

ATTACHMENT B

**SYDNEY LOCAL ENVIRONMENTAL PLAN
2012 AMENDMENT NO. 6
(AMP CIRCULAR QUAY PRECINCT
AMENDMENT)**

**50 BRIDGE STREET, SYDNEY
AMP CIRCULAR QUAY SYDNEY**

ATTACHMENT B



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Sydney Local Environmental Plan 2012 (Amendment No 6)

Your ref: Nick Knezevic
Our ref: MC e2014-007-d15

In my opinion the attached draft environmental planning instrument may legally be made.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel

27 May 2014

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New South Wales

Sydney Local Environmental Plan 2012 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

*Monica Barone, Chief Executive Officer
The Council of the City of Sydney*
As delegate for
Minister for Planning

*P.M. Barone
6/6/12*

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Sydney Local Environmental Plan 2012 (Amendment No 6) [NSW]

Sydney Local Environmental Plan 2012 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Sydney Local Environmental Plan 2012 (Amendment No 6)*.

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 at Circular Quay being Lots 1 and 2, DP 1073376, Lot 1, DP 104784, Lot 1, DP 723381, Lots 1–4 DP 134760, Lot 1, DP 810463, Lot 501, DP 709624, Lot 1, DP 87960 and Lot 1, DP 134861.

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Sydney Local Environmental Plan 2012 (Amendment No 6) [NSW]
Schedule 1 Amendment of Sydney Local Environmental Plan 2012—AMP Circular Quay precinct

Schedule 1 Amendment of Sydney Local Environmental Plan 2012—AMP Circular Quay precinct

[1] Clause 4.6 Exceptions to development standards

Insert after clause 4.6 (8) (cg):

(cga) clause 6.26 (AMP Circular Quay precinct),

[2] Clause 6.11 Utilisation of certain additional floor space requires allocation of heritage floor space

Insert “or 6.26 (7) (b)” after “clause 6.21 (7) (b)” in clause 6.11 (1) (d).

[3] Part 6, Division 5

Insert after Division 4:

Division 5 Site specific provisions

6.26 AMP Circular Quay precinct

- (1) This clause applies to the following land:
 - (a) **block A**, being Lot 2, DP 1073376,
Note. Block A is at 50 Bridge Street, Sydney.
 - (b) **block B**, being Lot 1, DP 1073376,
Note. Block B is at 33 Alfred Street, Sydney.
 - (c) **block C**, being Lot 1, DP 104784, Lot 1, DP 723381, Lots 1–4, DP 134760, Lot 1, DP 810463, Lot 501, DP 709624, Lot 1, DP 87960 and Lot 1, DP 134861.
Note. Block C comprises 5–7, 9–13 and 15–17 Young Street and 2–10, 12 and 20 Loftus Street, Sydney.
- (2) The objective of this clause is to provide for a commercial addition to the existing commercial tower on block A by permitting the utilisation of floor space from block C, but only if the development of the land to which this clause applies:
 - (a) does not reduce existing sun access to the Royal Botanic Gardens in midwinter, and
 - (b) improves solar access to Macquarie Place and Loftus Lane in midwinter, and
 - (c) provides for publicly accessible lanes, arcades and through site links on the land, and
 - (d) ensures the retention and conservation of all heritage items on the land, and
 - (e) provides low to mid rise buildings with a diversity of uses, scale and form on block C, and
 - (f) minimises the impact of vehicle movements.
- (3) In determining the site area for the purposes of applying a floor space ratio to development on land to which this clause applies, block A, block B and block C are, despite clause 4.5 (3) (b), taken to be a single site area.
- (4) Clause 6.8 (Lanes development floor space) applies to a new building on block C in the same way as it applies to a building that was in existence on that block on the making of this Plan.

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- (5) Any additional floor space to which a building on block C may be eligible under this Part may be utilised in accordance with this Part in a building on block A rather than in the building on block C.
- (6) Clause 6.21 (7) does not apply to development on land to which this clause applies.
- (7) The consent authority may grant consent to development that results in the floor area of all buildings on the land to which this clause applies exceeding the maximum permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than the sum of the following:
 - (a) any accommodation floor space to which buildings on the land are eligible,
 - (b) if the buildings on block A and block C demonstrate design excellence within the meaning of clause 6.21, an amount of floor space, determined by the consent authority, that is up to 10% of the sum of:
 - (i) the maximum permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map, and
 - (ii) the amount under paragraph (a),
 - (c) any car parking reduction floor space, end of journey floor space, entertainment and club floor space or lanes development floor space to which buildings on the land are eligible.
- (8) The consent authority may grant development consent to an addition to a building on block A that causes the building to project higher than the following, but only if the consent authority is satisfied that the overshadowing of the Royal Botanical Gardens caused by the building at 14.00 on 21 June in any year will be no greater after the development is carried out than it would be if the development were not carried out:
 - (a) the maximum height shown for the land on the Height of Buildings Map,
 - (b) the Royal Botanic Gardens 8 sun access plane.
- (9) The consent authority must not grant consent to development under this clause unless the consent authority is satisfied that:
 - (a) adequate provision has been made for the restoration and conservation of heritage items on Lot 1, DP 87960, or
 - (b) the proposed development would still be permissible under this clause even if block C were taken not to include Lot 1, DP 87960.
- (10) The consent authority must not grant consent to development under this clause unless it is satisfied that all buildings on block A will be used only for one or more of the following:
 - (a) child care centres,
 - (b) commercial premises,
 - (c) community facilities,
 - (d) education establishments,
 - (e) entertainment facilities,
 - (f) function centres,
 - (g) health services facilities,
 - (h) registered clubs.

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Sydney Local Environmental Plan 2012 (Amendment No 6) [NSW]
Schedule 1 Amendment of Sydney Local Environmental Plan 2012—AMP Circular Quay precinct

[4] Dictionary

Omit “12 March 2012” from the definition of *City of Sydney Competitive Design Policy*.

Insert instead “9 December 2013”.

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Sydney Local Environmental Plan 2012 (Amendment No 6) [NSW]
Schedule 2 Amendment of Sydney Local Environmental Plan 2012—Statute law revision amendments

Schedule 2 Amendment of Sydney Local Environmental Plan 2012—Statute law revision amendments

- [1] Clause 6.15 Caritas site**
Re-number clause as 6.22 and place before clause 6.26 (as inserted by Schedule 1 [3]).
- [2] Clause 6.15A 87 Bay Street, Glebe—floor space**
Re-number clause as 6.23 and place after clause 6.22 (as re-numbered by item [1]).
- [3] Clause 6.20A 87 Bay Street, Glebe—building height**
Re-number clause as 6.24 and place after clause 6.23 (as re-numbered by item [2]).
- [4] Clause 6.20 APDG block**
Re-number clause as 6.25 and place after clause 6.24 (as re-numbered by item [3]).