



New South Wales

State Environmental Planning Policy Amendment (Redfern–North Eveleigh Paint Shop Sub-precinct) 2023

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP
Minister for Planning

State Environmental Planning Policy Amendment (Redfern–North Eveleigh Paint Shop Sub-precinct) 2023

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Redfern–North Eveleigh Paint Shop Sub-precinct) 2023*.

2 Commencement

This Policy commences on 30 June 2023 and is required to be published on the NSW legislation website.

3 Repeal of Policy

This Policy is repealed at the beginning of the day following the day on which this Policy commences.

4 Maps

The maps adopted by *State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021* and *Sydney Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Policy.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

[1] Part 7 Local provisions—general

Insert at the end of Division 4, with appropriate clause numbering—

Redfern–North Eveleigh Paint Shop Sub-precinct

- (1) This clause applies to the Redfern–North Eveleigh Paint Shop Sub-precinct (the *Sub-precinct*).
- (2) Development consent must not be granted to development in the Sub-precinct unless—
 - (a) the consent authority has obtained the concurrence of the Planning Secretary, and
 - (b) the consent authority has considered the *Design Guide—Redfern–North Eveleigh Paint Shop Sub-precinct* published by the Department in February 2023.
- (3) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
 - (a) the impact of the development on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (b) the cumulative impact of the development and other development that has been, or is likely to be, carried out in the surrounding area on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (c) the steps taken to address the impacts, including whether a planning agreement requiring a contribution to designated State public infrastructure has been, or will be, entered into.
- (4) In deciding whether to grant concurrence, the Planning Secretary must consult the public authorities the Planning Secretary considers relevant to the development.
- (5) Development consent must not be granted to development in the Sub-precinct unless the consent authority is satisfied of the following—
 - (a) at least 110,000m² of the gross floor area of all buildings in the Sub-precinct will be used for either or both of the following—
 - (i) commercial premises,
 - (ii) high technology industries,
 - (b) at least 3,700m² of the gross floor area of all buildings in the Sub-precinct will be used for community facilities,
 - (c) no more than 28,300m² of the gross floor area of all buildings in the Sub-precinct will be used for residential accommodation,
 - (d) at least 15% of residential floor space will be used for one or more of the following—
 - (i) co-living housing,
 - (ii) seniors housing,
 - (iii) development permitted under *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 4,

- (e) at least 11,200m² of land in the Sub-precinct will be publicly accessible open space,
 - (f) the buildings resulting from the development will not—
 - (i) encroach on land identified as “Laneway” on the Locality and Site Identification Map, or
 - (ii) obstruct views of the Paint Shop from the land,
 - (g) no more than 20 car parking spaces will be provided for the residents of Little Eveleigh Street, Redfern either on-street or in an outdoor car park, including at least—
 - (i) 1 accessible car parking space for people with a disability, and
 - (ii) 1 car parking space for a car share scheme,
 - (h) the number of car parking spaces provided in connection with other residential accommodation will not exceed—
 - (i) 0 spaces per studio dwelling, and
 - (ii) 0.25 spaces per dwelling with 1 bedroom, and
 - (iii) 0.5 spaces per dwelling with 2 or more bedrooms,
 - (i) the number of other car parking spaces provided in the Sub-precinct will not exceed 1 space per 1,100m² of the total gross floor area of all buildings in the Sub-precinct.
- (6) In calculating gross floor area under subclause (5)(a)–(d), an amount of additional floor space permitted under clause 6.21D(3)(b) must be included.
- (7) If the total number of car parking spaces calculated in accordance with subclause (5)(h) or (i) is not a whole number, the total must be rounded down to the next whole number.
- (8) Clause 6.21D(1) applies to the erection of a building in the Sub-precinct with a height exceeding RL 27m.
- (9) Clause 6.21D(3)(a) does not apply to a building in the Sub-precinct.
- (10) A building in the Sub-precinct may exceed the maximum height shown for the land on the Height of Buildings Map if the consent authority is satisfied the building—
 - (a) is a building demonstrating design excellence, and
 - (b) will not exceed a height of 9m, and
 - (c) will be used for community activities and events.
- (11) In this clause—
building demonstrating design excellence has the same meaning as in clause 6.21A.
car parking space means a space for the parking of motor vehicles, but does not include a place primarily used for—
 - (a) washing vehicles, or
 - (b) loading or unloading goods, or
 - (c) storing bicycles.**car share scheme** has the same meaning as in clause 7.2(1).
competitive design process has the same meaning as in clause 6.21A.
designated State public infrastructure has the same meaning as in clause 6.62(5).

residential floor space means the combined gross floor area of the parts of the buildings in the Redfern–North Eveleigh Paint Shop Sub-precinct that are used for residential accommodation.

[2] Schedule 2 Exempt development

Insert in alphabetical order—

Development in Redfern–North Eveleigh Paint Shop Sub-precinct

The following development is exempt development if carried out in the Redfern–North Eveleigh Paint Shop Sub-precinct—

- (a) one or more of the following if carried out by or for a public authority—
 - (i) the erection, installation or upgrade of public furniture, planter boxes, public art, lighting, street signs, bus shelters, public telephone booths or post boxes,
 - (ii) the erection, installation or upgrade of shade structures, children’s play equipment, barbecues or toilets in recreation areas or publicly accessible open space,
 - (iii) landscaping or street planting,
 - (iv) works to change the surface or width of a footpath, including related roadworks,
- (b) minor internal alterations to commercial premises, including a fit-out of the premises, if the alterations do not—
 - (i) involve structural changes to the building, or
 - (ii) result in a change of building classification under the *Building Code of Australia*, or
 - (iii) increase the gross floor area of the building.

[3] Schedule 5 Environmental heritage

Insert in appropriate order in Part 1—

Eveleigh	Paint Shop	Wilson Street	Lot 5, DP 1175706	State	I2297
Eveleigh	Scientific Services Building No 1	Wilson Street	Lot 5, DP 1175706	State	I2298
Eveleigh	Chief Mechanical Engineer’s Office Building	Wilson Street	Lot 5, DP 1175706	State	I2299
Eveleigh	Telecommunicatio ns Equipment Centre	Wilson Street	Lot 5, DP 1175706	State	I2300

[4] Dictionary

Insert in alphabetical order—

Redfern–North Eveleigh Paint Shop Sub-precinct means the land identified as “Redfern–North Eveleigh Paint Shop Sub-precinct” on the Locality and Site Identification Map.

Schedule 2 Amendment of State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021

Section 2.8 Development for which Minister is consent authority under the Act, Part 4

Insert after section 2.8(5A)—

(5B) **Redfern–North Eveleigh Paint Shop Sub-precinct**

Development with a capital investment value of not more than \$10 million on land identified as “Redfern–North Eveleigh Paint Shop Sub-precinct” on the Locality and Site Identification Map under *Sydney Local Environmental Plan 2012*.