

1992—No. 88A

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
GREATER METROPOLITAN REGIONAL ENVIRONMENTAL
PLAN No. 1—REDEVELOPMENT OF URBAN LAND**

NEW SOUTH WALES



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I, the Minister for Planning, in pursuance of section 51 of the Environmental Planning and Assessment Act 1979, make the Regional Environmental Plan set out hereunder.

ROBERT WEBSTER
Minister for Planning.

Sydney, 20 February, 1992.

Name of plan

1. This plan is called Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land.

Aims, objectives etc.

2. This plan aims:
- (a) to provide a framework through which the aims and objectives expressed in State Environmental Planning Policy No. 32—Urban Consolidation (Redevelopment of Urban Land) may be implemented; and
 - (b) to ensure that those aims and objectives are implemented in respect of the land to which this plan applies; and
 - (c) to make urban land sites which meet the criteria expressed in clause 8 of that Policy available for redevelopment for multi-unit housing and related development.

Land to which plan applies

3. This plan applies to certain land within the Greater Metropolitan Region, being the land specified in Schedule 1.

Relationship to other environmental planning instruments

4. (1) Each environmental planning instrument specified in Schedule 2 is amended in the manner set out in that Schedule.

(2) Nothing in this plan prevents the Minister from being the consent authority, pursuant to clause 10 of State Environmental Planning Policy No. 32—Urban Consolidation (Redevelopment of Urban Land), in respect of each site of land to which this plan applies.

SCHEDULE 1—LAND TO WHICH PLAN APPLIES

(Cl. 3)

Land situated in the Municipality of Leichhardt and known as the *Ampol, Vanadi and Unilever land*, bounded generally by Reynolds Street, Foy Street, Palmer Street, Booth Street, MSB Roadway, Robert Street, Mansfield Street, Batty Street and Reynolds Avenue, identified as site 1 on the map marked “Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land” deposited in the office of the Department of Planning.

Land situated in the Municipality of Leichhardt and known as the *Caltex Oil Terminal land*, Ballast Point Road, Balmain, identified as site 2 on the map marked “Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land” deposited in the office of the Department of Planning.

Land situated in the Municipality of Leichhardt and known as the *Balmain Power Station land*, corner Victoria Road and Terry Street, Rozelle, identified as site 3 on the map marked “Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land” deposited in the office of the Department of Planning.

Land situated in the Municipality of Leichhardt and known as the *Monsanto Chemical Plant land*, Terry Street, Rozelle, identified as site 4 on the map marked “Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land” deposited in the office of the Department of Planning.

SCHEDULE 2—AMENDMENTS

(Cl. 4)

Amendment of Leichhardt Local Environmental Plan No. 20

Leichhardt Local Environmental Plan No. 20 is amended:

(a) by inserting at the end of clause 2 the following paragraphs:

- (i) to provide for the establishment of a special industrial zone:
 - (i) to establish zoning and land use controls which are more in keeping with demand trends for commercial industrial needs;
 - (ii) to encourage industries developing and using high technology products and processes which are compatible with residential land use and which do not detract from the amenity or environmental quality of the Municipality; and
 - (iii) to permit a limited range of retail activities to meet the needs of the workforce population within the special industrial zone and the residential population; and
- (j) to create a residential zone which uses floor space ratio to control density; and
- (k) in relation to the following sites to which the Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land applies:
 - (i) sites 1–4 identified on the REP map:
 - to encourage redevelopment of the land within those sites for residential, commercial, open space and special industrial purposes;
 - to enhance the visual amenity of the area and, in particular, views from the adjacent waterways;
 - to encourage the removal from the land of chemical manufacturing and petroleum products processing;

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- to encourage residential and related development which is of a character appropriate to residential development in the locality and the characteristics of the site;
 - to limit development to a level which is commensurate with the capacity of the road network;
 - to permit other forms of development which would be compatible with residential buildings and encourage public use of the foreshores;
 - to create public foreshore reserves and provide suitable access to those reserves for the public and for servicing requirements;
 - to ensure that any proposed development makes adequate provision for its users to gain reasonable vehicular access to and from Victoria Road;
 - to ensure that remediation of such parts of the land as may be contaminated is carried out before any development takes place on those parts of the land; and
 - to ensure that adequate vehicular access is provided to the site of any development on the land;
- (ii) site 1 identified on the REP map (the Ampol, Vanadi and Unilever land):
- to encourage high technology industries with ancillary commercial and other uses which are compatible with adjoining and nearby residential land uses and which do not detract from the amenity or environmental quality of the locality;
 - to permit a limited range of retail activities to meet the needs of the workforce population of that site;
 - to encourage development which reflects the existing scale, character and diversity of the locality;

