



New South Wales

Blacktown Local Environmental Plan 2015 (Amendment No 10)

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*.

CATHERINE VAN LAEREN

As delegate for the Minister for Planning and Public Spaces

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1 Name of Plan

This Plan is *Blacktown Local Environmental Plan 2015 (Amendment No 10)*.

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 to which *Blacktown Local Environmental Plan 2015* applies, including certain land in Mount Druitt.

4 Maps

The maps adopted by *Blacktown Local Environmental Plan 2015* 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 Blacktown Local Environmental Plan 2015

[1] Clause 4.3 Height of buildings

Insert after clause 4.3(2)—

Note. See clauses 4.3A, 4.3B and 7.7A for exceptions to the maximum height of buildings.

[2] Clause 7.7A

Insert after clause 7.7—

7.7A Height of buildings exhibiting design excellence in Mount Druitt CBD

- (1) The objective of this clause is to encourage commercial and residential development in the Mount Druitt central business district that exhibits design excellence.
- (2) This clause applies to land identified on the Incentive Height of Buildings Map.
- (3) The consent authority may grant consent to development that results in a building on land to which this clause applies that has a height that exceeds that permitted by clause 4.3 if the consent authority is satisfied that—
 - (a) no part of the building will have a height that exceeds the maximum height shown for the land on the Incentive Height of Buildings Map, and
 - (b) the development exhibits design excellence.
- (4) Development consent must not be granted to development to which this clause applies unless—
 - (a) an architectural design competition has been held in relation to the development, and
 - (b) the design of the development is the winner of the architectural design competition, and
 - (c) the consent authority considers that the development exhibits design excellence.
- (5) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors,
 - (d) whether the development detrimentally impacts on any land protected by solar access controls established in the Blacktown Development Control Plan,
 - (e) the requirements of the Blacktown Development Control Plan,
 - (f) how the development addresses the following matters—
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,

- (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access and circulation requirements,
 - (x) the impact on, and any proposed improvements to, the public domain.
- (6) In this clause—
- architectural design competition*** means a competitive process conducted in accordance with the Design Excellence Guidelines.
- Blacktown Development Control Plan*** means the *Blacktown Development Control Plan 2006*, as in force on the commencement of this Plan.
- Design Excellence Guidelines*** means the Design Excellence Guidelines issued by the Planning Secretary, as amended from time to time.

[3] Dictionary

Insert in alphabetical order—

Incentive Height of Buildings Map means the Blacktown Local Environmental Plan 2015 Incentive Height of Buildings Map.