

# **Attachment A**

## **Employment Zone Review – Impact Analysis**

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**Impact analysis**

**February 2022**

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# 1. Overview of employment zone review

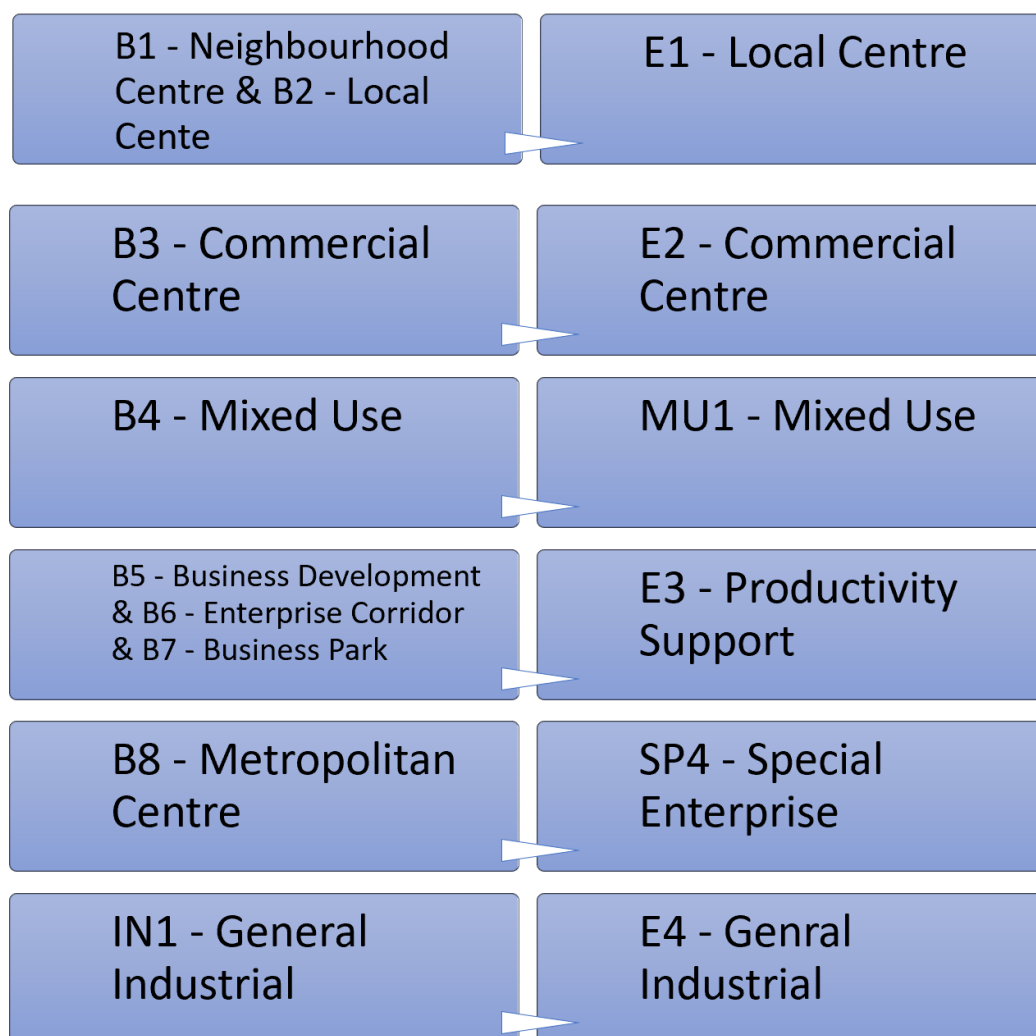
In 2020 the Department of Planning, Industry and Environment (Department) initiated a review of the business and industrial zones (the B and IN zones respectively). The Department’s stated purpose for the review is to:

- provide greater certainty for the community, councils, and the development industry;
- support councils’ long-term strategic planning objectives;
- support businesses, industry, and society to grow, respond and adapt as necessary; and
- facilitate innovation and changes in business processes now and into the future.

On November 2021 the Department issued its Employment Zone Review Package for the technical review of council officers. The effect of the Review is to update and consolidate existing zones within NSW local environmental plans (LEPs), with new zones that are now included in the Standard Instrument – Principle Local Environmental Plan (Standard Instrument).

The Department’s proposed high-level translation of the current ‘B’ zones to the new ‘E’ zones are shown in the below Figure 1.

**Figure 1:** Zone translation



Each of the existing zones (left) have their own objectives and land use tables, which identify the land uses that are permitted with consent, permitted without consent, or prohibited in that zone. However, where zones are being condensed, and objectives and land use tables do not match, an alignment process is required.

The Department issued a 'preliminary translation' of affected LEPs that provides a 'first-pass' at aligning the current zones with the new zones, including suggested changes to affected local and Schedule 1 provisions, and requested council officers review and provide advice by 28 January 2022 with regards to its accuracy and suitability. The affected LEPs in the City of Sydney include:

- Sydney Local Environmental Plan 2012 (SLEP 2012);
- Sydney Local Environmental Plan (Harold Park) 2013 (HP\_LEP 2011);
- Sydney Local Environmental Plan (Green Square Town Centre) 2013 (GSTC1\_LEP 2013); and
- Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 (GSTC2\_LEP 2013).

This Impact Analysis has been prepared to explain the future effect of the proposed changes and those changes already in effect. It also provides a summary of advice issued to the Department on 14 January 2022.

## 2. Process and timeframes

The Department required review of the preliminary translation to be submitted by 28 January 2022. The City submitted its advice on 14 January 2022.

The Department is currently preparing a draft self-repealing State Environmental Planning Policy (SEPP) to make changes to all applicable LEPs in NSW. The draft SEPP is intended to be publicly exhibited in April 2022.

The Department will review public submissions before finalising the SEPP and putting it into effect. This is when changes will be made to the City's LEPs. The Department have indicated these changes are to be made by November 2022.

The above process means individual councils do not need to prepare a Planning Proposal to change their LEP's to reflect the new zones.

## 3. Changes to the City's LEPs

The Employment Zones Review will result in several significant changes to the City's LEPs, including:

- new and updated land-use definitions will be inserted in the City's LEPs. These have already come into effect;
- new and updated objectives for the new zones, that are already included in the Standard Instrument, and will come into effect when the SEPP inserts the new zones into the LEPs;
- removal of current zones in favour of new zones, to come into effect when the SEPP inserts the new zones into the LEPs;
- new land use tables for the new zones, to come into effect when the SEPP inserts the new zones into the LEPs;
- changes to local provisions and Schedule 1 – Additional Permitted Uses, to come into effect when the SEPP inserts the new zones into the LEPs.

### 3.1. Updated and new definitions

This section describes the updated and new definitions that are replaced/introduced in the Standard Instrument Order as at 1 December 2021.

These definitions are now applied in all of the City's LEPs.

Key updated definitions include:

- **Business premises** – to introduce the new definition “Goods repair and reuse”;
- **Light Industry** – to introduce the new definition “Creative industries”;
- **Industrial retail outlet** – minor amendment;
- **Kiosk** – minor amendment;
- **Neighbourhood shop** – minor amendment;
- **Shop top housing** – to allow a wider range of non-residential uses at the ground floor of a building, “where at least the ground floor is used for commercial premises or health services facilities”.
- **Crematorium** – to replace the current definition with the definition “crematorium means a building or place in which deceased persons or pets are cremated or processed by alkaline hydrolysis, whether or not the building or place contains an associated building for conducting memorial services.”

