



New South Wales

# **Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*.

CRAIG KNOWLES MP

Minister for Urban Affairs and Planning

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## **1 Name of plan**

This plan is *Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct)*.

## **2 Aims of plan**

This plan aims:

- (a) to create the Bays Precinct within City West, and
- (b) to establish planning principles and development controls of regional significance for development in the Bays Precinct, and
- (c) to make other amendments to *Sydney Regional Environmental Plan No 26—City West*.

## **1997 No 622**

Clause 3

Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct)

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### **3 Land to which this plan applies**

This plan creates the “Bays Precinct” which is part of “City West” in the Sydney Region and is the land indicated by heavy black edging on Sheet 3 of the Map marked “*Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct) Map 2*” deposited in the head office of the Department of Urban Affairs and Planning.

This plan applies to the Bays Precinct.

### **4 Amendment of other environmental planning instruments**

Each environmental planning instrument specified in Schedule 1 is amended in the manner set out in that Schedule.

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## Schedule 1 Amendments

(Clause 4)

### 1.1 Sydney Regional Environmental Plan No 26—City West

#### [1] Clause 3 Precincts

Insert at the end of the clause:

*The “Bays Precinct” is created by Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct) and is the land indicated by heavy black edging on Map 2, Sheet 3.*

#### [2] Clause 5 How environmental planning instruments affect City West

Insert after the words “South Sydney Local Environmental Plan No 107 (Erskineville/Alexandria and Surry Hills); and”:

*Interim Development Order No 27—Municipality of Leichhardt, and*

*Leichhardt Local Environmental Plan No 20, and*

#### [3] Clause 14 Consent authority

Insert after the matter relating to the consent authority for the Eveleigh Precinct:

*The consent authority for the Bays Precinct is the Minister.*

**[4] Clause 15 Planning principles of regional significance for Precincts**

Insert after Part 2 of the Table:

**Part 3 Bays Precinct**

**Role and land use activities**

Development should reinforce and complement the role of the Precinct as a major inner-harbour port and maritime location. Development should recognise that the port operates for 24 hours of the day and that the generation of noise, lighting and traffic movement is necessarily associated with its operation.

Development in the Precinct is to provide for a mixture of commercial port, port-related, employment, waterfront and recreational uses, but is not to include residential development. The existing diversity and maritime character of the Precinct, particularly the mixed use of waterfront areas, should be retained.

Development is to take full advantage of the Precinct's location and its infrastructure, particularly rail or light rail facilities, for the port and other employment generating activities.

Development is to encourage the environmental rejuvenation of the Precinct. Where possible, future development is to encourage the segregation of port traffic from residential and recreational areas.

Development is to make efficient use of surplus government owned land.

Development is to encourage the conservation of and adaptation for re-use of existing heritage items and structures for uses compatible with new development.

Development is to contribute to improved water quality in Rozelle Bay and Blackwattle Bay.

Development is to make a significant contribution to ecological sustainability by the use of efficient management and design practices.

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Development on the waterfront and on land adjoining Rozelle Bay and Blackwattle Bay is to enhance the environmental quality of those areas for all users.

### **Urban design**

Design principles to be developed in detailed planning should recognise the working industrial nature of the Precinct in close proximity to residential areas.

Development along the Precinct boundary should relate to and not adversely affect the adjoining street systems and built forms.

The siting and form of development in all areas must consider impacts on views from within the Precinct and to and across the Precinct from surrounding areas.

### **Public domain**

Public recreation areas are to provide for a range of recreational opportunities for those working in and visiting the Precinct.

The siting and form of development must consider creating, retaining and enhancing views and vistas from the water and public domain.

Links for pedestrians, cyclists, and persons with disabilities are to be provided through the Precinct and to link and integrate the Precinct with adjoining areas.

Links through the Precinct, including public access to the foreshores, should recognise the safety and security issues associated with commercial port and maritime activities.

Development should help to create a high quality public domain in the Precinct.

Master plans for all areas should identify opportunities for public recreation, public access through sites and links to adjoining pedestrian and cyclist networks.

## 1997 No 622

Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct)

Schedule 1 Amendments

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### [5] Clause 16 How land is zoned

Insert after “Railways”:

Waterfront Use

Port and Employment

### [6] Clause 19 Public Recreation Zone

Insert at the end of the list of objectives of this zone:

, and

- in the Bays Precinct, in addition to the other objectives of this zone—to allow for the continued operation and development of Wentworth Park as a major public open space and recreational facility.

### [7] Clauses 20B and 20C

Insert after clause 20A:

#### 20B Waterfront Use Zone

Only uses which the consent authority is satisfied are generally consistent with one or more of the zone objectives are permissible within this zone.

