



New South Wales

## **South Sydney Local Environmental Plan 1998 (Amendment No 8)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(S00/01374/PC)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

Sydney, 1 May 2001.

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## **South Sydney Local Environmental Plan 1998 (Amendment No 8)**

### **1 Name of plan**

This plan is the *South Sydney Local Environmental Plan 1998 (Amendment No 8)*.

### **2 Aims of plan**

This plan aims:

- (a) to amend the zone objectives for the Business, Industrial and Mixed Uses (No 10) zones under the *South Sydney Local Environmental Plan 1998*, and
- (b) to clarify the regulation of development in the vicinity of Alexandra Canal, and
- (c) to introduce further restrictions as to where amusement centres may operate, and
- (d) to amend the limitations presently imposed on the location of restricted premises, and
- (e) to identify additional land the development (other than minor development) of which can only occur with the concurrence of the Roads and Traffic Authority, in order to protect the structural integrity of the Eastern Distributor, and
- (f) to identify land the development (other than minor development) of which can only occur after consultation with the Rail Infrastructure Corporation, in order to protect the structural integrity of the New Southern Railway, and
- (g) to rezone the southern side of Stanley Street between Crown Street and Riley Street to Zone No 10 (the Mixed Uses zone), and
- (h) to rezone industrial zoned land known as 741 Botany Road, Rosebery to Zone No 10 (the Mixed Uses zone), and
- (i) to rezone industrial zoned land known as 797–801 Botany Road, Rosebery to Zone No 10 (the Mixed Uses zone).

**3 Land to which plan applies**

This plan applies to all land to which *South Sydney Local Environmental Plan 1998* applies.

**4 Amendment of South Sydney Local Environmental Plan 1998**

The *South Sydney Local Environmental Plan 1998* is amended as set out in Schedule 1.

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Schedule 1      Amendments

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### Schedule 1    Amendments

(Clause 4)

#### [1]    **Clause 13 Zoning controls for Zone No 3—the Business Zone**

Omit clause 13 (1). Insert instead:

(1)    **What are the objectives of the zone?**

The objectives of Zone No 3 are:

- (a)    to encourage suitable types of mixes of business activities including retail, commercial, professional and entertainment-related land uses that increase employment opportunities and contribute towards the economic and social vitality of the area, and
- (b)    to permit appropriate forms of urban residential development within the zone to mutually support the vitality of the commercial strips and centres, and in doing so, assist successful urban consolidation, and
- (c)    to improve the amenity and accessibility of commercial strips and centres for residents, workers and visitors in those areas, and
- (d)    to incorporate contemporary urban design principles in the design of new buildings and the interpretation of their relationship with the public domain, and
- (e)    to implement the principles of energy efficiency, travel demand management and other sustainable development practices as part of the development assessment process, and
- (f)    to encourage the integration of suitable employment and resident intensive activities into accessible locations so as to maximise public transport patronage and encourage travel by foot and bicycle from surrounding areas.

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**[2] Clause 14 Zoning controls for Zone No 4—the Industrial Zone**

Omit clause 14 (1) (a) and (b). Insert instead:

- (a) to facilitate and encourage suitable types of industrial development ranging from general industry to high technology industry, including warehousing, manufacturing and distribution centres, or other land uses which, due to their type, nature, scale, transport requirements or impacts, cannot reasonably be located in another zone, and
- (b) to allow for a range of ancillary, non-industrial land uses that provide direct services to industrial activities and their workforce, including associated research, administration, commercial and retail facilities, and

**[3] Clause 21 Zoning controls for Zone No 10—the Mixed Uses Zone**

Omit clause 21 (1). Insert instead:

(1) **What are the objectives of the zone?**

The objectives of Zone No 10 are:

- (a) to allow, in appropriate circumstances, a mixture of compatible land uses such as residential, retail, commercial, light-industrial and industrial development, and
- (b) to promote mixed use planning by locating mutually supportive and compatible uses such as residential uses, places of employment and retail uses in close proximity to each other so as to minimise vehicular travel, and
- (c) to permit appropriate forms of residential development within the zone to mutually support the vitality of nearby commercial and urban village centres, and in doing so, assist successful urban consolidation, and
- (d) to incorporate contemporary urban design principles in the design of new buildings and the interpretation of their relationship with the public domain, and
- (e) to implement the principles of energy efficiency, travel demand management and other sustainable development practices as part of the development assessment process, and

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- (f) to encourage the integration of suitable employment and resident intensive activities into accessible locations so as to maximise public transport patronage and encourage travel by foot and bicycle from surrounding areas, and
- (g) to minimise any adverse impact on residential amenity by devising appropriate design assessment criteria and applying specified impact mitigation requirements by the use of development control plans, and
- (h) to ensure that the nuisance generated by non-residential development, such as that related to operating hours, noise, loss of privacy, vehicular and pedestrian traffic or other factors, is controlled so as to preserve the quality of life for residents in the area.

### **[4] Clause 40 Development in the vicinity of Alexandra Canal**

Omit clause 40 (2). Insert instead:

- (2) The Council must not consent to the erection of any structure on land having a frontage to Alexandra Canal or any of its secondary canals unless:
  - (a) it has made an assessment of the effect the erection of that structure would have on the existing aquatic environment and the potential use of Alexandra Canal and its foreshore for recreational purposes, and
  - (b) the conditions of that consent require the landscaping of a ten metre strip abutting the canal, and
  - (c) the conditions of that consent require the creation of a right of carriageway, or the dedication of land, for the purpose of permanent pedestrian or bicycle access within a ten metre strip abutting the canal.

**[5] Clause 46**

Omit the clause. Insert instead:

**46 Amusement centres**

Despite Part 3, development for the purpose of an amusement centre is prohibited on any land:

- (a) within Zone No 3 having a boundary adjoining Oxford Street, or
- (b) within Zone No 3 and Zone No 10 having a boundary adjoining King Street, or
- (c) within the area bounded by Victoria Street, Orwell Street, Macleay Street, Fitzroy Gardens, Ward Avenue and Kings Cross Road.

**[6] Clause 47 Restricted premises**

Omit clause 47 (a). Insert instead:

- (a) no part of the premises, other than an access corridor, will be located within a shop-front or will be otherwise visible at street level from any adjoining footpath, roadway, arcade or other public thoroughfare, and

**[7] Clause 49**

Omit the clause. Insert instead:

**49 Transport tunnels**

- (1) The Council must not grant consent to the carrying out of development on land identified on the map by a broken red line, except with the concurrence of the Roads and Traffic Authority.
- (2) The Council must not grant consent to the carrying out of development on land identified on the map by a broken blue line, except after consultation with the Rail Infrastructure Corporation.

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- (3) The following matters must be taken into account by the Roads and Traffic Authority in determining whether to grant concurrence under subclause (1), and by the Rail Infrastructure Corporation in the course of consultation carried out under subclause (2):
- (a) the siting, size and depth of any proposed building or work, including any proposed excavation, in relation to their effects on the structure of the transport tunnel beneath,
  - (b) the proposed access for maintenance of existing or proposed structures forming part of either transport tunnel,
  - (c) the potential for impact on the structural integrity of the tunnel or associated structures from construction activity,
  - (d) any potential cumulative impacts from developments in the vicinity of the site.
- (4) Nothing in this clause requires the concurrence of the Roads and Traffic Authority, or consultation with the Rail Infrastructure Corporation, for the use of an existing building, or for other minor development (such as additions or alterations) not involving ground penetration which, in the opinion of the Council, has no relevance to the matters listed in subclause (3).

### [8] Schedule 1 Definitions

Omit “, Category 2 restricted or RC” from the definition of *restricted premises*.

Insert instead “or Category 2 restricted”.

### [9] Schedule 1, definition of “the map”

Insert at the end of the definition:

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BY AUTHORITY