

# **Attachment A**

## **Planning Proposal – Central Sydney Modern Movement Heritage Items**

# Planning Proposal – Central Sydney Modern Movement heritage items

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

June 2020





# Contents

Introduction ..... 2

Background..... 2

Part 1 – Objectives or intended outcomes..... 7

Part 2 – Explanation of the provisions ..... 7

Part 3 – Justification..... 12

Part 4 – Mapping..... 18

Part 5 – Community consultation..... 23

Part 6 – Project timeline ..... 23

Appendices ..... 23

# Introduction

This planning proposal explains the intent of, and justification for, the proposed amendment to Sydney Local Environmental Plan 2012 (SLEP 2012). The amendment will identify nine heritage items for inclusion in Schedule 5 located in central Sydney.

The proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act) and the relevant Department of Planning guidelines, including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

## Background

### Planning background

#### Site identification

This planning proposal relates to the following places within central Sydney, as described in Part 3 and mapped in Part 5:

- Sydney Masonic Centre, 279-283 Castlereagh Street, Sydney
- Former Sydney County Council Building, 552A-570 George Street, Sydney
- St Peter Julian's Catholic Church & Monastery, 637-645 George Street, Haymarket
- Town Hall House, 456 Kent Street, Sydney
- William Bland Centre, 229-231 Macquarie Street, Sydney
- MLC Centre, 19-35 Martin Place, Sydney
- Former Liverpool & London & Globe building, 62 Pitt Street, Sydney
- Former Horwitz House, 398-402 Sussex Street, Haymarket
- 'Earth Mother' play sculpture, Yurong Parkway, Cook & Phillip Park, Sydney

## Value for modern architecture

In 2013, the Heritage Council of NSW completed a thematic history of the 'Modern Movement' in NSW; believed to be the first state-wide heritage study of contemporary architecture in the state. The NSW thematic study investigates Modern Movement architecture and landscape design to better understand its extent, importance and historical and global context.

The NSW study found that the Modern Movement produced some of the twentieth century's most significant architecture. It described the Modern Movement as based on progressive European and American architectural ideals from the period from 1900 to 1940. Avant-garde art and architecture movements of this period included Futurism in Italy, Constructivism in Russia, Expressionism and the Bauhaus school of design in Germany, and De Stijl in Holland. Advanced American thought was represented by the architecture of Frank Lloyd Wright. Architects of this movement saw themselves as reformers, reacting to social, political and economic upheaval during the late nineteenth and early twentieth centuries resulting from causes such as industrialisation and the shattering impact of World War I. The influence of this movement and its philosophy spread around the world.

The NSW study describes the Modern Movement as including geometric architectural styles that matured in Australia predominantly between 1910 and 1970, including the styles known as modern, International, brutalist, Sydney School, amongst others; linked by their progressive philosophies or ideals derived from Europe and America.

The NSW study did not recommend buildings for listing or other means of protection at the state or other level. Few modern buildings are legally listed as part of our recognised heritage. Today, within central Sydney, only five (5) stand-alone buildings from 1945-1975 are listed on the State Heritage Register, National Heritage List or World Heritage List. These include Liner House, Qantas House, Sydney Opera House Circular Quay and Martin Place railway stations.

## City of Sydney planning background

On 14 May 2012, the Council requested the City to commence a heritage study review of central Sydney modern buildings built after World War II. Council resolved to prepare this study in response to increasing development pressure on central Sydney's post-war architecture of potential heritage significance, and to provide certainty in the development process. The primary purpose of this heritage study is to identify a representation of central Sydney's significant post-war architecture that is worthy of listing.

In 2013, the City commissioned TKD Architects to complete the City of Sydney's study. Completed in stages by 2018, the City of Sydney's heritage study report is included at **Appendix 1**. This report attaches 14 buildings and artworks as potential heritage items located in central Sydney and designed in the period of 1945-1975, to investigate for listing. This listing investigation is described further below. This planning proposal is to include 7 into Schedule 5 of Sydney Local Environmental Plan 2012.

As of 2018, City of Sydney has listed a total of nine (9) Modern Movement buildings from 1945-1975 as heritage items in central Sydney, out of 300 listed buildings in central Sydney on Sydney Local Environmental Plan 2012. As noted above, five (5) of these 9 listed modern buildings have a higher level of state or world significance through their listing on state or world lists.



## Study area and scope

The heritage study investigates the significance of Modern Movement architecture within the geographic limits of central Sydney and the design period of 1945 to 1975. The study area comprises the central business district and parkland within City of Sydney's planning jurisdiction, zoned as B8-Metropolitan Centre or RE1-Public Recreation in Sydney Local Environmental Plan 2012, as shown in the map at **Figure 1**. For the purpose of this study, the design completion year is based on date the development was approved.

**Figure 1: Study area shaded yellow**



As a focussed thematic study, this study does not seek to assess all examples of Modern Movement architecture or to identify a complete list of buildings worthy of listing. Modern Movement architecture is currently found before and after the study period of 1945-1975 and beyond the study area of central Sydney. Public understanding of and value for more recent architecture can also evolve over time, as further information is uncovered, buildings gain historical layers and connections, or become rarer still. Therefore, further Modern Movement architecture and artworks, in addition to the nine that are the subject of this planning proposal, may be identified within the council area as worthy for listing in the future.

## Study findings

The heritage study report is included at **Appendix 1**. This study identifies the Modern Movement as one of the most significant and far-reaching twentieth century design aesthetics. For Sydney, the Modern Movement from 1945-1975 was an exciting and challenging architectural period that determined much of the present physical form of central Sydney. The dominance of modern office buildings from this period records

the changing role of Australia in an international context and Sydney's new-found role as a major world financial centre during the 'Long Boom'.

