

Table 1 – Existing key development controls under SLEP 2005

Instrument	Standard/Development Control
SYDNEY LOCAL ENVIRONMENTAL PLAN 2005	
Maritime and Transport Zone	<p>Objectives</p> <ul style="list-style-type: none"> (a) to facilitate the continued operation of port activities, water-based transport services, rail and related transport services, and naval and other maritime activities, and (b) to provide for the efficient operation of the primary land uses for this zone, namely: <ul style="list-style-type: none"> (i) port (cargo and passenger) and related landside activities at North Darling Harbour berths 3–10, and (ii) ferry and charter boat services at Circular Quay, in a manner consistent with the identification of Circular Quay as a Special Area, and (iii) the Royal Australian Navy's Fleet Base at Woolloomooloo and Garden Island, and the Department of Defence's dockyard and facilities at Garden Island, and (iv) rail and related services at Central Railway Yards and near the approaches to the Sydney Harbour Bridge, and (c) to facilitate the conservation of items and areas of heritage significance, and (d) to provide opportunities for a range of additional uses on particular sites without detrimentally affecting the amenity of the surrounding areas.
	<p>Permissible Uses (without development consent)</p> <ul style="list-style-type: none"> (1) Within the Maritime and Transport zone, exempt development and development for the purpose of the following may be carried out without development consent: aids to navigation, commercial port operations, dredging, jetties, naval activities, pontoons, reclamation, sea walls, streets, temporary uses on land owned by, or under the care, control and management of the Council, wharves.
	<p>Permissible Uses (with development consent)</p> <ul style="list-style-type: none"> (2) Within the Maritime and Transport zone, development for the purpose of the following may be carried out on any land, but only with development consent: public utility undertakings, temporary uses of any kind on land on which they are not allowed (sic) without consent in the zone, workshops.
	<p>Prohibited uses</p> <p>Any other development.</p>
	<p>Maritime and Transport Zone outlined in red and annotated (v) on the Site identification Map</p> <ul style="list-style-type: none"> (9) Development for the purpose of the following may be carried out, but only with development consent: advertisements, conventions, exhibitions and like uses, public instrumentality offices used for administration, port and maritime related uses and sympathetic commercial uses, harbour public open space, pedestrian linkages and vantage points.

Instrument	Standard/Development Control
Residential Zone	<p>Objectives</p> <ul style="list-style-type: none"> (a) to maintain a predominantly residential character and land use at Millers Point and for certain land fronting Wylde Street, Potts Point, and (b) to facilitate additional residential development that is consistent with the existing residential character and use of those locations, and (c) to ensure the maintenance of a range of housing choice, and (d) to facilitate the conservation of items and areas of heritage significance, and (e) to provide for a limited range and scale of non-residential land uses to serve the local population's need, being uses which are compatible with residential amenity and heritage values. <p>Permissible Uses (without development consent)</p> <ul style="list-style-type: none"> (1) Development may be carried out without consent within the Residential Zone if it is exempt development. <p>Permissible Uses (with development consent)</p> <ul style="list-style-type: none"> (2) Within the Residential zone, development for the purpose of the following may be carried out, but only with development consent: dwelling houses, advertisements, boarding houses, child care centres, educational establishments, hotels, medical and dental surgeries (to a maximum floor space area of 150 square metres), open space, places of public worship, public utility installations, pubs, refreshment rooms, residential buildings (other than dwelling houses), serviced apartments, shops (including grocery and convenience stores), streets, temporary uses of any kind. <p>Prohibited uses</p> <ul style="list-style-type: none"> Any other development.
Development Plans	<p>Development comprising the erection of a building exceeding 55 metres in height or development on land exceeding 1,500 m² requires the preparation of a development plan (subject to specific waiver clauses).</p> <p>Subject to waiver clauses, consent must not be granted for development to which this clause applies unless:</p> <ul style="list-style-type: none"> (a) a development plan is in force for the land on which the development is proposed to be carried out, and (b) the consent authority has taken the development plan into consideration
Height	<p>The SLEP 2005 does not identify maximum height provisions for that part of the site zoned Maritime & Transport. A maximum height limit of applies to land within the Residential Zone.</p>
Floor Space Ratio	<p>The SLEP 2005 does not identify maximum floor space ratio provisions for that part of the site zoned Maritime & Transport. A maximum floor space ratio of 2:1 applies to land within the Residential Zone.</p>
Heritage	<p>The site includes two heritage items listed in the Sydney LEP 2005:</p> <ul style="list-style-type: none"> 1. The Dalgety's Bond Store (Lot 100 DP 838232), Hickson Road is a Schedule 1 Heritage Item listed in Sydney LEP 2005; and 2. MWS & DB Sewage Pumping Station No.14: listed on Sydney Water Section 170 Heritage Register and Sydney LEP 2005. <p>Three other heritage items listed on the Sydney Ports Section 170 Heritage Register are contained on the site.</p> <p>The streets adjoining Lot 100 DP 838232, Lot 7 DP 869022, Lot 6 DP 869022 and Lot 7 DP 43776 are included on the Heritage Streetscape Map.</p>
Special areas	<p>Lot 100 DP 838232, Lot 7 DP 869022, Lot 6 DP 869022 and Lot 7 DP 43776 are all included in the Millers Point Special Area under LEP 2005. The objectives for the Millers Point Special Area are:</p>

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	<ul style="list-style-type: none"> (a) to ensure that any new development respects the adjoining development and maintains the predominantly two storey residential character of the area, (b) to conserve and reinforce the heritage significance of this Special Area, (c) to ensure that any new building respects the adjoining buildings and provides a reasonable stepping to the City's higher buildings, (d) to limit the amount and type of non-residential uses, within this Special Area, so as to ensure the social and cultural mix of Millers Point is maintained, (e) to maintain existing views and vistas into and out of the precinct to the water and Harbour Bridge north and to the city south, and Observatory Park, (f) to ensure that the social and cultural mix of Millers Point is maintained, (g) to conserve the community of Millers Point and adapt to meet the continuing needs of the significant uses.
Car parking	<p>On site car parking is permitted at the following maximum rates:</p> <ul style="list-style-type: none"> ▪ 2 spaces per dwelling house; ▪ 1 space per 4 studio, 1 space per 2 x 1 bedroom, 1 space per 2 bedroom plus 1 additional space per 5 apartments, 2 spaces per 3+ bedroom apartments; ▪ 1 space per 5 bedrooms + 4 spaces per 100 m² function room area for hotels; ▪ 1 space per 7 seats for cinemas, theatres and recital halls; ▪ 1 space per 4 studio apartments / bedsitters, 1 space per 2 x 1 bedroom and 1.2 spaces per 2+ bedroom serviced apartments; ▪ 1 space per 50 m² site area on a pro rata basis for other land uses.