller's Point;</li> <li>To Bondi Junction via Oxford Street;</li> <li>To Randwick via Anzac Parade;</li> </ul>	The City supports extending the light rail system to Circular Quay and an objective of the sub-regional strategy is to facilitate plans for a light rail corridor to Barangaroo/Wynyard. The City has also collaborated with the State Government on the preparation of the recently exhibited draft Light Rail Inner West Extension Study.  The draft LEP is largely irrelevant to development for the purposes of light rail given that Section 104P of the <i>Transport Administration Act 1988</i> provides that	Council will continue to work with the State government to facilitate expansion of the light rail system

Metro Transport Sydney Pty Limited		
Issue	Consideration	Outcome
<ul style="list-style-type: none"> <li>To South Sydney</li> </ul>	<p>such development:</p> <p>(a) is an activity within the meaning of Part 5 of the <i>Environmental Planning and Assessment Act 1979</i>, and</p> <p>(b) may be carried out without the need for development consent under Part 4 of that Act.</p> <p>It is premature for the LEP to constrain development in the vicinity of a potential route. When a new light rail corridor is actually declared by regulation, restrictions on development along the route may be warranted but the Infrastructure SEPP is a more appropriate vehicle for doing so.</p>	

Property Council of Australia		
Issue	Consideration	Outcome
<p>1 <b>Support for proposed single LEP</b> Strong support for review and consolidation of existing LEPs and DCPs to conform with Standard LEP. The City has a unique opportunity to ensure, through the new LEP, the growth, success and competitiveness of the Sydney CBD.</p>	<p>Agreed a single LEP and DCP is a key driver towards improved efficiency.</p>	<p>Draft LEP and DCP.</p>
<p>2 <b>Zoning of Sydney CBD</b> Concerned that proposed the Global Centre zone* continues current 'City Centre' zone and avoids the Standard LEP 'Commercial Core' zone. The CBD should be a commercial core area which attracts commercial investment in the financial, property and business services, retail and tourism sectors. Residential development should be prevented. Recommends that Council designate a 'commercial core' protected from residential development bounded by Circular Quay, Phillip St, Market St., &amp; Sussex St.</p> <p>*It is now named the 'Metropolitan Centre' zone</p>	<p>The proposed 'Metropolitan Centre' zone is intended to:</p> <p>(i) continue permitted land uses in the current 'City Centre' zone; and</p> <p>(ii) recognise that part of the global appeal of Sydney CBD is that it is not dominated by a single (commercial) use.</p> <p>The draft LEP introduces a new FSR area for the northern part of the CBD. It removes the existing incentive for residential development by reducing the permissible Residential FSR to 12.5, as permitted for commercial uses.</p>	<p>Draft LEP Land Use Table, Clause 6.5 Accommodation Floor Space and Floor Space Ratio Map</p>
<p>3 <b>Need to ensure sufficient capacity for commercial floor space growth</b> Sydney needs to be competitive with other national and</p>	<p>The 2008 Capacity Study for Central Sydney indicated that there was adequate capacity under existing controls but that consolidation of contiguous</p>	<p>Clause 6.5 Accommodation Floor Space and Floor Space Ratio Map</p>

Property Council of Australia		
Issue	Consideration	Outcome
<p>international centres. Attracting commercial investment should be a priority. Key challenges are:</p> <ul style="list-style-type: none"> <li>▪ Lack of strong commercial core area</li> <li>▪ Diminishing capacity for commercial development with existing controls</li> <li>▪ Loss of commercial sites to residential development</li> <li>▪ Lack of incentives to upgrade low grade, older and heritage building stock</li> <li>▪ Need to improve amenity and connectivity between precincts</li> <li>▪ Need to encourage innovation and cutting edge sustainable development</li> </ul> <p>Recommend that Council:</p> <p>(i) Rebalance FSR controls to favour commercial development</p> <p>(ii) Increase FSR and height limits (subject to sun access planes)</p> <p>(iii) Develop incentives to promote redevelopment of low grade, older and heritage building stock, such as:</p> <ul style="list-style-type: none"> <li>- increasing in value of Heritage Floor Space scheme and</li> <li>- a 1:1 FSR bonus for 5-star Green Star Rating buildings (or other sustainability measures).</li> </ul>	<p>properties would be necessary to enable taller buildings to be provided that maximise the potential additional capacity of the properties. This finding is one of the drivers for the preparation of a draft LEP for the APDG site, the provisions of which are reflected in this draft LEP. They allow for increased building heights if appropriate site consolidation of the APDG site is achieved.</p> <p>Given the strategic directions for Central Sydney in <i>Sustainable Sydney 2030</i> and the State Government's Metropolitan and Subregional Strategies, there is a need to ensure that land in the commercial core (between King Street and Circular Quay) is protected for future commercial development. For this reason, the draft LEP removes the existing incentive for residential development by reducing the FSR for residential development in the commercial core so that it is the same as for commercial development.</p> <p>A review of existing FSR incentives and HFS controls in Central Sydney has resulted in refinements to these controls to align them more closely with the Standard Instrument, to implement strategic directions of <i>Sustainable Sydney 2030</i> and to improve the operation of the HFS system. However, it is not considered appropriate to offer an incentive for 5 star Green Star Rating buildings since all new development in the City is required to achieve higher levels of environmental sustainability than in the past. Moreover, the market for 5 star Green Star commercial buildings is considered to offer sufficient incentive for developers.</p>	<p>Clause 6.16 Alternative building heights</p> <p>Clause 6.7 Heritage Floor Space and 6.8 Allocation of Heritage Floor Space</p>
<p>4 <b>Relationship with Sydney 2030</b></p> <p>Strong support for Sustainable Sydney 2030. The new LEP should consider the key issues raised in Sydney 2030 to ensure it supports long-term economic growth and key initiatives. There is a potential need to include provisions for more employment capacity in the CBD than stipulated in the Metro Strategy.</p>	<p>Proposed provisions in the draft LEP address both State and Local Government objectives and strategies including <i>Sustainable Sydney 2030</i>, <i>Sydney Metropolitan Strategy</i> and <i>Sydney Draft Sub-regional Strategy</i> to ensure integrated planning. While the 2008 and 2009 Capacity Studies indicate that there is</p>	<p>Draft LEP follows the key strategic directions Sydney 2030. Some directions and actions are subject to further studies and will be pursued when the LEP is</p>

