



New South Wales

# **Sydney Local Environmental Plan 2012 (Amendment No 71)**

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 71)**

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### **1 Name of Plan**

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 71)*.

### **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 Lot 100, DP 804958, 187–189 Thomas Street, Haymarket.

## Schedule 1 Amendment of Sydney Local Environmental Plan 2012

### [1] Clause 4.6 Exceptions to development standards

Insert after clause 4.6(8)(cgm)—

(cgn) clause 6.58—187–189 Thomas Street, Haymarket,

### [2] Clause 6.58

Insert after clause 6.57—

#### 6.58 187–189 Thomas Street, Haymarket

- (1) This clause applies to Lot 100, DP 804958, 187–189 Thomas Street, Haymarket (the *subject land*).
- (2) The maximum building height for a building on the subject land is RL 226.8 metres.
- (3) The maximum floor space ratio for a building on the subject land at or above ground level (existing) is the floor space ratio determined by the sum of all of the following—
  - (a) the floor space ratio shown for the land on the Floor Space Ratio Map,
  - (b) 8.89:1,
  - (c) any accommodation floor space for which the building is eligible under clause 6.4,
  - (d) any end of journey floor space for which the building is eligible under clause 6.6,
  - (e) if the building is a building demonstrating design excellence—any amount of floor space, to be determined by the consent authority, of up to 10% of the floor space ratio determined by the sum of paragraphs (a)–(d).
- (4) Despite subclause (3), the floor space ratio for a building on the subject land at or above ground level (existing) must not exceed 20:1.
- (5) The maximum floor space ratio for a building on the subject land below ground level (existing) is 1.5:1, but only if—
  - (a) the building at or above ground level (existing) is used for the purposes of hotel or motel accommodation or high technology industries, and
  - (b) the building below ground level (existing) is used as an auditorium, and
  - (c) if the building below ground level (existing) is also used for other purposes, the other purposes are ancillary to the hotel or motel accommodation or high technology industries.
- (6) Development consent must not be granted to development that results in a building on the subject land exceeding the maximum building height shown for the land on the Height of Buildings Map, or exceeding the maximum floor space ratio shown for the land on the Floor Space Ratio Map, unless the consent authority is satisfied that the development will result in—
  - (a) a through-site pedestrian link and publicly accessible open space on the subject land, and
  - (b) business premises and retail premises with frontages to the through-site pedestrian link.

- (7) Development consent must not be granted to development that results in a building on the subject land being used for the purposes of residential accommodation or serviced apartments.
- (8) Clause 6.21(7) does not apply to a building on the subject land.
- (9) In this clause—  
***building demonstrating design excellence*** has the same meaning as in clause 6.21.