Central Sydney contains one of the greatest concentrations of Modern Movement buildings in the state, designed and built to a very high standard. This includes outstanding architecture and civic accomplishments in office buildings, churches, community, education and cultural buildings, public spaces, fountains and artworks. Architecturally, surviving examples of the Modern Movement in central Sydney also demonstrate the adaptation of the Modern Movement to local conditions, distinguishing them from Modern Movement buildings in other parts of the world.

It is now more than 60 years since the earliest buildings noted in this study were conceived. A large number of buildings from this period in central Sydney, including many innovative buildings of exceptional architectural quality, have been demolished. Others have been modified to an unrecognisable extent. This underscores the need for their identification and, where appropriate, protection.

From more than 110 modern post-war buildings within central Sydney noted in the heritage study, the study recommends investigating 14 buildings and artworks for potential listing as heritage items on Sydney Local Environmental Plan 2012.

### **Assessment of significance for listing**

The Heritage Council of NSW guideline outlines seven criteria of local heritage significance to determine whether an item warrants local listing. Only one of these seven criteria needs to be satisfied at the local level for local heritage listing. The above architecture and artworks satisfy one or more of these Heritage Council criteria of local heritage significance for local listing. It is noted some may also be state significant, however this comparative level of importance is determined by the Heritage Council of NSW, and is not required for local listing.

The City investigation considered further criteria to identify the buildings and artworks which warrant consideration for listing in this planning proposal. These criteria are used to establish the buildings and art which have a local heritage significance that can still be reasonably appreciated. The identified nine buildings and artworks meet these criteria, in terms of having: sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans.

Previously approved developments for the buildings and artworks enable the significance of these places to still be appreciated. Retention of these will align with the Draft Central Sydney Planning Strategy as discussed further below.

If listed, the additional eight buildings or complexes will also potentially be eligible for heritage floor space awards, thereby incentivising their conservation. It will also increase the potential heritage floor space supply available for use in other central Sydney developments.

The other five buildings within the study included at **Appendix 1** do not satisfy all the above criteria at this time and therefore are not included in the planning proposal. This does not preclude their future listing consideration. The study recommendations, not included in the subject planning proposal, are for

- Berger House at 82-88 Elizabeth Street
- Christie Centre at 3 Spring Street
- Domain Parking Station at Sir John Young Crescent
- Standard Chartered House at 1-7 Castlereagh Street
- Supreme Court Hospital Road Court Complex at 10 Macquarie Street.

While the Domain Parking Station does not meet the above criteria on the basis of existing information, more detail is required to assess the car park's comparative value within the context of other City Architects projects. The public works of City Architects is a gap in existing research. Further research of surviving examples of City Architects' works and their significance may establish the building is worthy of listing consideration.

Progressing local heritage listing for the nine proposed heritage items will ensure the local heritage significance of this Modern Movement architecture and art is appropriately considered and maintained as part of future plans or redevelopment.

### Fit-outs for unlisted parts of proposed commercial heritage items

Following public exhibition, Council reviewed the extent of the proposed heritage items to specify the significant interiors or building components included in the item name. This is in accordance with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006, which require the item name to briefly describe significant features, including interiors. The standard instrument does not provide an option for exemptions or exclusions from the heritage item listing.

This partial listing approach is more common in the City of Sydney for large or complex heritage items, where substantial distinct components have no heritage significance. Non-significant elements omitted from the item name commonly include standard contemporary tenancy interiors for the 1950s-1970s office buildings proposed for listing.

Even where a building is partially listed, the full land parcels are shaded brown as the land containing a heritage item. It can be impractical to exclude the land of unlisted features on the heritage map due to the small scale or for different building levels. The map is not referenced in the definition for a heritage item and therefore does not define the legal extent of the listing.

In these circumstances, the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 prevents complying development for unlisted, but mapped, parts of heritage items because of clause 1.17A(4), with our emphasis in bold:

*“(4) If an item not listed on the State Heritage Register but identified as an item of environmental heritage in an environmental planning instrument does not comprise, or is not located on, the whole of the relevant land, subclause (1)(d) applies only to the part of the land that is **described and mapped** on that instrument.”*

The code does not make provision to enable complying development where omitted from the item name or exempt from consent requirements under the heritage provisions of clause 5.10(3) of Sydney Local Environmental Plan 2012.

As a result of the public exhibition, a number of submissions from affected landowners support listing while seeking to maintain continued access to complying development for commercial fit-outs.

Council's intent with the reduced listings is to enable routine minor fit-outs to unlisted parts of the heritage items with no potential heritage impacts through complying development, despite the item being mapped. This seeks to prevent the need for development applications for unlisted building parts, triggered by the heritage item mapping, where heritage impact assessment is unnecessary. This will enable recognition of the heritage significance of these buildings through listing, while also facilitating their continued use and economic management for large volumes of tenants and turnover in a major Australian business centre.



## Part 1 – Objectives or intended outcomes

The objective of the planning proposal is to recognise and protect the heritage significance of nine buildings, complexes or artworks from the Modern Movement in central Sydney, as identified in Part 2.

The intended outcomes to achieve these objectives are to:

- List nine buildings, complexes or artworks from the Modern Movement in central Sydney, as heritage items in Schedule 5 of Sydney Local Environmental Plan 2012 (SLEP2012);
- Enable the land owners of the listed buildings within central Sydney to be eligible for the conservation incentive of heritage floor space awards within SLEP2012;
- Update the heritage map for land adjoining a proposed heritage item to remove the brown shading for the building footprint of St Andrews House, which is not listed or proposed for listing as a heritage item; and
- For the proposed new commercial heritage items where only part of the building is identified in the item name, enable complying development for internal alterations to omitted building components, such as fit-outs, where minor changes will have no adverse impact on listed significant features.

