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

Published LW 20 December 2019 (2019 No 661)
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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.

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.


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).