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- to provide for conservation controls to protect buildings of significant and individual historic or architectural merit and which should be preserved;
- (iii) site 2 identified on the REP map (the Caltex Oil Terminal land):
- to identify land to be used for open space purposes on, and providing access to, the foreshore of Sydney Harbour at Ballast Point consistent with Sydney Regional Environmental Plan No. 23—Sydney and Middle Harbours;
- (iv) site 3 identified on the REP map (the Balmain Power Station land):
- to facilitate the disposal of the land which is surplus to government requirements;
 - to identify land to be used for open space purposes on, and providing access to, the foreshore of Iron Cove consistent with Sydney Regional Environmental Plan No. 22—Parramatta River; and
- (v) site 4 identified on the REP map (the Monsanto land):
- to identify land to be used for open space purposes on, and providing access to, the foreshore of Iron Cove consistent with Sydney Regional Environmental Plan No. 22—Parramatta River.
- (b) by omitting from clause 3 (2) the words “and Division 4” and by inserting instead the words “, Division 4 and Division 5”;
- (c) by inserting at the end of the definition of “conservation map” in clause 7 (1) the following words:
- Greater Metropolitan Regional Environmental Plan No. 1—
Redevelopment of Urban Land (Conservation Map);
- (d) by inserting in clause 7 (1), in alphabetical order, the following definitions:
- “high technology industry”** means an enterprise which has as one of its prime functions either the manufacture, development, production, processing or assembly of, or research into:

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- (a) biological, pharmaceutical, medical or paramedical systems, goods or components;
- (b) computer software or hardware;
- (c) communications or telecommunications systems, goods or components;
- (d) electronics or micro electronic systems and goods;
- (e) instrumentation systems and instruments; or
- (f) other similar products or systems;

“remediation of land” has the same meaning as has a reference in Part 5 of the Environmentally Hazardous Chemicals Act 1985 to the taking of prescribed remedial action in respect of premises;

“REP map” means the map marked “Greater Metropolitan Regional Environmental Plan No. 1—Redevelopment of Urban Land” deposited in the office of the Department;

“research establishment” means a laboratory or other place where scientific or technological development or research is carried out;

- (e) by inserting at the end of the definition of “zoning map” in clause 7 (1) the following words:

Greater Metropolitan Regional Environmental Plan No. 1—
Redevelopment of Urban Land (Zoning Map).

- (f) by inserting at the end of clause 7 (2) (d) the following word and paragraph:

; and

- (e) a reference to the council as consent authority is, in respect of land identified as site 1, 2, 3 or 4 on the REP map, taken to be a reference to the Minister.

- (g) by inserting after clause 7 (2) the following subclause:

(3) The Minister is, for the purposes of this plan, the consent authority in respect of land identified as site 1, 2, 3 or 4 on the REP map.

- (h) by inserting in Column 1 of the Table to clause 8 after the matter relating to Zone No. 2 (b3) the following matter:

(b4) Residential B4.

Light scarlet with
dark red edging and
lettered 2 (b4).

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- (i) by inserting in Columns I, II, III and IV, respectively, of the Table to clause 8 before the matter relating to Zone No. 5 the following matter:

4. INDUSTRY:

- | | | |
|---|---|--|
| <p>(d) Special Industry. Purple with distinctive edging and lettered 4 (d).</p> | <p>Advertising structures; commercial premises; community centres; dwellings used in conjunction with a permissible use; educational establishments; high technology industries; hotels, motels or taverns; light industry; open space; places of assembly; public buildings; purposes referred to in Schedule 5 if the gross floor area used for such purposes will not exceed 200 square metres; purposes referred to in Schedule 6; recreation facilities; residential flat buildings used in conjunction with a permissible use; utility installations; warehouses (including warehouses functionally related to high technology industry); any other similar or related purpose.</p> | <p>Any purpose not included in Column II or III.</p> |
|---|---|--|
- (j) by inserting after clause 22AA the following Division:
- Division 5—Special Industrial Zone**
- Floor space ratio**
- 22AAA. A building shall not be erected on land within a zone specified in Column I of the Table to this clause unless the ratio of

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the gross floor area of that building to the site area of the building does not exceed the ratio shown opposite that zone in Column II of that Table.

TABLE

Column I Zone	Column II Floor Space Ratio
4 (d)	1:1

(k) by inserting after Part 3D the following Part:

PART 3E

Development of Sites 1–4 identified under Greater
Metropolitan Regional Environmental Plan No. 1—
Redevelopment of Urban Land

Division 1—*Development of the sites generally***Application of Division 1**

22F. This Division applies to the land identified as sites 1, 2, 3 and 4 on the REP map.

