



New South Wales

South Sydney Local Environmental Plan 1998 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00496/PC)

KRISTINA KENEALLY, MP
Minister for Planning

2009 No 119

Clause 1 South Sydney Local Environmental Plan 1998 (Amendment No 9)

South Sydney Local Environmental Plan 1998 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *South Sydney Local Environmental Plan 1998 (Amendment No 9)*.

2 Aims of plan

This plan aims to amend *South Sydney Local Environmental Plan 1998* as follows:

- (a) to rezone land formerly set aside for county road reservation purposes, being certain land between King Street and Erskineville Road, Newtown, to partly Zone No 2 (b) Residential (Medium Density) Zone, partly Zone No 3 Business Zone and partly Zone No 10 Mixed Uses Zone, as shown distinctively coloured on Sheet 2 of the map marked “South Sydney Local Environmental Plan 1998 (Amendment No 9)” (*the amending map*) deposited in the office of the Council of the City of Sydney,
- (b) to replace in Schedule 1 the definitions of *alter*, *heritage conservation area*, *heritage item*, *heritage streetscape area* and *maintenance*,
- (c) to add certain properties to Schedule 2 as heritage items, to omit a heritage item as the buildings (Nos 29–35 Morehead Street, Redfern) no longer exist and to correct certain descriptions of heritage items in that Schedule, as shown on Sheet 1 of the amending map,
- (d) to add to Schedule 2A a new heritage conservation area (Mountain Street Conservation Area) and to correct the boundaries of existing heritage conservation areas (East Sydney and Darlinghurst Conservation Area, King Street Conservation Area and Pines Estate Conservation Area), as shown on Sheet 1 of the amending map,
- (e) to add to Schedule 2B a new heritage streetscape area (Victoria Street (Potts Point) heritage streetscape area), to amend the boundaries of 2 existing heritage streetscape areas (Oxford Street (Darlinghurst and Paddington) heritage streetscape area and

Victoria Street (Darlinghurst) heritage streetscape area) and to correct miscellaneous heritage streetscape errors in that Schedule, as shown on Sheet 1 of the amending map,

- (f) to effect law revision (by reinstating in the new definition of ***heritage item*** in Schedule 1 the reference to the map supporting *South Sydney Local Environmental Plan 1998 (Amendment No 16)*).

3 Land to which plan applies

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

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Schedule 1 Amendment of South Sydney Local Environmental Plan 1998

Schedule 1 Amendment of South Sydney Local Environmental Plan 1998

[1] Schedule 1 Definitions

Omit the definitions of *alter*, *heritage conservation area*, *heritage item*, *heritage streetscape area* and *maintenance*.

Insert instead in alphabetical order:

alter means, in relation to:

- (a) a heritage item:
 - (i) the making of external structural or non-structural changes, but not maintenance, or
 - (ii) the making of internal structural or non-structural changes, but not maintenance, office partitioning, floor covering or painting, or
- (b) a building, work, relic or place within a heritage conservation area or a heritage streetscape area—the making of external structural or non-structural changes, but not maintenance.

heritage conservation area means an area that is described in Schedule 2A, including buildings, works, relics, trees and places situated on or within that land, and identified on any of the maps marked as follows:

South Sydney Local Environmental Plan 1998 (Amendment No 3)—Heritage Conservation

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heritage item means a building, work, relic, tree or place that is described in Schedule 2 and identified on any of the maps marked as follows:

South Sydney Local Environmental Plan 1998 (Amendment No 3)—Heritage Conservation

South Sydney Local Environmental Plan 1998 (Amendment No 7)—Green Square—Heritage

South Sydney Local Environmental Plan 1998 (Amendment No 9)—Sheet 1

South Sydney Local Environmental Plan 1998 (Amendment No 11)—Green Square—Heritage

South Sydney Local Environmental Plan 1998 (Amendment No 16)

