



New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 31)

under the

Environmental Planning and Assessment Act 1979

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

MARCUS RAY

As delegate for the Greater Sydney Commission

Sydney Local Environmental Plan 2012 (Amendment No 31)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 31)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land in Central Sydney within the meaning of *Sydney Local Environmental Plan 2012*.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

[1] Clause 4.6 Exceptions to development standards

Insert after clause 4.6 (8) (cd):

- (cda) clause 6.11A (Temporary alternative heritage arrangements in relation to allocation of heritage floor space),

[2] Clause 6.10 Heritage floor space

Omit “an amount of heritage floor space has not previously been recorded” from clause 6.10 (2) (e).

Insert instead “an amount of heritage floor space has not been recorded in the previous 25 years”.

[3] Clause 6.11 Utilisation of certain additional floor space requires allocation of heritage floor space

Omit “unless an amount of heritage floor space is allocated to the building” from clause 6.11 (1).

Insert instead “unless the consent authority is satisfied that an amount of heritage floor space will be allocated to the building (whether because of a condition of consent or otherwise)”.

[4] Clause 6.11 (1) (a)

Insert “(the height of which will exceed 55 metres following the development)” after “building” where firstly occurring.

[5] Clause 6.11 (1) (b)

Insert “(the height of which will exceed 55 metres following the development)” after “building” where firstly occurring.

[6] Clause 6.11A

Insert after clause 6.11:

6.11A Temporary alternative heritage arrangements in relation to allocation of heritage floor space

- (1) This clause applies to development in respect of a building on land in Central Sydney that utilises additional floor space referred to in clause 6.11 and for which development consent cannot be granted unless heritage floor space will be allocated to the building in accordance with that clause.
- (2) If the consent authority is satisfied that the requisite amount of heritage floor space cannot be acquired for allocation to the building on reasonable terms and within a reasonable period, the consent authority may dispense with the requirement for the allocation of heritage floor space, or may reduce the amount of heritage floor space required to be allocated, if:
 - (a) the consent authority has adopted and published a policy that makes alternative heritage arrangements to the allocation of heritage floor space for the purposes of this Subdivision, and
 - (b) the consent authority is satisfied that the relevant alternative heritage arrangements have been made in relation to the development (because of a condition of consent or otherwise).

- (3) The objective of the policy adopted by the consent authority is the conservation and on-going maintenance of heritage buildings within Central Sydney. The alternative heritage arrangements made by the policy may include the following:
 - (a) the carrying out of (or the provision of financial or other assistance for the carrying out of) conservation works on those heritage buildings,
 - (b) the preparation of (or the provision of financial or other assistance for the preparation of) heritage conservation management plans for those heritage buildings.
- (4) This clause applies only in relation to an application for development consent that is made before 1 January 2019.