



New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 54)

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*.

MONICA BARONE, CHIEF EXECUTIVE OFFICER
CITY OF SYDNEY COUNCIL
As delegate for the local plan-making authority

Sydney Local Environmental Plan 2012 (Amendment No 54)

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1 Name of Plan

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 54)*.

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 identified on the Locality and Site Identification Map as “Broadway Gateway”.

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 local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

[1] Part 6, Division 5

Insert at the end of the Division, with appropriate clause numbering—

225–279 Broadway, Glebe—floor space

- (1) The objective of this clause is to provide for additional floor space on certain land to encourage—
 - (a) commercial, education, health, cultural and tourism sectors and associated industries in the Camperdown-Ultimo area, and
 - (b) development capable of achieving certain ecologically sustainable development ratings.
- (2) This clause applies to the land identified on the Locality and Site Identification Map as “Broadway Gateway” (the *subject land*).
- (3) Despite clause 4.4, the consent authority may grant development consent to a building on the subject land that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than—
 - (a) 1.6:1 if the development is for any of the following purposes—
 - (i) commercial premises,
 - (ii) educational establishments,
 - (iii) entertainment facilities,
 - (iv) health services facilities,
 - (v) hotel or motel accommodation,
 - (vi) information and education facilities,
 - (vii) light industries, or
 - (b) 1:1 if the development is for the purpose of boarding houses used for student accommodation.
- (4) The amount of floor space granted that exceeds the floor space ratio only applies to the part of the building used for a purpose specified in subclause (3).
- (5) The reference to the floor space ratio shown for the land on the Floor Space Ratio Map in clause 6.21(7)(b)(i) is taken, in its application to a building on the subject land, to be a reference to the floor space ratio that includes an amount exceeding the floor space ratio granted in accordance with subclause (3).
- (6) For the purpose of this clause, floor space below ground level of Broadway along the frontage of the site may be excluded from the calculation of gross floor area.
- (7) Development consent must not be granted under subclause (3) for development that results in a mixed use development that includes residential accommodation other than a boarding house.
- (8) Before granting consent to development under subclause (3), the consent authority is to consider whether the development promotes uses that attract pedestrian traffic along ground floor street frontages on Grose Street, Glebe.
- (9) Development promotes uses that attract pedestrian traffic under subclause (8) if, after the erection of a building, or the change of use of a building—

- (a) all premises on the ground floor of the building that face the street will be used for the purposes of business premises or retail premises, and
 - (b) the premises will have active street frontages.
- (10) Subclause (8) does not apply for any part of a building to be used for any of the following—
- (a) entrances and lobbies (including as part of mixed use development),
 - (b) access for fire services,
 - (c) vehicular access.
- (11) The consent authority must not grant consent to development under subclause (3) for the purposes of commercial premises or hotel or motel accommodation, unless it is satisfied that appropriate measures will be taken to ensure the development is capable of achieving—
- (a) for commercial premises—a 5.5 star NABERS Energy rating, or
 - (b) for hotel or motel accommodation—a 4.5 star NABERS Energy rating.
- (12) In this clause—
- NABERS Energy rating*** (also known as the National Australian Built Environment Rating System Energy rating) means a star rating for the environmental performance of a building, given in accordance with the national rating system that determines building performance for the purpose of the *Building Energy Efficiency Disclosure Act 2010* of the Commonwealth.

[2] Schedule 5 Environmental heritage

Insert in appropriate order in Part 1—

Glebe	Former International Harvester Company of America Warehouse and Showroom	255 Broadway	Lot 1 DP 930503	Local	I664 A
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