South Sydney Local Environmental Plan 1998 (Amendment No 17)—Green Square Town Centre—Heritage Conservation

heritage streetscape area means an area that is described in Schedule 2B, including buildings, works, relics, trees and places situated on or within that land, and identified on any of the maps marked as follows:

South Sydney Local Environmental Plan 1998 (Amendment No 3)—Heritage Conservation

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maintenance, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area or within a heritage streetscape area, means ongoing protective care. It does not include the removal or disturbance of existing fabric, alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

[2] Schedule 1, definition of “the map”

Insert in appropriate order:

South Sydney Local Environmental Plan 1998 (Amendment No 9)—Sheet 2

[3] Schedule 2 Heritage items

Omit the headings “**Item No**”, “**Street Number**” and “**Inventory No**” from the table to the Schedule.

Insert instead “**Item no**”, “**Street no**” and “**Inventory no**”.

[4] Schedule 2

Insert before item no 1 under the headings (some as renamed by Schedule 1 [3]) “**Item no**”, “**Street**”, “**Suburb**”, “**Street no**”, “**Description**” and “**Inventory no**”, respectively:

| | | | | |
|----|-----------------------|-------------|-------|--|
| 1A | Abercrombie Street | Chippendale | 63–67 | Centennial Terrace, 8.49 three storey Victorian corner shop and residence and two storey terrace group, c 1888 |
|----|-----------------------|-------------|-------|--|

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| | | | | | |
|----|--------------------|-------------|---------|--|------|
| 1B | Abercrombie Street | Chippendale | 66–70 | Two storey Federation shop and residence above, c 1905 | 8.53 |
| 1C | Abercrombie Street | Chippendale | 72–80 | Macintosh Tyres & Co, two storey Art Deco Functionalist style warehouse, c 1948 | 8.54 |
| 1D | Abercrombie Street | Chippendale | 79–83 | Goodwyn & Co, two and three storey Victorian style warehouse, c 1876 | 8.55 |
| 1E | Abercrombie Street | Chippendale | 87–89 | Shannon Hotel, formerly Royal Oak Hotel, two storey Federation Anglo-Dutch style hotel | 8.56 |
| 1F | Abercrombie Street | Chippendale | 117–131 | Dangar Terrace, two storey Federation terrace group of eight and corner shop, c 1903 | 8.57 |

[5] Schedule 2

Insert in numerical order of item number (with item numbers that include a letter coming after item numbers without a letter) under the headings (some as renamed by Schedule 1 [3]) “**Item no**”, “**Street**”, “**Suburb**”, “**Street no**”, “**Description**” and “**Inventory no**”, respectively:

| | | | | | |
|-----|----------------|--------------|---------|---|---------|
| 29A | Ashmore Street | Erskineville | 1A | Electrical Substation, No 101, Inter-War Classical style, c 1919 | 7.12/3 |
| 89A | Bourke Street | Surry Hills | 342–344 | Pogs Car Laundry, three storey Inter-War petrol station and residential flat building, c 1927 | 2.108/1 |

| | | | | | |
|------|-----------------|-------------|---------|---|---------|
| 141A | Broadway | Chippendale | 128–140 | Pioneer House, six storey Inter-War Functionalist style commercial building, c 1934 | 8.40 |
| 141B | Broadway | Chippendale | 166–170 | Hotel Broadway (former), two storey Inter-War Functionalist style hotel, c 1936 | 8.41 |
| 141C | Broadway | Chippendale | 174–178 | Commonwealth Bank (former), two storey Inter-War commercial building, c 1933 | 8.42 |
| 141D | Broadway | Chippendale | 202–206 | The English, Scottish, and Australasian Bank (former), three storey Inter-War commercial building, c 1930 | 8.43 |
| 161A | Brown Street | Newtown | 1–1A | Marcus Clark warehouse | 7.41/38 |
| 177A | Buckland Street | Chippendale | 14–16 | W A Davidson Clothing Manufacturers (former), two storey Federation warehouse, c 1909 | 8.59 |
| 225A | Church Street | Camperdown | 32–44 | York Terrace, single storey Victorian terrace group of seven, c 1880 | 8.12/11 |
| 230A | City Road | Chippendale | 2–6 | Lansdowne Hotel, three storey Inter-War hotel, 1926 | 8.44 |
| 230B | City Road | Chippendale | 20 | Cooper's Cottages (former), single storey Colonial Georgian terrace group remnants, c 1843 | 8.45 |

