



New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 37)

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*.

MONICA BARONE, CHIEF EXECUTIVE OFFICER,
THE COUNCIL OF THE CITY OF SYDNEY
As delegate for the Greater Sydney Commission

Sydney Local Environmental Plan 2012 (Amendment No 37)

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1 Name of Plan

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 37)*.

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 the following land at Alexandria:

- (a) 296–298 Botany Road (Lot 1, DP 544953),
- (b) 284 Wyndham Street (Lot 1, DP 708087).

4 Maps

The maps adopted by *Sydney Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Greater Sydney Commission on the making of this Plan.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

[1] Clause 4.6 Exceptions to development standards

Insert after clause 4.6 (8) (cge):

- (cgf) clause 6.37 (296–298 Botany Road and 284 Wyndham Street, Alexandria),

[2] Clause 6.37

Insert after clause 6.36:

6.37 296–298 Botany Road and 284 Wyndham Street, Alexandria

- (1) This clause applies to the following land at Alexandria (the *subject land*):
 - (a) 296–298 Botany Road (Lot 1, DP 544953),
 - (b) 284 Wyndham Street (Lot 1, DP 708087).
- (2) Development consent must not be granted to development that results in either or both of the following unless the subject land is consolidated into a single lot:
 - (a) the height of a building on Lot 1, DP 544953 exceeding 22 metres,
 - (b) the height of a building on Lot 1, DP 708087 exceeding 60 metres.
- (3) Development consent must not be granted to development that results in any of the following:
 - (a) the height of a building on the subject land exceeding the height shown for the subject land on the Height of Buildings Map,
 - (b) any part of a building on the land identified as “Area 8” on the Height of Buildings Map projecting higher than an incline plane extending from RL 87.5 along the land’s northern boundary to RL 79 along the land’s southern boundary,
 - (c) the gross floor area of all buildings on the subject land exceeding 39,194.54 square metres (including any additional floor space for which the buildings may be eligible under clause 6.13, 6.14 or 6.21 (7) (b)).
- (4) Clause 6.21 (7) (a) does not apply to development on the subject land.
- (5) A building on the subject land is not eligible for an amount of additional floor space under clause 6.21 (7) (b) unless the consent authority is satisfied that the additional floor space will not result in an increase in the maximum number of car parking spaces that would have been applicable to the building under Division 1 of Part 7 if the building were not otherwise eligible for the additional floor space.
- (6) A BASIX affected building (within the meaning of the *Environmental Planning and Assessment Regulation 2000*) on the subject land is not eligible for an amount of additional floor space under clause 6.21 (7) (b) unless the building exceeds the BASIX commitment for energy for the building by not less than 5% of the energy target score.