Key new definitions include:

- **Goods repair and reuse premises** - means a building or place the principal purpose of which is to collect, repair or refurbish goods, including furniture and appliances, for the purposes of sale, hire or swap, and includes premises known as op shops.  
**Note**— Goods repair and reuse premises are a type of business premises—see the definition of that term in this Dictionary.
- **Creative industries** - means a building or place the principal purpose of which is to produce or demonstrate arts, crafts, design or other creative products, and includes artists' studios, recording studios, and set design and production facilities.  
**Note**— Creative industries are a type of light industry—see the definition of that term in this Dictionary.
- **Data centre** means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.  
**Note**— Data centres are a type of high technology industry—see the definition of that term in this Dictionary.

#### *Advice provided to the Department in the City's response*

As these amendments have already been introduced to the Standard Instrument Order on 1 December 2021, we are not providing feedback. There are no concerns with the definitions as drafted.

Some of these terms were introduced to support the introduction of Industrial and Business Zone Complying Development Reforms “building business back better.” The City provided a submission in response to its explanation of intended effects in May 2021.

### 3.2. Zone objectives

Each land-use zone in the Standard Instrument includes mandated zone objectives that must be included in an LEP where the zone is used. The Department also allows Councils to add custom non-standard objectives in addition to the mandated zone objectives.

This section compares the current objectives for each land-use zone with the new objectives in the Standard Instrument. Where the City provided comment to the Department in its response it is noted in the last column of the following tables.

#### *Proposed change to the current IN1 – General Industrial zone objectives*

Only the Sydney LEP 2012 is affected by the change to the IN1 General Industrial zone.

The below table compares the objectives in the current IN1 – General Industrial zone with the new E3 – General Industrial zone proposed in the preliminary translation

**Table 1.** Objectives in the new E4 zone

Objectives in current IN1 – General Industrial zone	Objectives in new E4 – General Industrial zone	Advice provided to the Department in City's response
To minimise any adverse effect of industry on other land uses.	To minimise any adverse effect of industry on other land uses.	
To encourage employment opportunities.	To encourage employment opportunities.	
To ensure uses support the viability of nearby centres.	To ensure uses support the viability of nearby centres.	
To provide a wide range of industrial and warehouse land uses.		
To support and protect industrial land for industrial uses.		Retain. It is a critical objective to support the role and function of the industrial zone.
	To provide a range of industrial, warehouse, logistics and related land uses.	
	To ensure the efficient and viable use of land for industrial uses	Concerns raised with Department. Achieving 'efficient and viable use of land' does not contribute to supporting the role or function of a zone and this objective should be removed.

Objectives in current IN1 – General Industrial zone	Objectives in new E4 – General Industrial zone	Advice provided to the Department in City's response
	To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.	

Note: new, changed or removed objectives highlighted in grey

Note: where the preliminary translation has included a non-mandated Standard Instrument objective, it is highlighted in blue.

### *Change to the current B1 – Neighbourhood Centre and B2 - Local Centre zone objectives*

Only the Sydney LEP 2012 is affected by the change to the B1 – Neighbourhood Centre and B2 - Local Centre zones.

The below table compares the objectives in the current B1 – Neighbourhood Centre and B2 - Local Centre zones in the Sydney LEP 2012 with the new E1 – Local Centre zone in the preliminary translation.

**Table 2.** Objectives in the new E1 zone

Objectives in current B1 – Neighbourhood Centre zone	Objectives in current B2 – Local Centre zone	Objectives in preliminary translation of new E1 – Local Centre zone	Advice provided to the Department in City's response
To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.			
	To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.		
		To provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area.	



Objectives in current B1 – Neighbourhood Centre zone	Objectives in current B2 – Local Centre zone	Objectives in preliminary translation of new E1 – Local Centre zone	Advice provided to the Department in City’s response
To allow appropriate residential uses so as to support the vitality of neighbourhood centres.	To allow appropriate residential uses so as to support the vitality of local centres.		
		To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council’s strategic planning for residential development in the area.	This E1 zone objective strengthens merit for standalone residential development within centres. This is not supported as it risks fragmenting and undermining retail centres.
	To encourage employment opportunities in accessible locations.		
		To encourage investment in local commercial development that generates employment opportunities and economic growth.	
	To maximise public transport patronage and encourage walking and cycling.		Retain objective in E1 zone  Centres planning is underpinned by a greater focus on sustainable transport provision. The objective is to minimise car usage in line with City’s parking policies.

Objectives in current B1 – Neighbourhood Centre zone	Objectives in current B2 – Local Centre zone	Objectives in preliminary translation of new E1 – Local Centre zone	Advice provided to the Department in City's response
		To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	

Note: new, changed or removed objectives highlighted in grey

Note: where the preliminary translation has included a non-mandated Standard Instrument objective, it is highlighted in blue.

### *Change to the current B3 – Commercial Core zone objectives*

The Sydney LEP 2012 and the Green Square Town Centre \_ Stage 2 LEP are affected by the change to the B3 – Commercial Core zone.

The below table compares the objectives in the current B3 – Commercial Core zone, with the new E2 – Commercial Centre zone proposed in the preliminary translation.

**Table 3.** Objectives in the new E2 zone

Objectives in current B3 – Commercial Core zone	Objectives in new E2 – Commercial Centre zone	Advice provided to the Department in City's response
To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.		Retain objective in E2 zone  The range of land uses outlined in this objective is needed to support the performance of a centre and establish it as a base for the community.
To encourage appropriate employment opportunities in accessible locations.		
	To encourage investment in commercial development that generates employment opportunities and economic growth.	
To maximise public transport patronage and encourage walking and cycling.		Retain objective in E2 zone  Centres planning is underpinned by a greater focus on sustainable transport provision. The objective is to

Objectives in current B3 – Commercial Core zone	Objectives in new E2 – Commercial Centre zone	Advice provided to the Department in City's response
		minimise car usage in line with City's parking policies.
To promote uses with active street frontages.		
	To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.	
	To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.	
	To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.	
	To enable residential development that is consistent with the Council's strategic planning for residential development in the area.	This E2 zone objective is inconsistent to our approach to this zone, as we do not propose to allow any residential development.

Note: new, changed or removed objectives highlighted in grey

#### *Change to the current B4 – Mixed Use zone objectives*

The Sydney LEP 2012, Harold Park LEP 2011 and Green Square Town Centre LEPs are affected by the change to the B4 – Mixed Use zone.

The below table compares the objectives in the current B4 – Mixed Use zone with the new MU1 – Mixed Use zone proposed in the preliminary translation.