## Part 2 – Explanation of the provisions

The final clauses in Sydney Local Environmental Plan 2012 would be subject to drafting and agreement by Parliamentary Counsel's Office but may be written as follows to achieve the intended outcomes

### Heritage schedule amendments

The planning proposal seeks to amend the SLEP 2012 Schedule 5 heritage schedule by inserting or altering the following items as shown below in **Table 1**. Text to insert is shown as **bold underline**. Text to omit is shown as **~~bold strikethrough~~**.

**Table 1 – Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items**

Locality	Item name	Address	Property description	Significance	Item no.
<u>Haymarket</u>	<u>St Peter Julian's Catholic Church &amp; Monastery buildings including façade walls and fixtures, interiors of the church, ground floor, first floor, and artworks</u>	<u>637-645 George Street</u>	<u>Lot 1, DP 84699; Lot B, DP 108370; Lots 1-2, DP 1138453</u>	<u>Local</u>	<u>I2281</u> * -
<u>Haymarket</u>	<u>Former Horwitz House building including façade and internal structure</u>	<u>398-402 Sussex Street</u>	<u>Lot 1, DP 55229</u>	<u>Local</u>	<u>I2282</u> * -
<u>Sydney</u>	<u>Sydney Masonic Centre building podium including interiors and Mona Hensing artwork</u>	<u>279-283 Castlereagh Street</u>	<u>Lot 1, DP 1067328</u>	<u>Local</u>	<u>I2283</u> * -
<u>Sydney</u>	<u>Former Sydney County Council building including façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding</u>	<u>552A-570 George Street, Sydney</u>	<u>Lot 1 DP 231095</u>	<u>Local</u>	<u>I2284</u> * -

Locality	Item name	Address	Property description	Significance	Item no.
<u>Sydney</u>	<u>Town Hall House building including facade walls and fixtures, structural interiors, level 1 paving and foundation stone, curved stair to level 2, interiors of level 2 southern foyer, levels 4 and 6 links to Sydney Town Hall, level 4 function rooms, foyers, bathrooms and terraces, levels 5-23 bulkheads, levels 5, 9 and 11 lobby drinking fountains, and Marconi sculpture</u>	<u>456 Kent Street</u>	<u>Part Lot 100, DP 1048011</u>	<u>Local</u>	<u>I2285</u> * -
<u>Sydney</u>	<u>William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure</u>	<u>229-231 Macquarie Street</u>	<u>Lot 1, DP 66747; Lot 1, DP 80727; Lots 1-3, SP 10041; Lots 6-40, SP 10041; Lots 42-66 SP 10041; Lots 68-90 SP 10041; Lots 91-92 SP 14123; Lots 93 SP 70358; Lots 94-95 SP 86600</u>	<u>Local</u>	<u>I2286</u> * -

Locality	Item name	Address	Property description	Significance	Item no.
<u>Sydney</u>	<u>MLC Centre complex, including tower exterior, internal structure and level 8 vestibule, Theatre Royal exterior and interiors, CTA building exterior and interior, King Street cylindrical structure, lower and upper plazas (levels 7-8), plaza building exteriors, plaza oculus to level 6, levels 6 and 7 Rowe Street through link, and artworks by Albers, Perry and Owen</u>	<u>19-35 Martin Place</u>	<u>Lot 1, DP 598704; Lot 5, DP 588399; Lots 1-2, SP 12322; Lot 3, DP 565938; Lots 1, SP 7985; Lots 3-4, SP 10727</u>	<u>Local</u>	<u>I2287</u> * -
<u>Sydney</u>	<u>Former Liverpool &amp; London &amp; Globe building including façade walls and fixtures and internal structure</u>	<u>62 Pitt Street</u>	<u>Lot 1, DP 129926</u>	<u>Local</u>	<u>I2288</u> * -
Sydney	Cook & Phillip Park <u>including 'Earth Mother' play sculpture</u>		Lots 4–8, DP 873273; Lots 31–33, DP 1007439; Lot 1, DP 1000281	Local	I1655

The heritage item naming convention conforms with existing listings in Schedule 5, which include building interiors. This is in accordance with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006, which require the item name to briefly describe significant features, including significant interiors.

Following Council's post-exhibition review of submissions and the proposed heritage items, significant interiors have been specified in the amended item names.

The features noted in the above item names are described further in the supporting information contained in the heritage inventories included at **Appendix 2**. The non-statutory heritage inventories can continue to be updated as new information becomes available, such as through completion of a conservation management plan.

The 'Earth Mother' sculpture is proposed to be added to an existing heritage item listing for Cook & Phillip Park.

The asterisk beside the item numbers identifies the buildings that will be eligible for heritage floor space awards, if listed, under Sydney Local Environmental Plan 2012.

## Complying development schedule amendments

As a result of the post-exhibition review of submissions and the proposed listings, the planning proposal seeks to amend the SLEP 2012 Schedule 3 complying development to insert the following additional types of development.