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| | | | | | |
|------|-------------------------|---------------|----------|---|---------|
| 230C | City Road | Chippendale | 22–24 | Grace Bros Warehouse (former), six storey Federation warehouse, c 1916 | 8.46 |
| 230D | City Road | Chippendale | 58 | Imperial Hotel (former), two storey Victorian hotel, c 1884 and later modifications | 8.47 |
| 230E | City Road | Chippendale | 88–90 | Pair of two storey Victorian terrace houses, c 1880 | 8.48 |
| 239A | Cleveland Street | Chippendale | 52–54 | Native Rose Hotel, two storey Inter-War hotel, c 1923 | 8.60 |
| 240A | Cleveland Street | Darlington | 117–117A | Hahn Automotive Services (former), Inter-War Art Deco style service station and forecourt, 1939 | 8.61 |
| 528A | George Street | Redfern | 195–197 | Clyde House, two storey Victorian Filigree style house, 1885 | 4.1/1 |
| 538A | Great Buckingham Street | Redfern | 2 | Electrical Substation No 435, Inter-War Functionalist style, c 1937 | 4.47/3 |
| 547A | Huntley Street | Alexandria | 6A | Shea's Creek Woolsheds, c 1940–42—Woolsheds 72, 73 and 74 | 6.15/1 |
| 553A | Ithaca Road | Elizabeth Bay | 10 | Electrical Substation, No 223, Inter-War Stripped Classical style, c 1927 | 1.168/1 |
| 566A | King Street | Newtown | 2–4 | Two storey Federation Free style shop and residence | 7.41/13 |

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Amendment of South Sydney Local Environmental Plan 1998

Schedule 1

| | | | | | |
|------|-------------|---------|---------|---|---------|
| 567A | King Street | Newtown | 21 | White Horse Hotel (former), three storey hotel c 1914, with 1930s alterations to the facade | 7.41/14 |
| 567B | King Street | Newtown | 23–25 | Malcolm Motors, Inter-War Spanish Mission style service station, c 1928 | 7.41/15 |
| 567C | King Street | Newtown | 33–35 | Pair of semi-detached mid-Victorian cottages c 1870 | 7.41/17 |
| 568A | King Street | Newtown | 113–117 | Two storey Victorian Free Classical style commercial building, c 1889 | 7.41/18 |
| 568B | King Street | Newtown | 119–129 | Two storey Federation style shop and residential building, c 1910 | 7.41/19 |
| 568C | King Street | Newtown | 145 | Marlborough Hotel, two storey Inter-War hotel, 1939 | 7.41/20 |
| 568D | King Street | Newtown | 157 | Milton Hotel (former), three storey Victorian Free Classical style building, c 1878 | 7.41/21 |
| 568E | King Street | Newtown | 165–173 | Two storey Federation Free style shop and residence, c 1905 | 7.41/22 |
| 568F | King Street | Newtown | 168 | Mary Bergin, three storey Victorian Free style commercial building, c 1887 | 7.41/23 |

