



New South Wales

Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019

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*.

AMANDA HARVEY

As delegate for the Minister for Planning and Public Spaces

Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019*.

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 all of the land to which the following local environmental plans apply—

- (a) *Sydney Local Environmental Plan 2005*,
- (b) *Sydney Local Environmental Plan 2012*,
- (c) *Sydney Local Environmental Plan (Green Square Town Centre) 2013*,
- (d) *Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013*.

Schedule 1 Amendments relating to serviced apartments

1.1 Sydney Local Environmental Plan 2005

[1] Clause 14 Saving of certain development applications and development plans

Insert after clause 14(1)—

- (1A) The amendments made to this plan by *Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019* do not apply to a development application made but not finally determined before the commencement of those amendments.

[2] Clause 117A

Insert after clause 117—

117A Serviced apartments

- (1) The objectives of this clause are as follows—
- (a) to ensure that development for the purpose of serviced apartments provides the same level of amenity as that provided by development for the purpose of residential flat buildings,
 - (b) to prevent substandard residential accommodation occurring through the conversion of serviced apartments to residential flat buildings.
- (2) Development consent for development for the purpose of serviced apartments or a change of use of a building from serviced apartments to a residential flat building must not be granted unless the consent authority has considered the following in relation to the development—
- (a) the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*,
 - (b) the design principles of the Apartment Design Guide (within the meaning of that Policy).
- (3) Terms used in this clause have the same meaning as in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

1.2 Sydney Local Environmental Plan 2012

[1] Clause 1.8A Savings provision relating to development applications

Insert after clause 1.8A(2)—

- (3) The amendments made to this plan by *Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019* do not apply to a development application made but not finally determined before the commencement of those amendments.

[2] Clause 7.28

Insert after clause 7.27—

7.28 Serviced apartments

- (1) The objectives of this clause are as follows—

- (a) to ensure that development for the purpose of serviced apartments provides the same level of amenity as that provided by development for the purpose of residential flat buildings,
 - (b) to prevent substandard residential accommodation occurring through the conversion of serviced apartments to residential flat buildings.
- (2) Development consent for development for the purpose of serviced apartments or a change of use of a building from serviced apartments to a residential flat building must not be granted unless the consent authority has considered the following in relation to the development—
- (a) the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*,
 - (b) the design principles of the Apartment Design Guide (within the meaning of that Policy).

1.3 Sydney Local Environmental Plan (Green Square Town Centre) 2013

[1] Clause 1.8A Savings provision relating to development applications

Insert after clause 1.8A(2)—

- (3) The amendments made to this plan by *Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019* do not apply to a development application made but not finally determined before the commencement of those amendments.

[2] Clause 6.12

Insert after clause 6.11—

6.12 Serviced apartments

- (1) The objectives of this clause are as follows—
 - (a) to ensure that development for the purpose of serviced apartments provides the same level of amenity as that provided by development for the purpose of residential flat buildings,
 - (b) to prevent substandard residential accommodation occurring through the conversion of serviced apartments to residential flat buildings.
- (2) Development consent for development for the purpose of serviced apartments or a change of use of a building from serviced apartments to a residential flat building must not be granted unless the consent authority has considered the following in relation to the development—
 - (a) the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*,
 - (b) the design principles of the Apartment Design Guide (within the meaning of that Policy).

1.4 Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013

[1] Clause 1.8A Savings provision relating to development applications

Insert after clause 1.8A(2)—

- (3) The amendments made to this plan by *Sydney Local Environmental Plan Amendment (Serviced Apartments) 2019* do not apply to a development application made but not finally determined before the commencement of those amendments.

[2] Clause 6.12

Insert after clause 6.11—

6.12 Serviced apartments

- (1) The objectives of this clause are as follows—
- (a) to ensure that development for the purpose of serviced apartments provides the same level of amenity as that provided by development for the purpose of residential flat buildings,
 - (b) to prevent substandard residential accommodation occurring through the conversion of serviced apartments to residential flat buildings.
- (2) Development consent for development for the purpose of serviced apartments or a change of use of a building from serviced apartments to a residential flat building must not be granted unless the consent authority has considered the following in relation to the development—
- (a) the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*,
 - (b) the design principles of the Apartment Design Guide (within the meaning of that Policy).