### Part 1 Types of development

#### 3.1 Internal alterations to commercial heritage items

1. The works are proposed at the sites below: :
  - 279-283 Castlereagh Street, Sydney
  - 552A-570 George Street, Sydney
  - 456 Kent Street, Sydney
  - 229-231 Macquarie Street, Sydney
  - 19-35 Martin Place, Sydney
  - 62 Pitt Street, Sydney
  - 398-402 Sussex Street, Haymarket
2. The proposed works would be complying development in accordance with the Commercial and Industrial Alterations Code Subdivision 1 Building Alterations (internal) of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 but for the land being described in Schedule 5 and identified on the Heritage Map.
3. Where the item name for the item of environmental heritage identifies building components, the alterations apply only to building or internal components omitted from the item name.
4. Alterations must not change the building exterior.
5. Alterations must not be visible from a public place.
6. Alterations must not change or impact on structural components.
7. Alterations must not change or affect building components identified in the item name.
8. Alterations must not obstruct or alter external window or door openings or other external features.



## Part 3 – Justification

### Section A – Need for the planning proposal

#### **Q1. Is the planning proposal a result of any strategic study or report?**

Yes. The planning proposal is a result of a Modern Movement heritage study prepared by TKD architects in January 2018. City of Sydney commissioned this strategic study in response to a Council resolution in order to identify a representation of post-war Modern Movement architecture in central Sydney that is worthy of listing. The report was prepared by one of the heritage consultants who prepared the Heritage Council of NSW thematic study of Modern Movement architecture in NSW.

The nine buildings, complexes or artworks identified in this planning proposal are recommended for investigation for listing in this study, with supporting draft heritage inventories. These establish that the nine recommended heritage items meet at least one of the Heritage Council criteria for local listing for their local heritage significance.

The heritage study is included in **Appendix 1**. The heritage inventories are included at **Appendix 2**.

#### **Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. Appropriate heritage protection for these nine buildings, complexes and artworks is best achieved through identification as a local heritage item in an environmental planning instrument. They are not currently heritage listed in any way.

City of Sydney has authorisation to make interim heritage orders for unlisted buildings under the Heritage Act 1977, however a more strategic approach is preferred as recommended in this planning proposal. No immediate threat to these buildings is known to warrant this emergency form of heritage protection.

Progressing local heritage listing for these proposed heritage items will ensure the local heritage significance of these modern achievements are appropriately considered and maintained as part of future plans or redevelopment. It will also ensure prior formal consultation with the affected land owners and broader community. If these nine items are listed within central Sydney, the eight buildings will also be potentially eligible for heritage floor space awards, incentivising their conservation. These outcomes are only achieved in the longer term through the proposed listing.

### Section B – Relationship to strategic planning framework

#### **Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

Yes. See comments below.

#### **Greater Sydney Region Plan: A Metropolis of Three Cities**

The Greater Sydney Region Plan, completed in March 2018, is the Greater Sydney Commission's vision for a Greater Sydney of three cities where most residents live

within 30 minutes of their jobs and services. City of Sydney is situated within the “Eastern Harbour City”.

This plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. This sets out how the State Government’s 10 directions for a Greater Sydney are to be implemented through integrated planning. These 10 directions, with 40 supporting objectives, address infrastructure, liveability, productivity and sustainability. This planning proposal is consistent with these high level directions and objectives. In particular it addresses the liveability great places direction objective:

*Objective 13: Environmental heritage is identified conserved and enhanced*

By proposing to consult the community for listing 7 new heritage items, and incentivising their conservation by enabling access to heritage floor space awards, this planning proposal will fulfil this object. Listing these buildings will also active the conservation incentive for flexible uses.

### **Eastern City District Plan**

The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20-year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

*Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District’s heritage*

*Action 26 - Identify, conserve and enhance environmental heritage by:*

- (a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
- (b) applying adaptive re-use and interpreting heritage to foster distinctive local places*
- (c) managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This priority seeks to enhance the district’s liveability by identifying, conserving and enhancing the heritage place-makers in local centres and neighbourhoods. It notes that heritage buildings contribute to an area’s sense of place, its distinctive character, and diversity of built form and uses, and bring people together. Conserved heritage buildings are some of the attributes of liveable great places acknowledged in this plan, which attract residents, workers, visitors, enterprise and investment into centres.

In proposing to consult the community to identify nine buildings, complexes and artworks of assessed local heritage significance, this planning proposal will address the district plan by encouraging the retention and continued use of these place-makers, as part of the distinctive identity of central Sydney.

### **Q4. Is the planning proposal consistent with council’s local strategy or other local strategic plan?**

Yes. See comments below.

## **Sustainable Sydney 2030 Strategic Plan**

The City's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with the key directions of Sustainable Sydney 2030, particular Direction 7 for 'A Cultural and Creative City'.

The planning proposal identifies nine buildings, complexes and artworks as heritage items, thereby providing for their conservation, a diversity of building stock in central Sydney and allowing future generations to understand the breadth of Australia's architectural heritage to the late 20th century. The listing and conservation incentives will ensure future development considers and maintains the heritage significance of these buildings, complexes and artworks.

## **Draft Central Sydney Planning Strategy**

Listing and retention of the eight buildings is compatible with the City's Draft Central Sydney Planning Strategy which seeks to facilitate growth in a way that maintains central Sydney's identity, including its heritage items and sunlight access to public places.

The retention of eight buildings will not impede delivery of the 2.9 million square metres of additional employment floor space unlocked under the draft Central Sydney Planning Strategy.

Opportunities under the Strategy for the identified sites will be considered against the criteria and guidelines established in the Strategy. Amalgamated site developments, as encouraged through the strategy for smaller sites, could redistribute the potential additional floor space of heritage items and identify suitable uses for the retained building/s.

