



New South Wales

# **Sydney Local Environmental Plan 2012 (Amendment No 86)**

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*.

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

## **Sydney Local Environmental Plan 2012 (Amendment No 86)**

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Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Sydney Local Environmental Plan 2012 (Amendment No 86)*.

### **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 10, DP 705894, 923–935 Bourke Street, Waterloo.

### **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

### Part 7 Local provisions—general

Insert at the end of Division 4, with appropriate clause numbering—

#### Development at 923–935 Bourke Street, Waterloo

- (1) This clause applies to Lot 10, DP 705894, 923–935 Bourke Street, Waterloo.
- (2) Despite clause 7.23, development consent may be granted to development on land to which this clause applies for the purposes of shops or markets if the gross floor area used for shops or markets is 3,200m<sup>2</sup> or less.
- (3) The floor space ratio of a building on land to which this clause applies may exceed the maximum permissible FSR by up to 0.5:1 if the consent authority is satisfied that—
  - (a) the floor space that exceeds the floor space permitted under the maximum permissible FSR will be used for the purposes of shops or markets, and
  - (b) 90% of the floor space that exceeds the floor space permitted under the maximum permissible FSR will be located below ground level (existing), and
  - (c) the part of the building used for commercial premises will, for at least the first 5 years of operation, only use electricity provided by renewable energy generated on-site and off-site.
- (4) Clause 6.21D(3)(a) does not apply to a building on land to which this clause applies.
- (5) In this clause—

***maximum permissible FSR*** means—

  - (a) the maximum floor space ratio shown for the land on the Floor Space Ratio Map, and
  - (b) any additional floor space ratio the building is eligible for under clause 6.13, 6.14 or 6.21D(3)(b).