**Table 4.** Objectives in the new MU1 zone

Objectives in current B4 – Mixed Use zone	Objectives in new MU1 – Mixed Use zone	Advice provided to the Department in City's response
To provide a mixture of compatible land uses.	To encourage a diversity of business, retail, office and light industrial land uses that	

	generate employment opportunities.	
To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.		Retain objective.  This objective is the only direct reference to residential uses – which forms a substantial make up of the land use in the zone. It links the provision of substantial densities with the need to provide adequate sustainable transport options. The objective is to minimise car usage in line with City’s parking policies
To ensure uses support the viability of centres.	To ensure uses support the viability of centres.	
	To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.	
	To minimise conflict between land uses within this zone and land uses within adjoining zones.	
	To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	

Note: new, changed or removed objectives highlighted in grey

Note: Objectives are mandated in the Standard Instrument. Where the preliminary translation has included a non-Standard Instrument objective, it is highlighted in blue.

*Change to the current to the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zone objectives*

Only the Sydney LEP 2012 is affected by the change to the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones.

The below tables compares the objectives in the current B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones with the new E1 – Local Centre zone in the preliminary

translation. It also provides the City's commentary and recommendation with regards to the preliminary translation of the zone objectives.

**Table 5.** Objectives in the new E3 zone

Objectives in current B5 – Business development zone	Objectives in current B6 – Enterprise corridor zone	Objectives in current B7 – Business Park zone	Objectives in preliminary translation of new E3 – Productivity support zone	Advice provided to the Department in City’s response
To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.		To ensure uses support the viability of nearby centres.	To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.	
		To provide a range of office and light industrial uses.	To provide a range of facilities and services, light industries, warehouses and offices.	
	To maintain the economic strength of centres by limiting retailing activity.		To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.	
To encourage employment opportunities.	To provide a range of employment uses (including business, office, retail and light industrial uses).	To encourage employment opportunities.	To encourage employment opportunities	
To enable other land uses that provide facilities or services to meet the day to day needs of the community.				

Objectives in current B5 – Business development zone	Objectives in current B6 – Enterprise corridor zone	Objectives in current B7 – Business Park zone	Objectives in preliminary translation of new E3 – Productivity support zone	Advice provided to the Department in City's response
To promote uses with active street frontages.			To promote uses with active street frontages	
	To promote businesses along main roads and to encourage a mix of compatible uses.			
	To ensure uses support the viability of any adjoining industrial zone for industrial uses.		To ensure uses support the viability of any adjoining industrial zone for industrial uses	Amend objective - <i>“To provide for uses that support the viability of any adjoining industrial zone for industrial uses.”</i>
		To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.		
			To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.	
			To provide opportunities for new and emerging light industries.	

Objectives in current B5 – Business development zone	Objectives in current B6 – Enterprise corridor zone	Objectives in current B7 – Business Park zone	Objectives in preliminary translation of new E3 – Productivity support zone	Advice provided to the Department in City’s response
			To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.	Concerns raised with Department regarding the promotion of ‘other land uses’ and uses that ‘sell goods of a large size, weight or quantity’ in a zone objective. It alludes to specialised retail premises. The objective contradicts the approach of the City to manage retail and specialised retail premises.

Note: new, changed or removed objectives highlighted in grey

Note: Objectives are mandated in the Standard Instrument. Where the preliminary translation has included a non-Standard Instrument objective, it is highlighted in blue.



*Change to the current B8 – Metropolitan Centre objectives*

The below table compares the objectives in the current B8 – Metropolitan Centre zone with the new SP4 – Enterprise zone proposed in the preliminary translation.

Only the Sydney LEP 2012 is affected by the change to the B1 – Neighbourhood Centre and B2 - Local Centre zones.

**Table 6.** Objectives in the new SP4 zone

Objectives in current B8 – Metropolitan centre zone	Objectives in new SP4 –	Advice provided to the Department in City’s response
To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia’s participation in the global economy.	To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia’s participation in the global economy.	
To provide opportunities for an intensity of land uses commensurate with Sydney’s global status.	To provide opportunities for an intensity of land uses commensurate with Sydney’s global status.	
To permit a diversity of compatible land uses characteristic of Sydney’s global status and that serve the workforce, visitors and wider community.	To permit a diversity of compatible land uses characteristic of Sydney’s global status and that serve the workforce, visitors and wider community.	
To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling.		Retain local objective  DPIE did not make a recommendation on these objectives even though they currently form part of our LEP. This might have been an oversight.
To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.		Retain local objective  DPIE did not make a recommendation on these objectives even though they currently form part of our LEP. This might have been an oversight.
To promote the efficient and orderly development of land in a compact urban centre.		Retain local objectives

Objectives in current B8 – Metropolitan centre zone	Objectives in new SP4 –	Advice provided to the Department in City’s response
To promote a diversity of commercial opportunities varying in size, type and function, including new cultural, social and community facilities.		DPIE did not make a recommendation on these objectives even though they were included in the amendments to the Sydney LEP 2021 for Central Sydney which came into effect on 26 November 2021, and currently form part of our LEP. The City has just been through the process of establishing updated objectives for this zone, which was a lengthy process including extensive engagement with stakeholders in Central Sydney.
To recognise the important role that Central Sydney’s public spaces, streets and their amenity play in a global city.		
To promote the primary role of the zone as a centre for employment and permit residential and serviced apartment accommodation where they complement employment generating uses.		

Note: Objectives are mandated in the Standard Instrument. Where the preliminary translation has included a non-Standard Instrument objective, it is highlighted in blue.

Note: new, changed or removed objectives highlighted in grey

### 3.3. Land use tables, local provisions and Schedule 1 listings

This section compares the current land-use tables for each land-use zone with the Departments preliminary translation of the land use tables. It also details any local provisions and Schedule 1 listings that will be impacted by the change to the zone.

Where the City provided comment to the Department in its response it is noted in the last column of the following tables.

#### 3.3.1 IN1 – General Industrial > E4 – General Industrial

The IN1 – General Industrial zone applies only in the City’s Southern Enterprise Area and the southwest of the local government area. Mostly it is located in the suburb of St Peters on the western side of Alexandria canal. It is to be translated to the E4 – General Industrial zone.

The Department’s preliminary translation proposes the IN1 – General Industrial become the E4 – General Industrial zone.

Only the Sydney LEP 2012 is affected by the change to the IN1 General Industrial zone.

#### *Changes to the current IN1 – General Industrial zone land use table*

In the Sydney LEP 2012, the IN1 – General Industrial zone permits all activities with consent, other than those explicitly prohibited or permitted without consent.

#### Permitted without consent

The below table compares the land uses that are permitted without consent in the IN1 – General Industrial zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 7.** Permitted without consent uses in the new E4 zone

Permitted without consent in current IN1 – General Industrial	Permitted without consent in new E4 – General Industrial	Advice provided to the Department in City’s response
NONE	NONE	NONE

#### Prohibited uses

The below table compares the land uses that are prohibited in the IN1 – General Industrial zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 8.** Prohibited uses in the new E4 zone

Prohibited land uses in current IN1 – General Industrial	Proposed <u>prohibited</u> land uses in new E4 – General Industrial	Advice provided to the Department in City’s response
Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Centre-based child	Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism	Note the recommendation in Table 9 for ‘places of public worship.’

Prohibited land uses in current IN1 – General Industrial	Proposed prohibited land uses in new E4 – General Industrial	Advice provided to the Department in City’s response
care facilities; Commercial premises; Community facilities; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Self-storage units; Sex services premises; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wholesale supplies.	boating facilities; Commercial premises; Community facilities; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industries; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Home-based child care; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Self-storage units; Sex services premises; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wholesale supplies	

Note:

- uses that are proposed to be no longer prohibited are shown in green;
- non-mandated prohibited uses in amended SI shown in blue.

