



New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 49)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

MARCUS RAY

As delegate for the Minister for Planning and Public Spaces

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1 Name of Plan

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 49)*.

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 4–6 Bligh Street, Sydney, being Lot 1, DP 1244245.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

Clause 6.44

Insert in appropriate order in Division 5 of Part 6—

6.44 4–6 Bligh Street, Sydney

- (1) The objective of this clause is to encourage land uses other than residential accommodation or serviced apartments.
- (2) This clause applies to 4–6 Bligh Street, Sydney, being Lot 1, DP 1244245.
- (3) Despite any other provision of this Plan, a building on land to which this clause applies may have a maximum floor space ratio of—
 - (a) 20:1, or
 - (b) if a competitive design process has been held under clause 6.21 and the building demonstrates design excellence within the meaning of that clause—22:1.
- (4) A building on land to which this clause applies is not entitled to any other additional floor space permitted by this Plan except as provided by this clause.
- (5) Development consent must not be granted for development under subclause (3) unless the consent authority is satisfied that—
 - (a) if subclause (3)(b) applies—the floor space ratio of the above ground levels of the building does not exceed 21.2:1, and
 - (b) if subclause (6), (7) or (8) applies—the total amount of heritage floor space is allocated to the building as calculated in those subclauses, and
 - (c) the building does not have a height greater than 205 metres, and
 - (d) any floor above the podium level of the building does not have a gross floor area greater than 470 square metres, and
 - (e) the building does not include any additional height granted under clause 5.6 or 6.21, and
 - (f) the building includes end of journey facilities, and
 - (g) the building will not be used for the purposes of residential accommodation or serviced apartments.
- (6) If a building, or part of a building, on land to which this clause applies is used for the purposes of hotel or motel accommodation, community facilities or centre-based child care facilities, an amount of heritage floor space is to be allocated to the building using the following formula—
$$A \times 0.15:1 = B$$
where—

A is the total floor space ratio of the building, not being a ratio of more than 20:1, used for the purposes of hotel or motel accommodation, community facilities or centre-based child care facilities.

B is the ratio of heritage floor space to be allocated to the building.
- (7) If a building, or part of a building, on land to which this clause applies is used for the purposes of office premises, business premises or retail premises, an amount of heritage floor space is to be allocated to the building using the following formula—

$$A \times 0.1125:1 = B$$

where—

A is the total floor space ratio of the building, not being a ratio of more than 20:1, used for the purposes of office premises, business premises or retail premises.

B is the ratio of heritage floor space to be allocated to the building.

- (8) If subclause (3)(b) applies, an amount of heritage floor space is allocated to the building that is equal to 50% of the difference between a floor space ratio of 20:1 and the proposed floor space ratio of the building.
- (9) The consent authority may reduce the amount of heritage floor space that is required to be allocated under this clause by up to 50% or 1,000 square metres, whichever is the lesser, if the proposed development is the winner of an architectural design competition carried out in accordance with the City of Sydney Competitive Design Policy.
- (10) In the case of development that is an alteration or addition to an existing building, the amount of heritage floor space required to be allocated to the site of the building under this clause is to be no more than the difference between—
 - (a) the amount of heritage floor space that would be required to be allocated to the site if the building (as altered or added to) were to be constructed as a new building, and
 - (b) the amount of heritage floor space that would be required to be allocated to the site if the building (without the alteration or addition) were to be constructed as a new building.
- (11) No heritage floor space is required to be allocated under this clause in the case of development that is an alteration or addition to an existing building if the development does not increase the gross floor area of the building by more than 100 square metres.
- (12) Clause 6.11A(2)–(4) apply to heritage floor space allocated under this clause.
- (13) Clauses 4.6 and 6.19 do not apply to development on land to which this clause applies.
- (14) In this clause—

end of journey facilities means all of the following facilities together in one area of the building—

 - (a) showers,
 - (b) change rooms,
 - (c) lockers,
 - (d) bicycle storage areas.

heritage floor space has the same meaning as in clause 6.10.