<b>Property Council of Australia</b>			
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>	
	adequate employment capacity in Central Sydney, the City continues to explore opportunities for 'freeing up' that capacity, as demonstrated in the urban design study and resulting draft LEP for the APDG site.	reviewed.	
5	<b>Harbour Rail Link</b> Western CBD has very strong demand for commercial floorspace. PCA supports the Harbour Rail Link on western side of CBD. Council should lobby for this.	The City continues to liaise with the State Government regarding the Harbour Rail Link. The City is seeking to protect both potential routes (Metro West & Metro Pitt) from incompatible development.	Not applicable to Draft LEP
6	<b>Partnerships with Federal Government</b> Need to establish partnerships and funding arrangements with Federal Government.	The Lord Mayor has initiated new partnerships with the Federal government through the Council of Capital City Lord Mayors.	Not applicable to Draft LEP
7	<b>Investment in local infrastructure</b> Council needs to invest in infrastructure, improved amenities, high quality urban environments and links between key precincts to attract investment and encourage economic development.	The City has adopted Local Action Plans to guide maintenance and new capital works in the LGA including within the CBD.	Not applicable to Draft LEP.

<b>Sydney Airport Corporation Limited (SACL)</b>			
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>	
1	<b>Aircraft noise</b> Noise forecast maps will be prepared in conjunction with new Sydney Airport Masterplan proposed for adoption by 2009. There may be some spreading of the ANEF contours related to the north-south runways due to increased usage from anticipated changes in navigation technologies in next 10 years which will allow aircraft to turn onto landing alignments closer to runways than is currently possible.	Noted. The draft LEP adopts the model clause recommended by the Department of Planning for areas subject to aircraft noise.	Draft LEP <i>clause 7.7 Development in areas subject to airport noise</i>
	<b>Bird hazard – Alexandra Canal</b> Birds fly along corridors and landscape designs for regeneration of Alexandra Canal should aim to mitigate the congregation of bird-life.	SACL has previously participated in preparation of the Alexandra Canal Master Plan and further work on the masterplan will address the issue of regeneration of natural system and potential impact of wild life on adjoining uses.  Sydney 2030 Strategy recommends that the area around the canal be retained for employment uses such as light industrial and urban services.	Not applicable to Draft LEP.

<b>Sydney Airport Corporation Limited (SACL)</b>		
<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
<p><b>Building heights in Green Square</b> Building heights for Green Square Town Centre should be in the LEP rather than DCP as currently occurs.</p>	Building height controls are in the LEP.	Draft LEP <i>Height of Buildings Map</i>
<p><b>Building heights limitations</b> Commonwealth legislation limits maximum building heights unless prior approval is obtained from Air Services Australia (or its delegate).</p>	<p>In 2009 the City supplied Sydney Airports Corporation Limited with maps of the proposed height controls in the draft LEP. SACL, as delegate of Air Services Australia, indicated that it had no objection to the building heights proposed for the vast majority of the City. However, it forwarded details of proposed heights for the Lachlan and Epsom Park precincts to Air Services Australia and other relevant Commonwealth agencies for assessment. To date no response has been received.</p> <p>Based on informal requests for additional detailed information, it is apparent that the relevant Commonwealth bodies are unable to form an opinion without the level of detail that is only available at DA stage. The draft LEP includes a clause which provides that relevant Commonwealth bodies will be consulted when DAs are submitted that may penetrate the OLS.</p>	Draft LEP <i>clause 7.6 Airspace operations and Height of Buildings Map</i>
<p><b>Sub-regional transport issues</b> There are limited existing travel routes that service the airport and subregional movements and these are severely congested at peak hours. Further:</p> <ul style="list-style-type: none"> <li>▪ 20% of growth anticipated in the MetroStrategy is proposed in this subregion,</li> <li>▪ movements to / from airport are to increase, and</li> <li>▪ the area around Gardeners Road and O’Riordan Street is proposed as an ‘Enterprise Corridor’ in the East Sydney sub-regional strategy, potentially exacerbating movements.</li> </ul> <p>However, no additional transport corridors in this area are planned to facilitate access to the airport or by-pass the airport.</p>	This is a matter for consideration by the State Government in the preparation of the <i>Metropolitan Transport Plan</i> .	Not applicable to Draft LEP
<p>5 <b>Sydney CBD-Airport Corridor Strategy</b> The two agencies most affected by the sub-regional strategy (City and SACL) have not yet been consulted despite 50% of all movements relating to origins and destinations north of the</p>	The strategy was prepared by the Department of Planning. The draft strategy was released in July 2008.	Not applicable to Draft LEP