## **Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?**

Yes. The planning proposal is consistent with and does not contradict or hinder application of the following applicable State Environmental Planning Policies (SEPPs):

- SEPP No 1—Development Standards
- SEPP No 33—Hazardous and Offensive Development
- SEPP No 64—Advertising and Signage
- SEPP No 65—Design Quality of Residential Flat Development
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Infrastructure) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (State and Regional Development) 2011

The planning proposal is consistent with and does not contradict or hinder application of the following applicable with former Regional Environmental Plan (REP) for the Sydney and Greater Metropolitan Regions, which is deemed to have the weight of SEPPs:

- Sydney REP (Sydney Harbour Catchment) 2005

**Q6. Is the planning proposal consistent with applicable ministerial directions (s.117 directions)?**

The planning proposal has been assessed against each Section 117 direction. The consistency of the planning proposal with these directions is shown in the table below.

**Table 2 – Consistency of the planning proposal with ministerial directions**

No	Ministerial direction	Comment
1.1	Business and Industrial Zones	Consistent. The planning proposal will not reduce the total potential floor space area for employment uses and related public services in business zones. Listing of these central Sydney heritage items will also activate the conservation incentive for heritage floor space.
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. This planning proposal provides for the conservation of heritage items.
2.4	Recreation Vehicle Areas	Not applicable
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent.
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4.1	Acid Sulfate Soils	Consistent. This planning proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
4.2	Mine Subsidence and Unstable Land	Not applicable

No	Ministerial direction	Comment
4.3	Flood Prone Land	Consistent. This planning proposal does not contradict or hinder application of flood prone land provisions in Sydney LEP 2012.
4.4	Planning for Bushfire Protection	Not applicable
5.1	Implementation of Regional Strategies	Consistent. This planning proposal is consistent with key strategic goals and directions within the Greater Sydney Region Plan and the District as outlined above.
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Consistent. As addressed above.
6.1	Approval and Referral Requirements	Consistent. This planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	Consistent. This planning proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions	Consistent. This planning proposal does not introduce unnecessarily restrictive site specific controls.
7.1	Implementation of A Plan for Growing Sydney	Consistent. This planning proposal is consistent with this direction and does not hinder implementation of A Plan for Growing Sydney or the Greater Sydney Region Plan
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable



No	Ministerial direction	Comment
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

## Section C – Environmental, social and economic impact

### **Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The planning proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

### **Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. It is unlikely that the proposed amendment to the heritage schedule of SLEP 2012 will result in development creating any environmental effects that cannot readily be controlled.

### **Q9. How has the planning proposal adequately addressed any social and economic effects?**

Identification of the nine central Sydney heritage items will facilitate retention of buildings and artwork that may have significance to community. No changes to the zoning or permissible uses are proposed. The merit-based heritage provisions provide capacity for Council and the proponent to take into account these matters when development is proposed. Listing will activate conservation incentives for listed buildings, including flexible uses and the ability for landowners to be awarded heritage floor space.

## Section D: State and Commonwealth interests

### **Q10. Is there adequate public infrastructure for the planning proposal?**

Yes. No changes to the permissible uses are proposed. The central Sydney land to be identified as heritage items is well located in relation to existing public transport infrastructure, utility services, roads and essential services.

### **Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?**

The Heritage Council of NSW will be consulted during the public exhibition. The identification of these modern heritage items, based on a local heritage study, is consistent with Heritage Council standards and builds on the state-wide thematic history of Modern Movement architecture completed by the Heritage Council in 2013.

It is not considered necessary to consult with other public authorities as the planning proposal relates to the listing of local heritage items that are privately owned or

owned by City of Sydney Council. Local heritage listing will identify heritage impacts as a consideration if public works are proposed for the identified sites, however will not constrain Crown development.

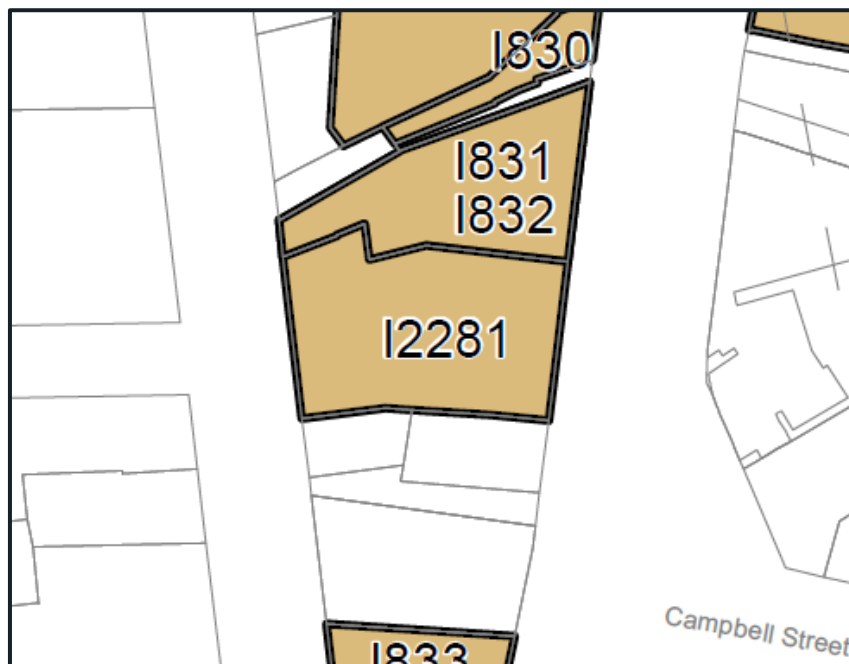
## Part 4 – Mapping

The heritage map tiles HER\_014 and HER\_15 will be updated to shade in brown the location of the new heritage items. The heritage map extracts at **Figure 2** to **Figure 10** show the new heritage items.

