



New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 41)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

MONICA BARONE, CHIEF EXECUTIVE OFFICER, CITY OF SYDNEY COUNCIL
As delegate for the local plan-making authority

Sydney Local Environmental Plan 2012 (Amendment No 41)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 41)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the land to which *Sydney Local Environmental Plan 2012* applies.

4 Maps

The maps adopted by *Sydney Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

[1] Clause 7.13A Affordable housing in Zone B7

Insert at the end of the clause:

Note. Development for the purpose of shop top housing may be carried out with development consent on certain land in Zone B7, without the shop top housing being used for the purpose of affordable housing, because of clause 1AA of Schedule 1.

[2] Schedule 1 Additional permitted uses

Omit “Birmingham Street and Botany Road, Alexandria” from clause 1AA (1).

Insert instead “Birmingham Street, Alexandria and Botany Road, Alexandria and Rosebery”.

[3] Schedule 1, clauses 1AA (2), 1 (2), 2 (2), 3 (2) and 4A (2)

Omit “with consent” wherever occurring. Insert instead “with development consent”.

[4] Schedule 2 Exempt development

Insert in appropriate order:

Repainting of external surfaces of buildings on land within heritage conservation areas

- (1) Must not involve repainting of:
 - (a) a heritage item, or
 - (b) any of the following surfaces:
 - (i) brick,
 - (ii) stone,
 - (iii) terracotta,
 - (iv) tile.
- (2) Must not disturb any existing paint layer unless it has failed by blistering, chalking, flaking or peeling.
- (3) Must be easily removable without disturbing any existing paint layer or damaging the surface.
- (4) Must employ a paint type with a vapour-permeable finish that does not seal in moisture or cause deterioration of the fabric of the surface.
- (5) Must not result in inscriptions, figures, murals, words, word designs or signage on the repainted surface.

[5] Schedule 5 Environmental heritage

Omit “Semi-detached cottage group including interiors” from item I231 in Part 1.

Insert instead “Terrace group including interiors and front fence (at 106–108 Burton Street) and semi-detached cottage group including interiors (at 110–112 Burton Street)”.

[6] Schedule 5, Part 1, item I1290

Omit “including interior”.

[7] Schedule 5, Part 1, item I1872

Insert “, courtyard and carriageway” after “interiors”.

[8] Schedule 5, Part 1, item I1906

Omit “interior”. Insert instead “interiors and front and rear courtyards”.

[9] Schedule 5, Part 1, item I2245

Omit “interiors”. Insert instead “internal structure”.