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| | | | | | |
|------|-------------|--------------|----------|---|---------|
| 570A | King Street | Newtown | 223–227 | Three storey Victorian Free Classical style building, c 1886 | 7.41/25 |
| 571A | King Street | Newtown | 229–239 | Two storey Federation Free Classical style building, c 1902 | 7.41/26 |
| 571B | King Street | Newtown | 230–232 | C. Whately, three storey Victorian Free Classical commercial building, c 1887 | 7.41/27 |
| 572A | King Street | Newtown | 260–266 | Victorian commercial building, c 1898 | 7.41/29 |
| 574A | King Street | Newtown | 282–284 | Federation shop and residence, c 1916 | 7.41/30 |
| 583A | King Street | Newtown | 366–378 | Saints Constantine and Helen Greek Orthodox Church and Church Hall | 7.41/31 |
| 584A | King Street | Newtown | 482–496 | Two storey Federation shops and residences, c 1900 | 7.41/32 |
| 584B | King Street | Newtown | 522–524A | Victorian commercial building, c 1890 | 7.41/33 |
| 584C | King Street | Newtown | 576–582 | Union Hotel, two storey Inter-War Functionalist style hotel, c 1939 | 7.41/34 |
| 584D | King Street | Erskineville | 590 | Federation shop and residence, c 1898 | 7.41/35 |
| 584E | King Street | Erskineville | 672 | Theatre (former), 1927, three storey facade to King Street, including side returns to the edge of the corbel only | 7.41/36 |

| | | | | | |
|------|---------------------|-----------------|--------|--|---------|
| 584F | Knox Street | Chippendale | 1 | Single storey sandstone Victorian Georgian style cottage, c 1878 | 8.63 |
| 615A | Levey Street | Chippendale | 20–22 | Two storey mid-Victorian terrace pair, c 1878 | 8.64 |
| 615B | Levey Street | Chippendale | 24–32A | Two storey mid-Victorian former corner hotel and terrace group of five, c 1879 | 8.65 |
| 622A | Little Queen Street | Chippendale | 3 | Sydney City Mission, two storey Victorian church hall, c 1889 | 8.66 |
| 664A | Macleay Street | Potts Point | 55 | Nebraska, three storey Federation Queen Anne style terrace, c 1896 | 1.196/1 |
| 693A | Martin Road | Centennial Park | 10A | The Gables, two storey Federation Arts and Crafts style house, c 1928 | 2420243 |
| 693B | Martin Road | Centennial Park | 14 | Angela, two storey Federation Revival style house, c 1909 | 2420244 |
| 695A | Martin Road | Centennial Park | 24 | Romahapa, two storey Federation Arts and Crafts style house, c 1913 | 2420245 |
| 696A | Martin Road | Centennial Park | 28 | St Austelle, two storey Inter-War Mediterranean style house, c 1927 | 2420246 |
| 696B | Martin Road | Centennial Park | 38 | Baltard, two storey Federation Queen Anne style house, c 1918 | 2420249 |

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|------|-----------------|-----------------|-------|--|---------|
| 696C | Martin Road | Centennial Park | 40 | Camelot (formerly Parua), single storey Post-War International style house, c 1967 | 2420250 |
| 696D | Martin Road | Centennial Park | 46 | Hillcrest (formerly Nelaii), two storey Federation Arts and Crafts style house, c 1916 | 2420251 |
| 696E | Martin Road | Centennial Park | 48 | Warwick, two storey Federation Queen Anne style house, c 1913 | 2420252 |
| 743A | Mountain Street | Ultimo | 41 | Electrical Substation, No 5, Federation Free style, c 1909 | 8.40 |
| 743B | Mountain Street | Ultimo | 46–52 | Wilcox Mofflin Ltd, four storey Federation stores building, c 1911, with later additions | 8.39 |
| 744A | Myrtle Street | Chippendale | 35–45 | E G Bishops Pty Ltd, two storey Inter-War Art Deco style warehouse, c 1936 | 8.42 |
| 744B | Myrtle Street | Chippendale | 42 | Two storey mid-Victorian shop and residence, c 1870 | 8.43 |
| 744C | Myrtle Street | Chippendale | 47 | Victoria Park Hotel (former), two storey mid-Victorian corner hotel and attached terrace, c 1870 | 8.44 |

