



New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 90)

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 90)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Sydney Local Environmental Plan 2012 (Amendment No 90)*.

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 11, DP 70261 and Lot 1, DP 1031645, 757–763 George Street, Haymarket.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

Part 6, Division 5

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

757–763 George Street, Haymarket

- (1) The objective of this clause is to encourage—
 - (a) land uses other than residential accommodation or serviced apartments, and
 - (b) a satisfactory distribution of built form and floor space that is appropriate to the surrounding area, and
 - (c) the adaptive re-use of a heritage item.
- (2) This clause applies to Lot 11, DP 70261 and Lot 1, DP 1031645, 757–763 George Street, Haymarket.
- (3) The maximum height for a building is RL 117.87m.
- (4) The part of a building located at or above ground level (existing) may have a floor space ratio of up to the ratio of the sum of the following to the site area—
 - (a) the gross floor area permitted as a result of applying the floor space ratio shown for the land on the Floor Space Ratio Map,
 - (b) the gross floor area resulting from applying a floor space ratio of 1.09:1,
 - (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—the gross floor area, determined by the consent authority, of up to 10% of the sum of the amounts specified in paragraphs (a)–(d).
- (5) The floor space ratio calculated under subclause (4) must not exceed 11.1:1.
- (6) The maximum floor space ratio for the part of a building located below ground level (existing) is 0.63:1 if—
 - (a) part of the building located at or above ground level (existing) will be used for the purposes of hotel or motel accommodation, and
 - (b) the consent authority is satisfied the part of the building located below ground level (existing) will be used only for retail premises or entertainment facilities ancillary to the hotel or motel accommodation, and
 - (c) there will be a separate entrance at street level that provides direct access to the part of the building located below ground level (existing).
- (7) Development consent must not be granted to the erection of a building that exceeds the maximum height shown for the land on the Height of Buildings Map or the maximum floor space ratio shown for the land on the Floor Space Ratio Map unless the consent authority is satisfied—
 - (a) the heritage item on the land will be retained and conserved, and
 - (b) the development will result in business premises and retail premises at street level, and
 - (c) adequate provision will be made for the following within the site—

- (i) the loading and unloading of goods,
 - (ii) vehicle access, including emergency vehicles,
 - (iii) the collection and management of waste, and
 - (d) the building will not be used for residential accommodation or serviced apartments.
- (8) Clause 6.21D(3) does not apply to a building on land to which this clause applies.
- (9) In this clause—
building demonstrating design excellence has the same meaning as in Division 4.