



New South Wales

# **State Environmental Planning Policy Amendment (Telopea Precinct) 2018**

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP  
Minister for Planning

## State Environmental Planning Policy Amendment (Telopea Precinct) 2018

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Telopea Precinct) 2018*.

### 2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

### 3 Maps

The maps adopted by *Parramatta Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Policy.

### 4 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

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

**[1]    Clause 4.6 Exceptions to development standards**

Insert after clause 4.6 (8) (ca):

- (cb)    clause 8.1 or 8.2.

**[2]    Clause 6.12 Design excellence**

Insert “and “Telopea Precinct” ” after “Parramatta North Urban Renewal Area” ” in clause 6.12 (2).

**[3]    Clause 6.12 (5)**

Omit “this Plan”. Insert instead “this clause”.

**[4]    Clause 6.12 (8)**

Omit the definition of *Parramatta Development Control Plan*. Insert instead:

*Parramatta Development Control Plan* means the Parramatta Development Control Plan, as in force at the commencement of *State Environmental Planning Policy Amendment (Telopea Precinct) 2018*.

**[5]    Part 6 Additional local provisions—generally**

Insert at the end of the Part, with appropriate clause numbering:

**Height of buildings for certain land in Telopea Precinct**

- (1) The consent authority may, despite clause 4.3, grant consent to development for the purposes of a building on land shown edged heavy blue and identified as “Area A” on the Height of Buildings Map with a maximum height as follows, but only if the development has a site area of at least 3,000 square metres and includes a footpath or road, at least 8 metres wide, between Benaud Place and Evans Road, Telopea:
  - (a) 34 metres—if the site area of the development is 6,000 square metres or less,
  - (b) 40 metres—in any other case.
- (2) Despite clause 4.3, the maximum height for a building on land shown edged heavy blue and identified as “Area B” on the Height of Buildings Map may exceed the maximum height identified for that land on the Height of Buildings Map by 5 metres, but only if the consent authority is satisfied that the building will have retail premises, business premises or community facilities on any ground level.
- (3) Despite clause 4.3, the maximum height for a building on land identified as “Telopea Precinct” on the Key Sites Map may exceed the maximum building height identified for that land on the Height of Buildings Map, but only if the consent authority is satisfied that:
  - (a) the building is in Zone B4 Mixed Use or Zone R4 High Density Residential, and
  - (b) any additional height that exceeds the maximum will be used for or in relation to an open roof-top, and
  - (c) there will be no additional overshadowing.

- (4) In this clause:  
*open roof-top* means an area used for the purpose of recreation by building tenants, including communal amenities and gardens.

**Floor space ratio for certain land in Telopea Precinct**

- (1) The consent authority may, despite clause 4.4, grant consent to development for the purposes of a building on land shown edged heavy blue and identified as “Area A” on the Floor Space Ratio Map with a maximum floor space ratio as follows, but only if the development has a site area of at least 3,000 square metres and includes a footpath or road, at least 8 metres wide, between Benaud Place and Evans Road, Telopea:
- (a) 2.4:1—if the site area of the development is 6,000 square metres or less,
  - (b) 3:1—in any other case.
- (2) Despite clause 4.4 (2), the maximum floor space ratio for a building on land shown edged heavy blue and identified as “Area B” on the Floor Space Ratio Map may exceed the floor space ratio shown for the land on the Floor Space Ratio Map, but only if the consent authority is satisfied that the additional floor space will be used for community facilities.
- (3) Despite clause 4.4 (2), the floor space ratio for a building on land shown edged heavy pink and identified as “Area C” on the Floor Space Ratio Map is not to exceed 2:1 if the site area is at least 2,000 square metres.

**Development requiring the preparation of a development control plan**

- (1) The objective of this clause is to ensure that development on certain land occurs in accordance with a site-specific development control plan.
- (2) This clause applies to development on land identified as “Telopea Precinct” on the Key Sites Map.
- (3) The development control plan must provide for all of the following:
- (a) design principles drawn from an analysis of the site and its context,
  - (b) heritage conservation, including both Aboriginal and European heritage,
  - (c) encouragement of sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network and car parking provision, including integrated options to reduce car use,
  - (d) impact on, and improvements to, the public domain,
  - (e) identification and conservation of native flora and fauna habitat and habitat corridors on the site, including any threatened species, populations or ecological communities,
  - (f) application of the principles of ecologically sustainable development,
  - (g) identification, extent and management of watercourses, wetlands and riparian lands and any buffer areas,
  - (h) environmental constraints, including climate change, acid sulfate soils, flooding, contamination and remediation,
  - (i) opportunities to apply integrated natural water-cycle design and integrated renewable energy design.

[6] **Part 8**

Insert after Part 7:

## **Part 8 Intensive urban development areas**

### **8.1 Arrangements for designated State public infrastructure**

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land wholly or partly for residential purposes, to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2) Despite all other provisions of this Plan, development consent must not be granted for development for the purposes of residential accommodation (whether as part of a mixed use development or otherwise) in an intensive urban development area that results in an increase in the number of dwellings in that area, unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out.
- (3) This clause does not apply to a development application to carry out development on land in an intensive urban development area if all or any part of the land to which the application applies is a special contributions area (as defined by section 7.1 of the Act).
- (4) In this Part:  
*designated State public infrastructure* means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:
  - (a) State and regional roads,
  - (b) bus interchanges and bus lanes,
  - (c) land required for regional open space,
  - (d) social infrastructure and facilities (such as schools, hospitals, emergency services and justice purposes),
  - (e) light rail infrastructure.

*intensive urban development area* means the area of land identified as “Intensive Urban Development Area” on the Intensive Urban Development Area Map.

*Intensive Urban Development Area Map* means the Parramatta Local Environmental Plan 2011 Intensive Urban Development Area Map.

### **8.2 Public utility infrastructure**

- (1) Development consent must not be granted for development on land in an intensive urban development area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

- (3) In this clause:
- public utility infrastructure*, in relation to an intensive urban development area, includes infrastructure for any of the following:
- (a) the supply of water,
  - (b) the supply of electricity,
  - (c) the disposal and management of sewage.

### **8.3 Relationship between Part and remainder of Plan**

A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.