| | | | | | |
|------|----------------|-----------------|---------|---|---------|
| 764A | Onslow Place | Elizabeth Bay | n/a | Cliff face, as a result of the 1835 blasting away of the Darlinghurst Ridge to create the site for the building of Elizabeth Bay House, including trees | 1.165/3 |
| 764B | Orwell Lane | Potts Point | 1 | Electrical Substation, No 166, Inter-War Art Nouveau style, c 1925 | 1.212/1 |
| 793A | Oxford Street | Darlinghurst | 160 | Sacred Heart Church and School Hall, Federation Gothic style church, 1912 and Victorian Academic Gothic style hall, c 1880s | 1.74/1 |
| 883A | Queen Street | Chippendale | 23–25 | Two storey Victorian terrace pair with central carriageway, c 1866 | 8.45 |
| 883B | Queen Street | Chippendale | 27 | Two storey Victorian shop and residence group of four, c 1897 | 8.46 |
| 899A | Regent Street | Chippendale | 111–113 | Crown Hotel (former), two storey Federation hotel, c 1901 | 8.47 |
| 986A | Robertson Road | Centennial Park | 37 | Haurollo, single storey Federation Queen Anne style house, c 1915 | 2420254 |
| 987A | Robertson Road | Centennial Park | 41 | New Court, single storey Inter-War California bungalow, c 1914 | 2420255 |

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|-------|-----------------|-----------------|-------|--|---------|
| 988A | Robertson Road | Centennial Park | 45–47 | Two storey Inter-War Old English style house, c 1934 | 2420256 |
| 988B | Robertson Road | Centennial Park | 49–51 | Dorchester, single storey Inter-War California bungalow, c 1934 | 2420257 |
| 995A | Rose Street | Chippendale | 1–5 | Rose Terrace, two storey Victorian Filigree style terrace group of three, c 1896 | 8.48 |
| 996A | Rose Street | Chippendale | 74 | Duck and Swan Hotel, two storey Inter-War hotel, c 1929 | 8.49 |
| 1014A | Shepherd Street | Chippendale | 20–48 | Clive Terraces, two storey Victorian terrace group of fifteen terraces, c 1881 | 8.50 |
| 1020A | Smithers Street | Chippendale | 1–5 | Two storey mid-Victorian terrace group of three, c 1884 | 8.51 |
| 1020B | Smithers Street | Chippendale | 2–12 | Two storey mid-Victorian terrace group of six, c 1888 | 8.52 |
| 1169A | Wells Street | Redfern | n/a | Wood block paving beneath bitumen road surface in Wells Street between George and Regent Streets | 4.32/1 |
| 1181A | William Street | Woolloomooloo | 132 | Two storey Victorian commercial building | 1.66 |
| 1181B | Wilson Street | Newtown | 1–9 | Federation commercial building, c 1900 | 7.41/39 |

[6] Schedule 2, Item no 740 (Nos 29–35 Morehead Street, Redfern)

Omit the item.

[7] Schedule 2A Heritage conservation areas

Omit the matter relating to Area no CA18.

Insert instead under the headings “**Area no**”, “**Name**”, “**Location**”, “**Area generally bounded by**” and “**Inventory no**”, respectively:

| | | | | |
|------|--|------------------------------|--|-----|
| CA18 | East Sydney and Darlinghurst Conservation Area | Darlinghurst and Surry Hills | William St, Forbes St, the northern boundaries of No 186 Forbes St and No 1 Tewkesbury Ave, Tewkesbury Ave, Darlinghurst Rd, Oxford St, Flinders St, Campbell St, Lower Campbell St, the western boundaries of No 58 Lower Campbell St and No 265 Goulburn St, Arnold Ln, Arnold Pl, Riley St, Whitlam Sq, Liverpool St, Hargrave St, Francis St, College Ln, Stanley St, the western boundary of No 6 Stanley St, the northern boundaries of No 6 Stanley St and Yurong St. Excludes CA 21 and CA45 | 1.1 |
|------|--|------------------------------|--|-----|

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[8] Schedule 2A, Area no CA31

Omit the matter relating to Area no CA31.