#### Permitted with consent

The below table compares the land uses that are permitted with consent in the IN1 – General Industrial zone, with the uses proposed by the Department in their preliminary translation of the LEP.

Generally the translation aligns with the current land use table for the IN1 – General Industrial zone.

**Table 9.** Permitted with consent uses in the new E4 zone

Permitted with consent in IN1 – General Industrial zone	Proposed permitted with consent table in the E4 – General Industrial zone	Advice provided to the Department in City’s response
Agricultural produce industries	Agricultural produce industries	
Boat building and repair facilities	Boat building and repair facilities	
<i>Not prohibited</i>	Business identification signs	
Depots	Depots;	
Food and drink premises	Food and drink premises	
Freight transport facilities	Freight transport facilities	
Garden centres	Garden centres	
General industries	General industries	
	Goods repair and reuse premises	
Hardware and building supplies	Hardware and building supplies	
Horticulture	Horticulture	
<i>Not prohibited</i>	Industrial retail outlets	
Industrial training facilities	Industrial training facilities	
Kiosks	Kiosks	
Light industries	Light industries	
<i>Nested under “Warehouse or distribution centres”</i>	Local distribution premises	
Neighbourhood shops	Neighbourhood shops	
Oyster aquaculture	Oyster aquaculture	
Places of public worship		Prohibit ‘Places of public worship.’  They are not appropriate for industrial zones, create traffic, have limited public transport, displace industrial uses from an already limited stock of land.
Roads	Roads	
Roadside stalls	Roadside stalls	
<i>Nested under “Food and drink premises”</i>	Take away food and drink premises	
Tank-based aquaculture	Tank-based aquaculture	
Timber yards	Timber yards	
Warehouse or distribution centres	Warehouse or distribution centres	
Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	

Note: non-mandated uses shown in blue

Note: uses newly permitted in the zone are highlighted grey

Note: A Direction in the Standard Instrument required the following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

- Building identification signs

- Business identification signs
- Roads

*Local provisions and Schedule 1 – Additional Permissible Uses impacted by changes to the IN1 – General Industrial zone*

The below table shows the local provisions and Schedule 1 – Additional permissible uses listings impacted by changes to IN1 – General Industrial zone.

**Table 10.** Impacted local provisions and Schedule 1 listing in the new E4 zone

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City's response
Clause 7.20 Development requiring or authorising preparation of a development control plan	Clause 7.20 effectively excludes land in the IN1 – General industrial zone from requiring a DCP (Stage 1) unless it is for commercial development.  Note this clause is also impacted by the change to the B6 and B7 zones.	Change reference to zone in clause to new E4 zone
Clause 7.13(6) Contribution for purpose of affordable housing	Clause excludes floorspace in IN1 from the definition of total floor area.	Change reference to zone in clause from IN1 to E4.

### 3.3.2 B1 – Neighbourhood Centre/B2 – Local Centre > E1 Local Centre

The B1 – Neighbourhood Centre and the B2 – Local Centre zones underpin the City's centres strategy in the south of local government area (together with the B3 zone). They also are located mostly along high streets elsewhere in the local government area. The zones are to be translated to the E1 – Local Centre zone.

Only the Sydney LEP 2012 is affected by the change to the B1 – Neighbourhood Centre and B2 - Local Centre zone.

*Change to current B1 – Neighbourhood Centre and B2 - Local Centre zone land use tables*

The B1 – Neighbourhood Centre and B2 - Local Centre zones permit all activities with consent, other than those explicitly prohibited or permitted without consent.

Permitted without consent

The below table compares the land uses that are permitted without consent in Sydney LEP 2012 in the B1 – Neighbourhood Centre and B2 - Local Centre zones, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 11.** Permitted without consent uses in the new E1 zone

Permitted without consent in current B1 – Neighbourhood Centre	Permitted without consent in current B2 - Local Centre zones	Permitted without consent in new E1 – Local Centre zone	Advice provided to the Department in City's response
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NONE	NONE	NONE	NONE
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Prohibited uses

The below table compares the land uses that are prohibited in the B1 – Neighbourhood Centre and B2 - Local Centre zones, with the uses proposed by the Department in their preliminary translation of the LEP.

The proposed prohibited land uses generally align with those in the City’s current B2 zone , however, this results in a significant broadening of uses permitted in the current B1 – Neighbourhood Centre zone.

**Table 12.** Prohibited uses in the new E1 zone

Prohibited land uses in current B1 – Neighbourhood Centre	Prohibited land uses in current B2 - Local Centre zones	Prohibited land uses in new E1 – Local Centre zone	Advice provided to the Department in City’s response
<p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental protection works; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Hardware and building supplies; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Pond-based aquaculture; Port facilities; Recreation facilities (indoors); Recreation facilities (major); Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Specialised retail</p>	<p>Depots; Extractive industries; Freight transport facilities; Heavy industrial storage establishments; Industrial retail outlets; Industries; Pond-based aquaculture; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres</p>	<p>Depots; Extractive industries; Freight transport facilities; Heavy industrial storage establishments; Industrial retail outlets; Industries; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Warehouse or distribution centres</p>	<p>Permit with consent the group term ‘Tourist and visitor accommodation’</p>



Prohibited land uses in current B1 – Neighbourhood Centre	Prohibited land uses in current B2 - Local Centre zones	Prohibited land uses in new E1 – Local Centre zone	Advice provided to the Department in City’s response
<pre> premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies </pre>			

Note:

- uses that will be no longer prohibited in current B1 zone are shown in green;
- uses that will be no longer prohibited in current B2 zone are shown in red;
- non-mandated prohibited uses in amended SI shown in blue.

### Permitted with consent

The below table compares the land uses that are permitted with consent in Sydney LEP 2012 B1 – Neighbourhood Centre and B2 - Local Centre zones, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 13.** Permitted with consent uses in the new E1 zone

Permitted with consent in current B1 – Neighbourhood Centre	Permitted with consent in current B2 - Local Centre zones	Proposed permitted with consent table in new E1 – Local Centre zone	Advice provided to the Department in City’s response
	<i>Not prohibited</i>	Amusement centres	
Bed and breakfast accommodation	<i>Nested in “Tourist and visitor accommodation”</i>	Bed and breakfast accommodation	
Boarding houses	Boarding houses	Boarding houses	
<i>Not prohibited</i>	<i>Not prohibited</i>	Building identification signs	
<i>Not prohibited</i>	<i>Not prohibited</i>	Business identification signs	
Business premises	<i>Nested in “Commercial premises”</i>	<i>Nested in “Commercial premises”</i>	
Centre-based child-care facilities	Centre-based child care facilities	Centre-based child care facilities	
<i>Not prohibited</i>	Commercial premises, including: <ul style="list-style-type: none"> <li>• retail;</li> <li>• business;</li> <li>• office.</li> </ul>	Commercial premises, including: <ul style="list-style-type: none"> <li>• retail;</li> <li>• business;</li> <li>• office.</li> </ul>	
Community facilities	Community facilities	Community facilities	
<i>Not prohibited</i>	Educational establishments	Educational establishments	
	Entertainment facilities	Entertainment facilities	
	Function centres	Function centres	
Health consulting rooms	<i>Not prohibited</i>	Health consulting rooms	
<i>Not prohibited</i>	<i>Not prohibited</i>	Home businesses	
Home industries	Home industries	Home industries	
<i>Not prohibited</i>	<i>Not prohibited</i>	Home occupations	
Horticulture	<i>Not prohibited</i>	Horticulture	
	<i>Nested in “Tourist and Visitor accommodation”</i>	Hotel or motel accommodation	
<i>Not prohibited</i>	Information and education facilities	Information and education facilities	
		Local distribution premises	
Medical centres	Medical centres	Medical centres	
Neighbourhood shops	<i>Nested in “Commercial premises”</i>	<i>Nested in “Commercial premises”</i>	
Neighbourhood supermarkets	<i>Nested in “Commercial premises”</i>	<i>Nested in “Commercial premises”</i>	
Oyster aquaculture	Oyster aquaculture	Oyster aquaculture	