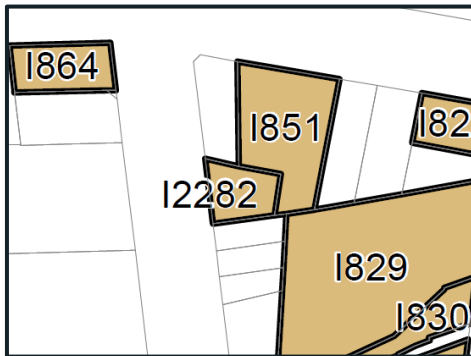
A minor map update also removes the brown shading for the building footprint of St Andrews House, as shown in **Figure 6**. This update is included because of the site's proximity to the proposed heritage item, Town Hall House. The building of St Andrews House is not currently or proposed for listing in Schedule 5 of SLEP 2012 as a heritage item. The land occupied by the building of St Andrews House is shaded brown in the heritage map because it is part of the land of Sydney Square, which is listed as a heritage item. This map update does not alter the listing status of St Andrew's House or Sydney Square as determined by the Schedule 5 entry.

The 'Earth Mother' sculpture listing requires no change to the heritage maps as this sculpture is located within a listed park, in the approximate location marked with a star in the heritage map extract at **Figure 10**.

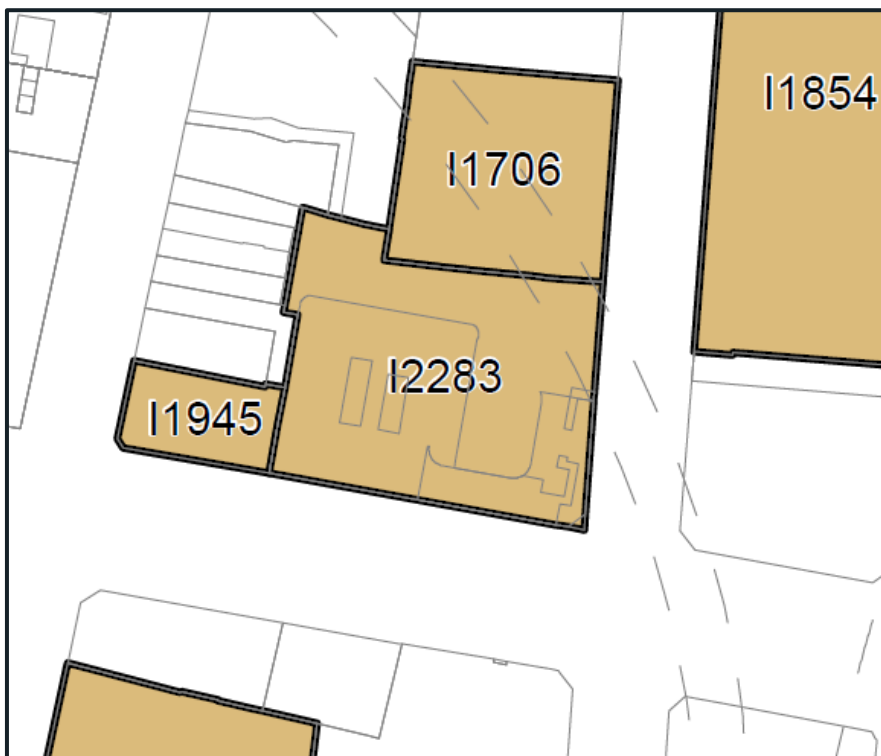
**Figure 2: St Peter Julian's Catholic Church & Monastery, item I2281**



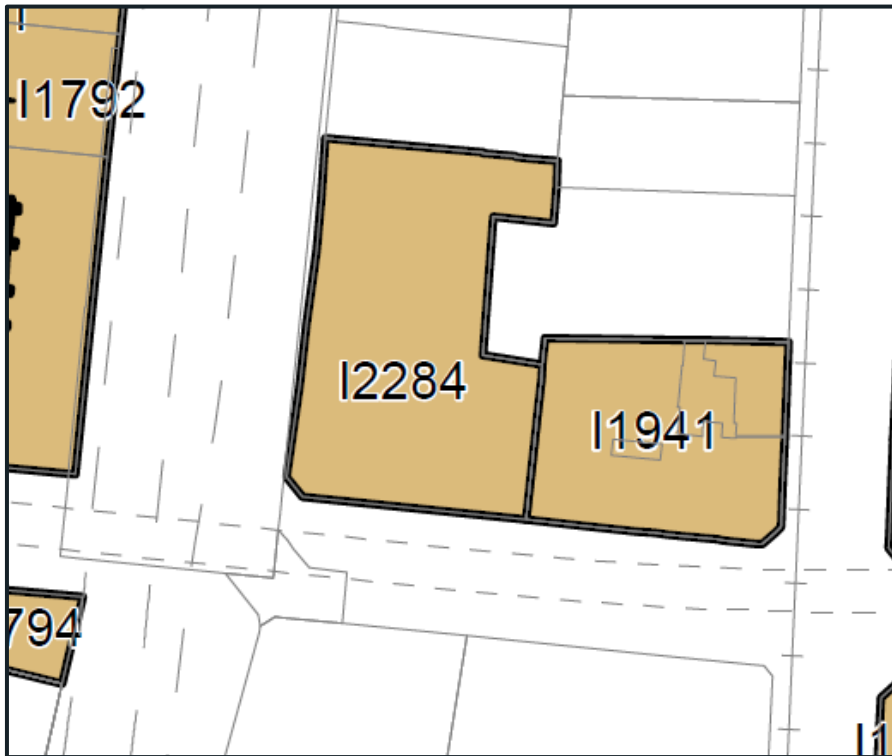
**Figure 3: Former Horwitz House, item I2282**