The *objectives of this zone* are:

- to provide for development of water-based commercial and recreational activities, including facilities for the servicing, mooring, launching and storage of boats, and
- to allow a range of commercial maritime facilities (such as boating industry facilities, marinas, waterfront service operations, waterfront commercial and tourism facilities and uses associated with the servicing, temporary mooring, launching and storage of boats and uses ancillary to these), which will take advantage of the harbour location, and

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- to provide public access within and across the zone and to facilitate the extension of the Ultimo-Pyrmont foreshore promenade from Blackwattle Bay to Rozelle Bay and link with public access networks surrounding the precinct, and
  - to create, retain and enhance views and links between Wentworth Park and the foreshores of Blackwattle Bay.

Uses such as hotels, hotel apartments and tourist resort development will not be permitted.

## 20C Port and Employment Zone

Only uses which the consent authority is satisfied are generally consistent with one or more of the zone objectives are permissible within this zone.

The *objectives of this zone* are:

- to facilitate the continuation of commercial port uses, and
- to allow a range of commercial port facilities (such as buildings, structures, activities or operations and uses ancillary to these, associated with carrying goods from one port to another and associated with storage and handling and access to the port), and
- to encourage development on Glebe Island and land adjoining White Bay which requires close proximity to the port, and
- to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses, and
- to allow a mix of uses which generate employment opportunities in the White Bay Power Station site, and

## 1997 No 622

Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct)

### Schedule 1 Amendments

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- to provide for the ongoing rail access to the port and related activities, and
- to provide pedestrian and cyclist links with surrounding public access networks, and
- to encourage port-related uses which optimise use of existing rail facilities, and
- to provide road and rail access to port activities.

#### [8] **Clause 52 Views of other bodies—development in Precincts**

Insert before the last sentence:

Before granting consent to a development application relating to land in the Bays Precinct, the consent authority must, where it considers it appropriate, seek the views of the Leichhardt Council, the City West Development Corporation, the Sydney Ports Corporation, the Office of Marine Administration, the Waterways Authority, the Rail Access Corporation, the State Rail Authority, the Freight Rail Corporation and the Director-General of the Department of Transport.

#### [9] **Schedule 1 Definitions**

Insert in alphabetical order:

***Bays Precinct*** means the land shown edged heavy black on Map 2, Sheet 3.

#### [10] **Schedule 1 Definition of “Map 1”**

Insert “(Second Edition)” after “Map 1” where secondly occurring.

#### [11] **Schedule 1 Definition of “Map 2”**

Insert at the end of the definition:

Sheet 3—Bays Precinct—Land Use Zones



**[12] Schedule 1 Definition of “Map 4”**

Insert at the end of the definition:

Sheet 3—Bays Precinct—Heritage and Conservation

**[13] Schedule 1 Definition of “Map 5”**

Insert at the end of the definition:

Sheet 3—Bays Precinct—Master Planning

**[14] Schedule 3 Development not requiring consent**

Insert at the end of the Schedule:

- Within the Glebe Island/White Bay area of the Port and Employment Zone—temporary structures associated with the port (such as hailnetting) and the maintenance and modification of existing structures; the erection and maintenance of port communication equipment; structures for or associated with the storage and processing of cargo; installation, modification and maintenance of utilities and service facilities.
- Installation, modification and maintenance of pipelines, landscaping, fencing and signage associated with the port.
- Subdivision associated with port operations.
- Demolition of wetland structures in the Port and Employment Zone.

**[15] Schedule 4, Part 3**

Insert after Part 2:

**Part 3 Items in the Bays Precinct***Buildings/Structures*

- 1 Glebe Island wheat silos (components A, B and C as identified on Map 4)
- 2 Former Hotel, 78 Lilyfield Road

## 1997 No 622

Sydney Regional Environmental Plan No 26—City West (Amendment No 7—Bays Precinct)

Schedule 1      Amendments

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- 3 'Cadden Le Messurier', 84 Lilyfield Road
- 4 Sewerage pumping station, Roberts Street
- 5 Monument, Glebe Island
- 6 Stormwater canal, Lilyfield Road
- 7 Railway Bridge, Railway Parade
- 8 Arched Bridge, Whites Creek
- 9 Railway truss bridge, Johnston Street
- 10 Wentworth Park rail viaduct
- 11 White Bay Power Station complex
- 12 Catherine Street railway bridge
- 13 NCA Steward's Building, Wentworth Park
- 14 Store Building, Wentworth Park
- 15 NCA Entry tower, Wentworth Park

### *Landscape items*

- 14 Wentworth Park

## 1.2 Interim Development Order No 27—Municipality of Leichhardt

### Clause 1A Application of Order

Insert after clause 1A (2):

- (3) This Order does not apply to land within a precinct created by *Sydney Regional Environmental Plan No 26—City West*.

**1.3   Leichhardt Local Environmental Plan No 28**

**[1]   Clause 3 Land to which plan applies**

Omit “subclause (2)” from clause 3 (1). Insert instead “subclauses (2) and (3)”.

**[2]   Clause 3 (3)**

Insert after clause 3 (2):

- (3)   This plan does not apply to land within a precinct created by *Sydney Regional Environmental Plan No 26—City West*.
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