Permitted with consent in current B1 – Neighbourhood Centre	Permitted with consent in current B2 - Local Centre zones	Proposed permitted with consent table in new E1 – Local Centre zone	Advice provided to the Department in City's response
	Passenger transport facilities	Passenger transport facilities	
<i>Not prohibited</i>	<i>Not prohibited</i>	Places of public worship	
<i>Not prohibited</i>	<i>Not prohibited</i>	Public administration buildings	
<i>Not prohibited</i>	<i>Not prohibited</i>	Recreation areas	
	Recreation facilities (indoor)	Recreation facilities (indoor)	
<i>Not prohibited</i>	Registered clubs	Registered clubs	
Respite day care centres	Respite day care centres	Respite day care centres	
	Restricted premises	Restricted premises	
Roads	Roads	Roads	
	Service stations	Service stations	
Sewage reticulation systems		Sewage reticulation systems	
Shop top housing	Shop top housing	Shop top housing	
Tank-based aquaculture	Tank-based aquaculture	Tank-based aquaculture	
	Tourist and visitor accommodation, including: <ul style="list-style-type: none"> <li>backpackers accommodation</li> <li>bed and breakfast accommodation</li> <li>farm stay accommodation</li> <li>hotel or motel accommodation</li> <li>serviced apartments.</li> </ul>		Permit with consent the group term 'Tourist and visitor accommodation'
	<i>Not prohibited</i>	Veterinary hospitals	
Waste or resource transfer stations		Waste or resource transfer stations	
Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	

Note: non-mandated uses shown in blue

Note: uses newly permitted in the:

- current B1 zone are highlighted grey
- current B2 zone are highlighted yellow.

Note: A Direction in the Standard Instrument required the following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

- Building identification signs
- Business identification signs
- Roads

*Local provisions and Schedule 1 – Additional Permissible Uses impacted by changes to the B1 – Neighbourhood Centre and B2 - Local Centre zones*

The below table shows the local provisions and Schedule 1 – Additional permissible uses listings impacted by changes to B1 – Neighbourhood Centre and B2 - Local Centre zone.

**Table 14.** Impacted local provisions and Schedule 1 listing in the new E1 zone

<b>Impacted clause</b>	<b>Effect / purpose of clause</b>	<b>Advice provided to the Department in City's response</b>
Schedule 1 – Clause 8 - Use of certain land at 51–55 Missenden Road, Camperdown	Allows serviced apartments on the site	Remove Schedule 1 listing (tourist and visitor accommodation to become permitted with consent in the E1 zone)

### 3.3.3 B3 – Commercial Core > E2 – Commercial Centre

The B3 – Commercial Core zone is applied sparingly in the local government area, notably in parts of the Green Square Town Centre and a few locations in Pyrmont. It is to be translated to the E2 – Commercial Centre zone.

The Sydney LEP 2012 and the Green Square Town Centre \_ Stage 2 LEP are affected by the change to the B3 – Commercial Core zone.

#### *Changes to the Sydney LEPs current B3 – Commercial Core zone land use table*

The B3 – Commercial Core zone permits all activities with consent, other than those explicitly prohibited or permitted without consent.

#### Permitted without consent

The below table compares the land uses that are permitted without consent in the B3 – Commercial Core zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 15.** Permitted without consent uses in the new E2 zone

Permitted without consent in B3 – Commercial Core zone	Permitted without consent in new E2 – Commercial Centre zone	Advice provided to the Department in City’s response
NONE	NONE	NONE

#### Prohibited uses

The below table compares the land uses that are prohibited in the B3 – Commercial Core zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 16.** Prohibited uses in the new E2 zone

Prohibited land uses in current B3 – Commercial Core zone	Proposed <u>prohibited</u> land uses in new E2 – Commercial Centre zone	Advice provided to the Department in City’s response
Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service	Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service	

centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industrial retail outlets; Industries; Jetties; Mortuaries; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies	centres; Home occupations (sex services); Home-based child care; Industrial retail outlets; Industries; Jetties; Port facilities; Recreation facilities (major); Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies	
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Note:

- uses that will be no longer prohibited are shown in green;
- non-mandated prohibited uses in amended SI shown in blue.

#### Permitted with consent

The below table compares the land uses that are permitted with consent in the B3 – Commercial Core zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 17.** Permitted with consent uses in the new E2 zone

Permitted with consent in B3 – Commercial Core zone	Permitted with consent in the E2 – Commercial Centre zone	Advice provided to the Department in City's response
<i>Not prohibited</i>	Amusement centres	
<i>Nested in "Light industry"</i>	Artisan food and drink industries	
Backpackers' accommodation	Backpackers' accommodation	
<i>Not prohibited</i>	Building identification signs	
<i>Not prohibited</i>	Business identification signs	
Centre-based child care facilities	Centre-based child care facilities	
Commercial premises	Commercial premises	
Community facilities	Community facilities	
Educational establishments	Educational establishments	
Entertainment facilities	Entertainment facilities	
Function centres	Function centres	
	Home businesses	
	Home industries	



Permitted with consent in B3 – Commercial Core zone	Permitted with consent in the E2 – Commercial Centre zone	Advice provided to the Department in City's response
	Home occupations	
Horticulture	Horticulture	
Hotel or motel accommodation	Hotel or motel accommodation	
Information and education facilities	Information and education facilities	
Light industries	Light industries	
	Local distribution premises	
Medical centres	Medical centres	
	Mortuaries	
Oyster aquaculture	Oyster aquaculture	
Passenger transport facilities	Passenger transport facilities	
<i>Not prohibited</i>	Places of public worship	
<i>Not prohibited</i>	Recreation area	
Recreation facilities (indoor)	Recreation facilities (indoor)	
	Recreation facilities (outdoor)	
Registered clubs	Registered clubs	
Respite day care centres	Respite day care centres	
Restricted premises	Restricted premises	
Roads	Roads	
Sewage reticulation systems	Sewage reticulation systems	
Tank-based aquaculture	Tank-based aquaculture	
	Vehicle repair stations	
	Veterinary hospitals	
Waste or resource transfer stations	Waste or resource transfer stations	
Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	

Note: non-mandated uses shown in blue

Note: uses newly permitted in the current B3 zone are highlighted grey

Note: A Direction in the Standard Instrument required the following must be included as either "Permitted without consent" or "Permitted with consent" for this zone:

- Building identification signs
- Business identification signs
- Home businesses
- Home Industries
- Home occupations
- Roads

### Local provisions and Schedule 1 – Additional Permissible Uses impacted by changes to the B3 – Commercial Core

The below table shows the local provisions and Schedule 1 – Additional permissible uses listings impacted by changes to B3 – Commercial Core.