Sydney Airport Corporation Limited (SACL)		
Issue	Consideration	Outcome
airport.		

Transgrid		
Issue	Consideration	Outcome
1 <b>Underground Cable</b> Transgrid presented a map of its properties in the City including underground cable stretching from south Sydney to Haymarket.	The Infrastructure SEPP specifically refers to the Transgrid corridor. There is no need for a reference in the draft LEP because SEPPs override LEPs.	No impact on Draft LEP.
2 <b>Zoning of Transgrid properties</b>  <ul style="list-style-type: none"> <li>• 29 Ultimo Road Haymarket from Public Recreation (SLEP 2005) to RE1 - Public Recreation</li> <li>• 29A Ultimo Road Haymarket from Public Recreation (SLEP 2005) to RE1 - Public Recreation</li> <li>• 29B Ultimo Road Haymarket from Public Recreation (SLEP 2005) to RE1 - Public Recreation</li> </ul> <p>Transgrid suggested zoning of 29A and 29B Ultimo Road be City Centre rather than RE1 - Public Recreation to reflect recently approved development application for the site.</p>	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• Zoning of 29A and 29B Ultimo Road changed to Metropolitan Centre.</li> </ul>	Draft LEP Clause 2.1. <i>Land Use Zones</i> and Land Zoning Map
3 <b>Urban Design Study recommendations – Surry Hills</b> Transgrid questioned the draft LEP recommendations for 70 Commonwealth Street, Surry Hills.	LEP recommendations have been derived from the Surry Hill Urban Design Study. Transgrid were advised that further opportunity for comment would be made during public exhibition of the draft LEP.	The draft LEP adopts the LEP recommendations from the Surry Hills Urban Design Study.
4 <b>Transgrid Substation at Burrows Road</b> Sydney 2030 plans for Alexandra Canal including open space and Transgrid is concerned about the effect of setback requirements for future development at Burrows Road.	The draft LEP includes a Foreshore Building Line along the banks of Alexandra Canal, consistent with their identification for future recreation in both the Draft Subregional Strategy and <i>Sustainable Sydney 2030</i> .	Draft LEP Foreshore Building Line and Foreshore Building Line Map

Urban Taskforce Australia		
Issue	Consideration	Outcome
1 <b>Consolidation and Simplification</b> Urban Taskforce encourages Council in its consolidation and simplification of local planning.	Noted.	Draft LEP
2 <b>Keeping to Mandatory Zones and Zone Objectives</b> It is noted that the City seeks consent to introduce an additional	This variation to the Standard LEP has been discussed at length with the Department. It is	Draft LEP Zone B8 Metropolitan Centre.

<b>Urban Taskforce Australia</b>			
	<b>Issue</b>	<b>Consideration</b>	<b>Outcome</b>
	new City Centre zone to apply only to the Sydney CBD. The Urban Taskforce does not see the need and instead supports the wider use of the B4 - Mixed Use.	considered appropriate to recognise the unique status of Central Sydney. The B4 Mixed Use zone will be used in a range of other circumstances and would not differentiate the status and hierarchy of Central Sydney in the Metropolitan Strategy from any other 'mixed use' locality. A separate zone allows the zone objectives to explicitly refer to the global functions of Central Sydney.	
3	<b>Residential Development in the City Centre</b> Urban Taskforce strongly opposes any zone that prohibits or discourages residential development in the city centre. Limiting the city centre to only commercial uses is unnecessary and unimaginative and is contrary to contemporary urban design philosophy, including the urban design principles in Sustainable Sydney 2030.	Agreed. However, there is a need to ensure that land in the 'commercial core' (between King Street and Circular Quay) is protected for future commercial development. Hence, the draft LEP removes the existing incentive for residential development in this area by reducing the permissible FSRs to the equivalent of those for commercial development.	Clause 6.5 Accommodation Floor Space and Floor Space Ratio Map