Development generally

22G. (1) Before granting consent to the carrying out of development of land to which this Division applies, the consent authority must be satisfied that:

- (a) the height, scale, bulk, arrangement and massing of buildings and works that will result from the carrying out of the proposed development will be of a scale, character and diversity appropriate to the locality and the characteristics of the site; and
- (b) adequate provision will be made for vehicular access to and from the Balmain Peninsula for any additional traffic generated by the proposed development.

(2) The provisions of clauses 10 and 11 do not apply to development carried out on the land to which this Division applies.

(3) Nothing in this plan prevents the consent authority from requiring, as a condition of development consent, the dedication of land to which this Division applies that is not within Zone No. 6.

Clearing, filling and remedial works

22H. (1) A person may, but only with the consent of the consent authority:

- (a) clear trees from land to which this Division applies;
- (b) significantly alter the landscape by carrying out a work on any such land;
- (c) carry out a work that disturbs any such land which is contaminated; or
- (d) carry out remediation of any such land.

(2) Despite any other provision of this plan, the consent authority must not consent to the carrying out of development on the land to which this Division applies unless the development will include measures for remediation of the land acceptable to the Director of the State Pollution Control Commission.

(3) The construction of any buildings, structures or facilities on the land to which this Division applies, as a consequence of development consent, must not commence unless the Director of the State Pollution Control Commission has provided written advice to the consent authority that the land on which the development is to be carried out has been satisfactorily remediated to a standard appropriate for the proposed development.

Temporary uses

22I. Subject to compliance with clause 22H (2) and (3), a person may, but only with the consent of the consent authority, carry out development on land to which this Division applies for any purpose if the consent authority is satisfied that:

- (a) the development will be carried out only temporarily; and
- (b) the development is necessary and reasonable for the economic use of the land pending its development in accordance with this plan;
- (c) use of the land for the purpose will not prejudice its development in accordance with this plan; and
- (d) appropriate arrangements have been made for the reinstatement of the land at the end of the period specified in the development consent.

Development near zone boundaries

22J. (1) Development may, but only with the consent of the consent authority, be carried out on land to which this Division applies that is within a residential or open space zone and is within 30 metres of a boundary between those zones for any purpose for which development may be carried out either with or

without development consent in the adjoining zone and on the other side of that boundary.

(2) Before granting consent as provided by this clause to the carrying out of development, the consent authority must be satisfied that:

- (a) the development would not reduce the total area of public open space to less than the total area of the land shown as being within Zone No. 6 on the REP map; and
- (b) carrying out of the development is desirable, in the opinion of the consent authority, to achieve a better disposition of development and open space on the land.

Height of buildings

22K. A building may be erected on land to which this Division applies with a height in excess of that referred to in clause 20 if, in the opinion of the consent authority:

- (a) the building would not adversely affect the aesthetic significance of the land to which this clause applies or of the foreshore scenic protection area; and
- (b) predominant viewlines and vistas from surrounding land would not be adversely affected.

Floor space ratios and density of development within Zone No. 2 (b4)

22L. (1) In determining whether to consent to the erection of a building on land to which this Division applies within Zone No. 2 (b4), the consent authority must take into consideration that the intention of this clause is to encourage use of the maximum floor space ratio permitted for the building.

(2) The consent authority must not grant consent to the erection of a building on land that is within Zone No. 2 (b4) and within a parcel identified as site 1, 2, 3 or 4 on the REP map if the gross floor area of the building, when added to the total of the gross floor areas of all other buildings that already are and that (pursuant to a consent that has already been granted) may be erected on that parcel and within that zone, exceeds 0.8 (or, if the land is within site 3, 0.9) of the area of all land within that parcel that is within that zone.

(3) Land to which this Division applies that is dedicated to the council for open space purposes is taken to be within Zone No. 2 (b4) for the purposes of applying subclause (2) to the parcel within which the land is situated but may be so taken into account only once.

Division 2—*Development of particular sites***Development of site 1: the Ampol, Vanadi and Unilever land**

22M. (1) This clause applies to land identified as site 1 on the REP map.

(2) Before granting consent to the carrying out of development of land to which this clause applies, the consent authority must be satisfied that:

- (a) appropriate provision will be made for public access between White Bay Park and Punch Park;
- (b) appropriate dedication will be made for public open space the need for which is generated by the development of all of the land to which this clause applies;
- (c) appropriate provision will be made for the widening of Robert Street and any necessary improvements to the intersection of Robert Street and Victoria Road;
- (d) appropriate provision will be made for vehicular access to the development from Batty Street and Reynolds Avenue; and
- (e) access to non-residential development will be arranged in a manner that minimises the circulation of traffic through residential streets.