**Table 18.** Impacted local provisions and Schedule 1 listing in the new E2 zone

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City's response
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NONE	NONE	
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### 3.3.4 B4 Mixed Use zone > MU1 Mixed Use zone

The B4 – Mixed use zone is the most commonly applied zone across the local government area. It is to be translated to the MU1 – Mixed Use zone.

The Sydney LEP 2012, Harold Park LEP 2011 and Green Square Town Centre LEPs are affected by the change to the B4 – Mixed Use zone.

#### *Changes to the Sydney LEPs current B4 – Mixed Use zone current land use table*

The B4 – Mixed Use zone permits all activities with consent, other than those explicitly prohibited or permitted without consent.

#### Permitted without consent

The below table compares the land uses that are permitted without consent in the B4 – Mixed Use zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 19.** Permitted without consent uses in the new MU1 zone

Permitted without consent in current B4 – Mixed Use zone	Permitted without consent in new MU1 – Mixed Use	Advice provided to the Department in City's response
Home occupations	Home occupations	

Note non-mandated uses in amended SI shown in blue.

#### Prohibited uses

The below table compares the land uses that are prohibited in the B4 – Mixed Use zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 20.** Prohibited uses in the new MU1 zone

Prohibited land uses in current B4 – Mixed Use	Prohibited land uses in new MU1 – Mixed Use	Advice provided to the Department in City's response
Extractive industries; Heavy industrial storage establishments; Heavy industries; Pond-based aquaculture	Extractive industries; Heavy industrial storage establishments; Heavy industries	

Note: Uses that will be no longer prohibited are shown in green.

#### Permitted with consent

The below table compares the land uses that are permitted with consent in the B4 – Mixed Use zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 21.** Permitted with consent uses in the new MU1 zone

Permitted with consent in B4 – Mixed Use zone	Permitted with consent table in MU1 – Mixed Use zone	Advice provided to the Department in City's response
Not prohibited	Amusement centres;	
Boarding houses	Boarding houses;	
Not prohibited	Building identification signs;	
Not prohibited	Business identification signs;	
Not prohibited	Car parks;	

Permitted with consent in B4 – Mixed Use zone	Permitted with consent table in MU1 – Mixed Use zone	Advice provided to the Department in City’s response
Centre-based child care facilities	Centre-based child care facilities;	
Commercial premises;	Commercial premises;	
Community facilities;	Community facilities;	
Educational establishments;	Educational establishments;	
Entertainment facilities;	Entertainment facilities;	
Function centres;	Function centres;	
Hotel or motel accommodation;	<i>Nested in “Tourist and Visitor Accommodation”</i>	
Information and education facilities;	Information and education facilities;	
<i>Not prohibited</i>	Light industries;	
<i>Not prohibited</i>	Local distribution premises;	
Medical centres;	Medical centres;	
Oyster aquaculture;	Oyster aquaculture;	
Passenger transport facilities;	Passenger transport facilities;	
<i>Not prohibited</i>	Places of public worship;	
<i>Not prohibited</i>	Recreation areas;	
Recreation facilities (indoor);	Recreation facilities (indoor);	
Registered clubs;	Registered clubs;	
Respite day care centres;	Respite day care centres;	
Restricted premises;	Restricted premises;	
Roads;	<b>Roads;</b>	
Seniors housing;	Seniors housing;	
Shop top housing;	Shop top housing;	
Tank-based aquaculture;	Tank-based aquaculture;	
<i>Not prohibited</i>	Tourist and visitor accommodation;	
<i>Not prohibited</i>	Vehicle repair stations;	
Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	Any other development not specified in item 2 [permitted without consent] or 4 [prohibited]	

Note: non-mandated uses shown in **blue**

Note: A Direction in the Standard Instrument required the following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

- Building identification signs
- Business identification signs
- Home industries
- Roads

*Local provisions and Schedule 1 – Additional Permissible Uses impacted by changes to the B4 – Mixed Use*

The below table shows the local provisions and Schedule 1 – Additional permissible uses listings impacted by changes to B4 – Mixed use zone.

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City's response
NONE	NONE	

**Table 22.** Impacted local provisions and Schedule 1 listing in the new MU1 zone

### 3.3.5 B5 – Business Development / B6 – Enterprise Corridor / B7 – Business Park > E3 – Productivity Support

The City's current B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones are predominantly located in Southern Enterprise Area at the south of the LGA, with a pocket of B7 – Business Park on Parramatta Road.

The employment zones review proposes to amalgamate all three zones into one, being the new E3 – productivity support zone.

The B6 zone and the B7 zone are currently set up to facilitate a transition from the IN1 zone, with B6 being generally more industrially focused, and B7 closer to higher order commercial uses. Importantly both zones take a restrictive approach to retail that is under threat by the EZR.

The B5 zone is only located on the site of the Moore Park Supa Centre. The of permissibility of 'shops' is particularly problematic on this site.

Only the Sydney LEP 2012 is affected by the change to the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones.

#### *Change to SLEP 2012 current to the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones land use tables*

The B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones permit all activities with consent, other than those explicitly prohibited or permitted without consent.

#### Permitted without consent

The below table compares the land uses that are permitted without consent in the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 23.** Permitted without consent uses in the new E3 zone

Permitted without consent in current B5 – Business development zone	Permitted without consent in current B6 – Enterprise corridor zone	Permitted without consent in current B7 – Business Park zones	Permitted without consent in new E3 – Productivity support zone	Advice provided to the Department in City's response
NONE	NONE	NONE	NONE	NONE

#### Prohibited uses

The below table compares the land uses that are prohibited in the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 24.** Prohibited uses in the new E3 zone

Prohibited land uses in current B5 – Business development zone	Prohibited land uses in current B6 – Enterprise corridor zone	Prohibited land uses in current B7 – Business Park zones	Prohibited land uses in new E3 – Productivity support zone	Advice provided to the Department in City’s response
Eco-tourist facilities; Heavy industrial storage establishments; Heavy industries; Pond-based aquaculture; Residential accommodation; Retail premises; Tourist and visitor accommodation	Agriculture; Air transport facilities; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Heavy industrial storage establishments; Helipads; Home occupations; Home occupations (sex services); Industries; Pond-based aquaculture; Recreation facilities (major); Residential accommodation; Retail premises; Rural industries; Tourist and visitor accommodation	Agriculture; Air transport facilities; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Heavy industrial storage establishments; Helipads; Industries; Pond-based aquaculture; Recreation facilities (major); Residential accommodation; Retail premises; Rural industries; Tourist and visitor accommodation; Truck depots	Agriculture; Air transport facilities; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Heavy industrial storage establishments; Heavy industries; Helipads; Home occupations; Home occupations (sex services); Industries; Residential accommodation; Retail premises; Rural industries; Tourist and visitor accommodation; Truck depots	Requested ‘home occupations’ and ‘home occupations (sex services)’ be listed as ‘permitted with consent.’  Introduce a clause that permits ‘truck depot’ with development consent for land currently zoned B6 - Enterprise Corridor. This land would be identified via LEP maps.