Insert instead under the headings “Area no”, “Name”, “Location”, “Area generally bounded by” and “Inventory no”, respectively:

| | | | | |
|------|-------------------------------|--------------------------|---|------|
| CA31 | King Street Conservation Area | Newtown and Erskineville | All properties between Carillon Ave and Concord St that have part of their boundary adjacent to King St (except at Nos 344–350 King St where the boundary is 50 metres from the boundary with King St), as well as including the following properties: No 1 Longdown St, Nos 168, 193, 195, 197 and 199 Missenden Rd, Nos 1, 3, 5 and 7 Hordern St, Nos 1–3 Queen St, Nos 2–6 Brown St, Nos 1, 1A and 8–10 Brown St, No 1 Erskineville Rd, Nos 1–15 Wilson St, Smith Ln, Whitehorse Ln, No 600A King St, Nos 201, 203 and 205 Rochford St, No 1A Bray St and Concord Ln | 7.41 |
|------|-------------------------------|--------------------------|---|------|

[9] Schedule 2A, Area no CA35A

Insert after the matter relating to Area no CA35 under the headings “Area no”, “Name”, “Location”, “Area generally bounded by” and “Inventory no”, respectively:

| | | | | |
|-------|-----------------------------------|--------|--|-------|
| CA35A | Mountain Street Conservation Area | Ultimo | Macarthur St, Blackwattle Ln, the southern boundary of Nos 46–52 Mountain St, St Barnabas St, the eastern and southern boundaries of Nos 86–90 Bay St and Bay St | 1.164 |
|-------|-----------------------------------|--------|--|-------|

[10] Schedule 2A, Area no CA40

Omit the matter relating to Area no CA40.

Insert instead under the headings “**Area no**”, “**Name**”, “**Location**”, “**Area generally bounded by**” and “**Inventory no**”, respectively:

| | | | | |
|------|--------------------------------|---------|---|-------|
| CA40 | Pines Estate Conservation Area | Newtown | Wilson St, the eastern boundary of No 227 Wilson St, Iverys Ln, Leamington Ln, Pine Ln and the eastern boundary of No 151 Wilson St | 7.400 |
|------|--------------------------------|---------|---|-------|

[11] Schedule 2B Heritage streetscape areas

Omit the heading “**Item no**”. Insert instead “**Area no**”.

[12] Schedule 2B, Area no HS8 (previously named Item no HS8)

Omit the matter relating to Area no HS8.

Insert instead under the headings “**Area no**” (so renamed by Schedule 1 [11]), “**Street**”, “**Location**”, “**Properties adjacent to the street from**” and “**Inventory no**”, respectively:

| | | | | |
|-----|---------------|-----------------------------|---|-------|
| HS8 | Oxford Street | Darlinghurst and Paddington | The northern section from Liverpool St to Darlinghurst Rd and the southern section from Riley St to Greens Rd (including Nos 379–383 Bourke St) | 2.150 |
|-----|---------------|-----------------------------|---|-------|

[13] Schedule 2B, Area no HS12 (previously named Item no HS12)

Omit the matter relating to Area no HS12.

Insert instead under the headings “**Area no**” (so renamed by Schedule 1 [11]), “**Street**”, “**Location**”, “**Properties adjacent to the street from**” and “**Inventory no**”, respectively:

| | | | | |
|------|-----------------|--------------|--------------------------|-------|
| HS12 | Victoria Street | Darlinghurst | Craigend St to Oxford St | 2.150 |
|------|-----------------|--------------|--------------------------|-------|

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[14] Schedule 2B, Area no HS12A

Insert after the matter relating to Area no HS12 (previously named Item no HS12) under the headings “**Area no**” (so renamed by Schedule 1 [11]), “**Street**”, “**Location**”, “**Properties adjacent to the street from**” and “**Inventory no**”, respectively:

| | | | | |
|-------|-----------------|-------------|---|---------|
| HS12A | Victoria Street | Potts Point | Grantham St to Darlinghurst Rd, and the properties at Nos 248, 248A and 248B William St | 2.150/1 |
|-------|-----------------|-------------|---|---------|