



New South Wales

# **Marrickville Local Environmental Plan 2011 (Amendment No 9)**

under the

**Environmental Planning and Assessment Act 1979**

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**MARCUS ROWAN, MANAGER PLANNING SERVICES, MARRICKVILLE INNER WEST  
COUNCIL**

As delegate for the Greater Sydney Commission

## **Marrickville Local Environmental Plan 2011 (Amendment No 9)**

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Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Marrickville Local Environmental Plan 2011 (Amendment No 9)*.

### **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 the following land to which *Marrickville Local Environmental Plan 2011* applies:

- (a) land in Zone B7 Business Park,
- (b) land identified as “E”, “F”, “G” and “H” on the Key Sites Map,
- (c) 76 Wilford Street, Newtown, being Lot 1, DP 617685.

## **Schedule 1 Amendment of Marrickville Local Environmental Plan 2011**

### **[1] Clause 6.13 Dwellings and residential flat buildings in Zone B7 Business Park**

Omit “for small scale live-work enterprises” from clause 6.13 (1).

Insert instead “in association with non-residential uses permitted in Zone B7 Business Park, including small scale live-work enterprises”.

### **[2] Clause 6.13 (3) and (4)**

Omit clause 6.13 (3). Insert instead:

- (3) Development consent must not be granted to development for the purpose of a dwelling or a residential flat building on land to which this clause applies unless the consent authority is satisfied that:
  - (a) the development is part of a mixed use development that includes a non-residential use permitted in Zone B7 Business Park, and
  - (b) no part of the ground floor of the building that fronts a street will be used for residential purposes (excluding access, car parking and waste storage), and
  - (c) not less than 60% of the total gross floor area of the building will be used for non-residential purposes, and
  - (d) in the case of development for the purpose of a dwelling—the dwelling will be on the same lot of land as a non-residential use (including in the case of a lot in a strata plan or community title scheme).
- (4) This clause does not prevent development consent being granted under clause 6.11.

### **[3] Clause 6.16**

Insert after clause 6.15:

#### **6.16 Residential accommodation as part of mixed use development in certain business zones**

- (1) The objective of this clause is to provide for limited residential development in certain business zones and to ensure an appropriate proportion of residential accommodation as part of mixed use developments on that land.
- (2) This clause applies to the following land:
  - (a) land identified as “E”, “F”, “G” and “H” on the Key Sites Map,
  - (b) land at 76 Wilford Street, Newtown, being Lot 1, DP 617685.
- (3) Despite any other provision of this Plan, development consent for the purposes of residential accommodation is permitted with consent on land to which this clause applies, but only as part of a mixed use development.
- (4) Development consent must not be granted to development for the purpose of residential accommodation on land to which this clause applies unless the consent authority is satisfied that:
  - (a) no part of the ground floor of the building that fronts a street will be used for residential purposes (excluding access, car parking and waste storage), and
  - (b) the percentage of the total gross floor area of the building that will be used for non-residential purposes is not less than the following:

- (i) 20% on land identified as “E” on the Key Sites Map,
- (ii) 40% on land identified as “F” or “G” on the Key Sites Map,
- (iii) 70% on land identified as “H” on the Key Sites Map,
- (iv) 30% on land at 76 Wilford Street, Newtown, being Lot 1, DP 617685.

**[4] Schedule 1 Additional permitted uses**

Omit clause 12.

**[5] Schedule 1, clause 15 (1)**

Omit “as shown coloured blue”.

Insert instead “shown coloured blue and identified as “G” and “H””.

**[6] Schedule 1, clause 15 (2)**

Omit the subclause. Insert instead:

- (2) Development for the following purposes is permitted with consent:
  - (a) on land identified as “G” on the Key Sites Map—bulky goods premises,
  - (b) on land identified as “H” on the Key Sites Map—retail premises.