Note:

- uses that will be no longer prohibited in current B5 zone are shown in green;
- uses that will be no longer prohibited in current B6 zone are shown in red;
- uses that will be no longer prohibited in current B6 zone are shown in purple;
- uses that will now be prohibited, but formerly were not in one of the zones, are highlighted grey;

Note: non-mandated prohibited uses in amended SI shown in blue.

Permitted with consent

The below table compares the land uses that are permitted with consent in the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones, with the uses proposed by the Department in their preliminary translation of the LEP. It also provides the City’s commentary and recommendation with regards to the preliminary translation of the land use tables.

**Table 25.** Permitted with consent uses in the new E3 zone

Permitted with consent in current B5 – Business development zone	Permitted with consent in current B6 – Enterprise corridor zone	Permitted with consent in current B7 – Business Park zones	Proposed permitted with consent table in new E3 – Productivity support zone	Advice provided to the Department in City’s response
	Agricultural produce industries;	Agricultural produce industries;	Agricultural produce industries;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Animal boarding or training establishments;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Boat building and repair facilities;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Building identification signs;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Business identification signs;	
<i>Not prohibited</i>	Business premises;	<i>Not prohibited</i>	Business premises;	
Centre-based child care facilities;	<i>Not prohibited</i>	Centre-based child care facilities;	Centre-based child care facilities;	
<i>Not prohibited</i>	Community facilities;	<i>Not prohibited</i>	Community facilities;	
<i>Not prohibited</i>	<i>Not prohibited</i>		Depots;	
Food and drink premises;	Food and drink premises;	Food and drink premises;	Food and drink premises;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Function centres;	
Garden centres;	Garden centres;	Garden centres;	Garden centres;	
<i>Not prohibited</i>			General industries;	
Hardware and building supplies;	Hardware and building supplies;	Hardware and building supplies;	Hardware and building supplies;	
<i>Not prohibited</i>	Horticulture;	Horticulture;	Horticulture;	
Hotel and motel accommodation;	Hotel or motel accommodation;	Hotel or motel accommodation;	Hotel or motel accommodation;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Industrial retail outlets;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Industrial training facilities;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Information and education facilities;	

Permitted with consent in current B5 – Business development zone	Permitted with consent in current B6 – Enterprise corridor zone	Permitted with consent in current B7 – Business Park zones	Proposed permitted with consent table in new E3 – Productivity support zone	Advice provided to the Department in City’s response
	Kiosks;	Kiosks;	Kiosks;	
Landscaping material supplies;	Landscaping material supplies;		Landscaping material supplies;	
<i>Not prohibited</i>	Light industries;	Light industries;	Light industries;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Local distribution premises;	
	Markets;	Markets;	Markets;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Mortuaries;	
Neighbourhood shops;	<i>Nested under “Shop”</i>	Neighbourhood shops;	Neighbourhood shops;	
<i>Not prohibited</i>	<i>Not prohibited</i>	Office premises;	Office premises;	
Oyster aquaculture;	Oyster aquaculture;	Oyster aquaculture;	Oyster aquaculture;	
Passenger transport facilities;	Passenger transport facilities;	Passenger transport facilities;	Passenger transport facilities;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Places of public worship;	
	Plant nurseries;	Plant nurseries;	Plant nurseries;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Recreation areas;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Recreation facilities (indoor);	
<i>Not prohibited</i>			Recreation facilities (major);	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Recreation facilities (outdoor);	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Research stations;	
Respite day care centres;	<i>Not prohibited</i>	Respite day care centres;	Respite day care centres;	
Roads;	Roads;	<i>Not prohibited</i>	Roads;	
Roadside stalls;			Roadside stalls;	
<i>Not prohibited</i>			Rural supplies;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Service stations;	
	Shops;	Shops;	Shops;	
Specialised retail premises;			Specialised retail premises;	



Permitted with consent in current B5 – Business development zone	Permitted with consent in current B6 – Enterprise corridor zone	Permitted with consent in current B7 – Business Park zones	Proposed permitted with consent table in new E3 – Productivity support zone	Advice provided to the Department in City’s response
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Storage premises;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Take away food and drink premises;	
Tank-based aquaculture;	Tank-based aquaculture;	Tank-based aquaculture;	Tank-based aquaculture;	
			Timber yards;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Vehicle body repair workshops;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Vehicle repair stations;	
			Vehicle sales or hire premises;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Veterinary hospitals;	
Warehouse or distribution centres;	Warehouse or distribution centres;	Warehouse or distribution centres;	Warehouse or distribution centres;	
<i>Not prohibited</i>	<i>Not prohibited</i>	<i>Not prohibited</i>	Wholesale supplies;	
Any other development not specified in item 2 or 4	Any other development not specified in item 2 or 4	Any other development not specified in item 2 or 4	Any other development not specified in item 2 or 4	

Note: non-mandated uses shown in blue

Note: uses newly permitted in the:

- current B5 zone are highlighted pink
- current B6 zone are highlighted yellow
- current B7 zone are highlighted green
- multiple zones are highlighted purple

Note: A Direction in the Standard Instrument required the following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

- Building identification signs
- Business identification signs
- Home industries
- Roads

*Local provisions and Schedule 1 – Additional Permissible Uses impacted by changes to the B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones*

The table below shows the local provisions and Schedule 1 – Additional permissible use listings impacted by changes to B5 – Business development, B6 – Enterprise corridor and B7 – Business Park zones. It also provides the City’s commentary and recommendation with regards to the preliminary translation of the Local provisions and Schedule 1 – Additional Permissible Uses.

**Table 26.** Impacted local provisions and Schedule 1 listing in the new E3 zone

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City's response
<p><b>Clause 6.28 - Development on certain land in Zone B6 Enterprise Corridor</b></p>	<p>Clause 6.28 allows additional height of building or floor space ratio to be applied to a site that we may need to dedicate public domain.</p>	<p>Replace reference to B6 - Enterprise Corridor zone with 'enterprise area.'</p> <p>Amend LEP maps to identify the 'Enterprise area' on the 'Locality and Site Identification Map, Key Sites Map, Foreshore Building Line Map', which includes all land currently zoned B6 – Enterprise Area.</p>
<p><b>Clause 7.13 - Contribution for purpose of affordable housing</b></p>	<p>Clause 7.13 is for the collection of affordable housing contributions where land is developed. It refers to the City of Sydney Affordable Housing Program, which in turn refers to the B7 Business Park in some of its references.</p>	<p>Replace reference to IN1 - General Industrial zone with reference to E4 - General industrial.</p>
<p><b>Clause 7.13A - Affordable housing in Zone B7</b></p>	<p>Clause 7.13A allows affordable housing to be built in the B7 – Business Park zone given certain circumstances</p>	<p>Replace reference to B7 - Business Park zone with 'business area.'</p> <p>Amend LEP maps to identify the 'business area' on the 'Locality and Site Identification Map, Key Sites Map, Foreshore Building Line Map', which includes all land currently zoned B7 - Business Park.</p>
<p><b>Clause 7.20(2) Development requiring or authorising preparation of a development control plan</b></p>	<p>Clause 7.20 allows:</p> <ul style="list-style-type: none"> <li>• that land over 5000sqm in the B6 zone does not require a DCP (Stage 1) unless it is for commercial development</li> <li>• that land over 5000sqm in the B7 if it includes residential uses that may impact on the non-resi uses in the zone.</li> </ul> <p>Note this clause is also impacted by the change to the IN1 zone.</p>	<p>Replace references to the B6 - Enterprise Corridor, B7 - Business Park and IN1 - General Industrial zones with 'enterprise area,' 'business area' and E4 - General Industrial zone respectively.</p>