(3) Nothing in this plan prevents a person, with the consent of the consent authority, from carrying out development of land to which this clause applies within Zone No. 2 (b4) and shown cross hatched on the REP map for any purpose permitted within Zone No. 4 (d) if the gross floor area used for non-residential purposes does not exceed 10,000 square metres.

(4) Nothing in this plan prevents a person, with the consent of the consent authority, from using, for any purpose, a building situated on land specified in Schedule 4 and shown coloured orange on the REP map, that is an item of the environmental heritage, or the land on which any such building is erected, if the consent authority is satisfied that:

- (a) the proposed use would have little or no adverse effect on the amenity of the locality; and
- (b) the conservation of the building depends on the consent authority granting that consent.

Development of site 2: the Caltex land

22N. (1) This clause applies to land identified as site 2 on the REP map.

(2) Before granting consent to the carrying out of development of land to which this clause applies, the consent authority must be satisfied that:

- (a) appropriate provision will be made for public open space at Ballast Point and for public access to and along the southern foreshore of the land; and
- (b) obvious and unobstructed pedestrian access will be available to the public through the land within Zone No. 2 (b4) to Ballast Point from Ballast Point Road.

Development of site 3: the Balmain Power Station land

220. (1) This clause applies to land identified as site 3 on the REP map.

(2) Nothing in this plan prevents a person, with the consent of the consent authority, from carrying out development of the land to which this clause applies within Zone No. 2 (b4) for the purposes of the following:

- (a) commercial premises having a total gross floor area not exceeding 5,000 square metres, public carparking, refreshment rooms and shops;
- (b) a land and marine-based service facility for Cockatoo Island.

(3) Before granting consent to the carrying out of development of the land to which this clause applies, the consent authority must be satisfied that:

- (a) appropriate provision is made for public open space and for public access to and along the foreshore of the land;
- (b) access to the development is arranged in a manner that minimises the circulation through residential streets in the locality of traffic associated with the development;
- (c) appropriate provision is made for vehicular access to and from Victoria Road; and
- (d) obvious and unobstructed pedestrian access will be available to the public through the land to the foreshore from each adjacent public road.

(4) Nothing in this plan prevents the provision and use, with the consent of the consent authority, of access to any land and marine-based service facility across land within Zone No. 6 if, in the opinion of the consent authority, the access is reasonably necessary for the operation of that facility.

Development of site 4: the Monsanto land

22P. (1) This clause applies to the land identified as site 4 on the REP map.

(2) Nothing in this plan prevents a person, with the consent of the consent authority, from carrying out development of the land to which this clause applies within Zone No. 2 (b4) for the purposes of commercial premises having a total gross floor area not exceeding 2,000 square metres, public carparking, refreshment rooms and shops.

(3) Before granting consent to the carrying out of development of the land to which this clause applies, the consent authority must be satisfied that:

- (a) appropriate provision is made for public open space and for public access to and along the foreshore of the land;
 - (b) access to the development is arranged in a manner that minimises the circulation through residential streets in the locality of traffic associated with the development;
 - (c) appropriate provision is made for vehicular access to and from Victoria Road; and
 - (d) obvious and unobstructed pedestrian access is available through the land to the foreshore.
- (1) by inserting in Schedule 4 under the heading “Palmer Street” appearing under the heading “BALMAIN” after the matter “94-1 10, Terrace.” the following matter:

Lever and Kitchen Oil Mill group of buildings, comprised of the Copra Store, the Oil Mill Building, the Engineers Store/Electricians Shop and the Vim Plant.

- (m) by inserting after Schedule 4 the following Schedules:

Schedule 5

(Cl. 8)

Banks
 Chemist shops
 Dry cleaning agencies
 Fruit and vegetable shops
 Grocery and food shops
 Hairdressing salons
 Laundromats
 Lending libraries
 Newsagencies
 Refreshment rooms
 Take-away food shops
 Wine and spirits shops

Schedule 6

(Cl. 8)

Biotechnological industries
Bookbinding and publishing
Communications and telecommunications industries
Computer hardware—manufacturing, storage and servicing
Computer installations—data processing
Computer software development
Design-based craft industries
Electronics industries
Film and television production
General printing
Instrumentation technology
Patent medicines manufacturing
Pharmaceutical manufacturing
Photographic laboratories
Office equipment—manufacturing and servicing
Research laboratories
Textile manufacturing