**Figure 4: Sydney Masonic Centre, item I2283**



**Figure 5: Former Sydney County Council building, item I2284**



**Figure 6: Town Hall House, item I2285, and removed brown shading for St Andrews House building footprint**

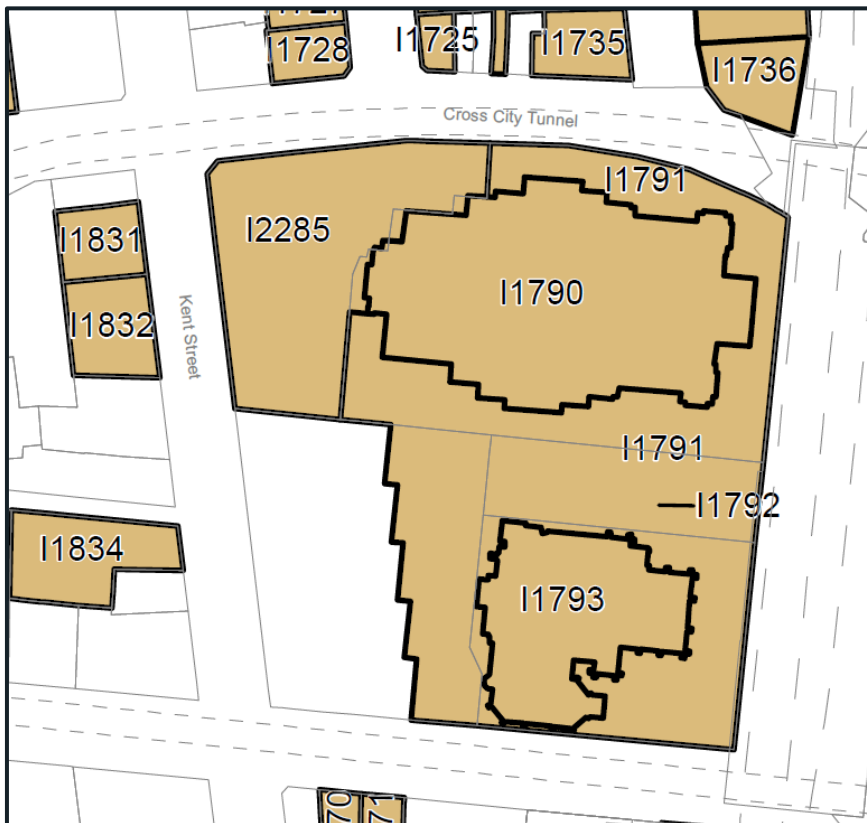


Figure 7: William Bland Centre, item I2286

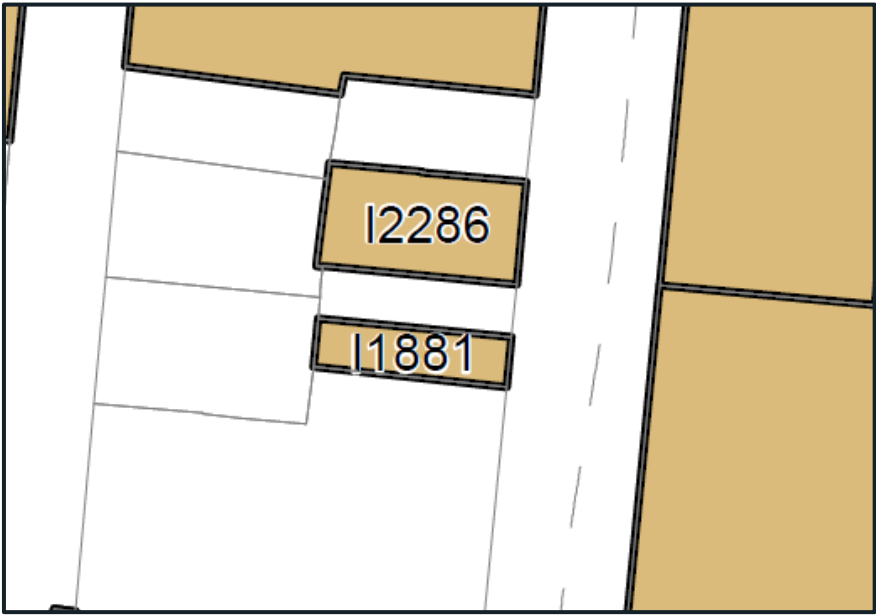


Figure 8: MLC Centre, item I2287

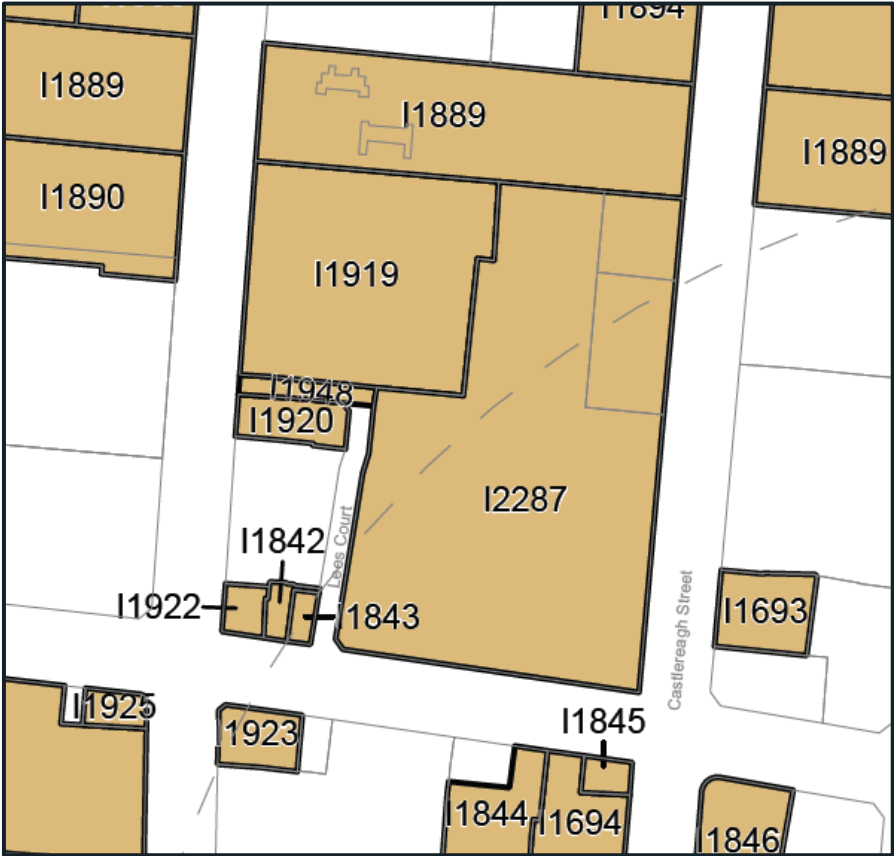




Figure 9: Former Liverpool & London & Globe building, item I2288

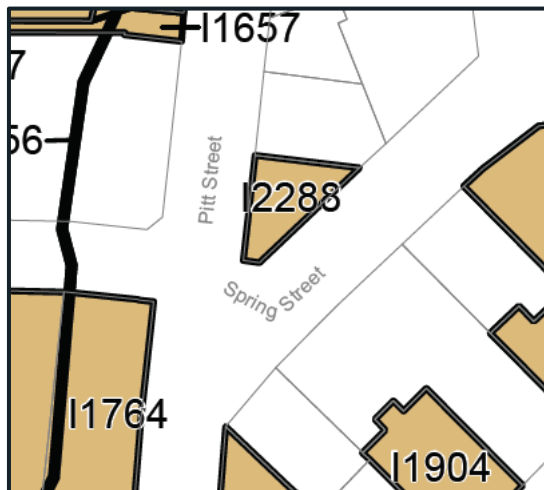
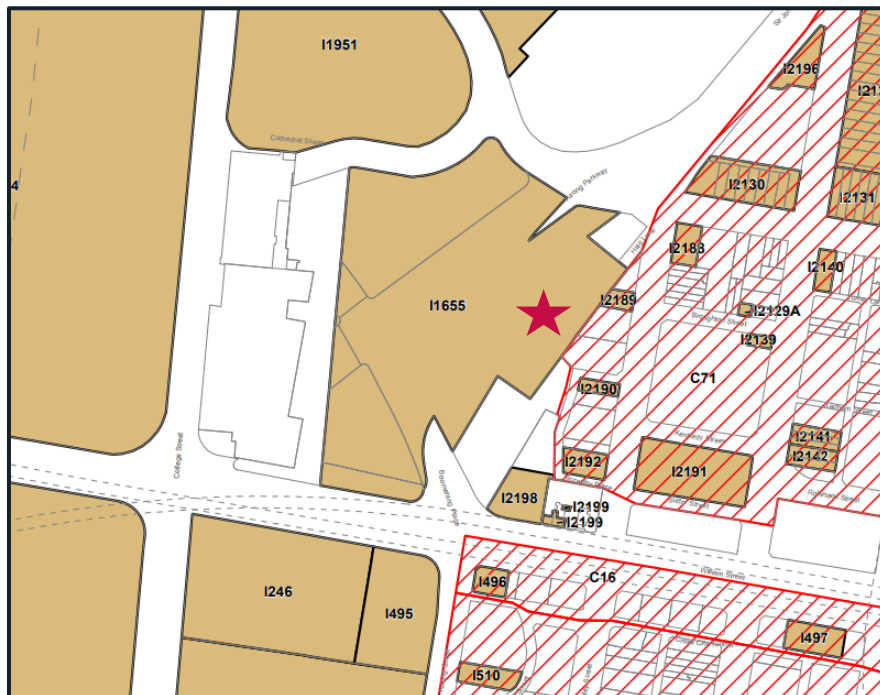


Figure 10: 'Earth Mother' play sculpture location within item I1655



## Part 5 – Community consultation

### Public Exhibition

The public authority consultation and exhibition process for the planning proposal will be subject to the conditions on the gateway determination issued by the Greater Sydney Commission. The consultation will take place in accordance with the gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979 and the relevant provisions of the Environmental Planning and Assessment Regulation 2000.

A 28-day public exhibition is recommended with notification:

- on the City of Sydney website;
- in newspapers that circulate widely in the City of Sydney Local Government Area; and
- in writing to the owners, the adjoining landowners, relevant community groups, and the surrounding community in the immediate vicinity of the sites.

## Part 6 – Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

**Table 3 – Anticipated timeframe for planning proposal**

Action	Anticipated date
Commencement / gateway determination	July 2019
Public exhibition& government agency consultation	August-October 2019
Consideration of submissions	October-April 2020
Post exhibition consideration of proposal	June 2020
Draft and finalise LEP	June-August 2020
LEP made (if delegated)	N/A
Plan forwarded to DoPI for notification	N/A

## Appendices

### 1. Heritage study, Modern Movement Architecture in Central Sydney

## 2. Heritage inventories for 9 recommended heritage items