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City's response
<b>Clause 7.20(3A) Development requiring or authorising preparation of a development control plan</b>	Clause is to allow for a DCP to be prepared for a site in the B7 that may be proposed for affordable housing. The purpose of the clause was to allow a Stage 1 to approve the use before going to a Stage 2. This was considered necessary to allow for a level of certainty given the unusual use in a business zone.	Replace references to the B6 - Enterprise Corridor, B7 - Business Park and IN1 - General Industrial zones with 'enterprise area,' 'business area' and E4 - General Industrial zone respectively.
<b>Clause 7.23 Large retail development outside of Green Square Town Centre and other planned centres</b>	Clause 7.23 restricts shops and markets in the mapped areas to 1000sqm.	A new provision has been drafted to replace the existing clause. This is to enable specialised retail premises to continue operating in the Moore Park Supa Centre and the specific location along O'Riordan Street, while limiting the scale of specialised retail premises in other parts of the future E3 zone.
<b>Schedule 1 – Clause 1AB - Use of certain land at 70 Bourke Road and 15 O'Riordan Street, Alexandria</b>	Provides that site (in B7 zone) can be used as a depot given specific performance measures being achieved.	The new E3 zone permit depots on this land. Delete from Schedule 1 and replace with site-specific clause to preserve the application of performance measures.
<b>Schedule 1 – Clause 3 - Use of certain land at O'Riordan Street, Alexandria</b>	Provides an area in the B6 zone where specialised retail premises are permitted	Remove clause, subject to the introduction of a replacement clause for 7.23.  Refer to response to Clause 7.23 (above).
<b>Schedule 1 – Clause 4A - Use of certain land at South</b>	Permits shops on the Supa Centa site (that are otherwise prohibited in the current B5 zone, but will be	Removal required. Existing clause permits shops on the Supa Centa site (that are otherwise prohibited in the current B5 zone) but limits their size to 1000sqm. While this

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City's response
<p><b>Dowling Street, Moore Park</b></p>	<p>permitted in the new E3 - Productivity Support zone), but limits their size to 1000sqm</p>	<p>Remove provision. To be supported by the expansion of the restricted retail map to include this site.</p> <p>Amend the 'Special Character Areas Map, Retail Premises Map' to identify the land at 2A South Dowling Street, Moore Park, being Lots 100 and 101, DP 808835, as currently shown edged heavy red and marked "(v)" on the Locality and Site Identification Map, as restricted retail.</p>

### 3.3.6 B8 Metropolitan Centre zone > SP4 Enterprise zone

The current B8 – Metropolitan Zone, which only applies in Central Sydney, is to be translated to a SP4 – Enterprise zone.

Only the Sydney LEP 2012 is affected by the change to the B8 – Metropolitan Zone.

#### *Changes to the current B8 – Metropolitan Centre zone current land use table*

The B8 Metropolitan Centre zone permits all activities with consent, other than those explicitly prohibited or permitted without consent.

#### Permitted without consent

The table below compares the land uses that are permitted without consent in the B8 Metropolitan Centre zone with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 27.** Permitted without consent uses in the new SP4 zone

Permitted without consent in current B8 Metropolitan Centre zone	Permitted without consent in new SP4 – Enterprise zone	Advice provided to the Department in City’s response
NONE	Roads	Request for this to change to ‘permitted to consent’

Note non-mandated uses in amended SI shown in blue.

Note: new, changed or removed objectives highlighted in grey

#### Prohibited uses

The table below compares the land uses that are prohibited in the B8 Metropolitan Centre, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 28.** Prohibited uses in the new SP4 zone

Prohibited land uses in current B8 Metropolitan Centre zone	Prohibited land uses in new SP4 – Enterprise zone	Advice provided to the Department in City’s response
Pond-based aquaculture	NONE	Retain status quo.

Note: Uses that will be no longer prohibited are shown in green.

#### Permitted with consent

The table below compares the land uses that are permitted with consent in the B8 Metropolitan Centre zone, with the uses proposed by the Department in their preliminary translation of the LEP.

**Table 29.** Permitted with consent uses in the new SP4 zone

Permitted with consent in the current B8 – Metropolitan Centre zone	Proposed permitted with consent table in the SP4 – Enterprise Use zone	Advice provided to the Department in City’s response
<i>Not prohibited</i>	Building identification signs	
<i>Not prohibited</i>	Business identification signs	
Centre-based child care facilities	Centre-based child care facilities	
Commercial premises	Commercial premises	
Community facilities	Community facilities	
Educational establishments	Educational establishments	
Entertainment facilities	Entertainment facilities	

Permitted with consent in the current B8 – Metropolitan Centre zone	Proposed permitted with consent table in the SP4 – Enterprise Use zone	Advice provided to the Department in City’s response
<i>Not prohibited</i>	Food and drink premises	
Function centres	Function centres	
Information and education facilities	Information and education facilities	
Oyster aquaculture	Oyster aquaculture	
Passenger transport facilities	Passenger transport facilities	
Recreation facilities (indoor);	Recreation facilities (indoor)	
Registered clubs;	Registered clubs	
Respite day care centres	Respite day care centres	
Restricted premises	Restricted premises	
Roads	Roads	
Tank-based aquaculture;	Tank-based aquaculture	
Tourist and visitor accommodation;	Tourist and visitor accommodation	
Any other development not specified in item 2 or 4	Any other development not specified in item 2 or 4	

Note: new, changed or removed objectives highlighted in pink

Note: A Direction in the Standard Instrument required the following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

- Building identification signs
- Business identification signs
- Roads

### *Local provisions and Schedule 1 – Additional Permissible Uses impacted by changes to the B8 Metropolitan zone*

The table below shows the local provisions and Schedule 1 – Additional permissible uses listings impacted by changes to B8 Metropolitan zone.

**Table 30.** Impacted local provisions and Schedule 1 listing in the new SP4 zone

Impacted clause	Effect / purpose of clause	Advice provided to the Department in City’s response
<b>Clause 6.10 Heritage floor space</b>	Refers directly to B8 zoned land	Update zone referencing from B8 to SP4

## 4. Other impacts

There will be substantial flow on impacts arising from the introduction of new zones and local provisions, that will require internal review and potential amendment to the following:

- publications referred to directly in the LEP, including, but not limited to:
  - design competition policy;
  - affordable housing program;
  - Green Square Community Infrastructure;
- development control plans, contribution plans and design guides;
- the Local Strategic Planning Statement and Local Housing Strategy; and
- any other City of Sydney policy that relies on or makes reference to zoning.

In addition, a number of development applications may be impacted once the self-repealing SEPP is placed on public exhibition.