



New South Wales

# **Parramatta Local Environmental Plan 2011 (Amendment No 57)**

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*.

**CHRISTINE GOUGH**

As delegate for the Minister for Planning and Public Space

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### **1 Name of Plan**

This Plan is *Parramatta Local Environmental Plan 2011 (Amendment No 57)*.

### **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 at 33–43 Marion Street, Parramatta, being Lots 10–13, DP 976, Lot 14, DP 182289, Lot A, DP 349279 and Lot 1, DP 747666.

### **4 Maps**

The maps adopted by *Parramatta Local Environmental Plan 2011* 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 Parramatta Local Environmental Plan 2011

### [1] Part 7 Additional local provisions—Parramatta City Centre

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

#### Development on land at 33–43 Marion Street, Parramatta

- (1) The objectives of this clause are as follows—
  - (a) to encourage high performing building design, namely built form, services and layout of residential flat buildings and mixed use development in the Parramatta City Centre that minimises the consumption of energy and water,
  - (b) to provide increased amenity to occupants over the long term,
  - (c) to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height and amenity,
  - (d) to ensure high performing building measures reflect new technologies and commercial viability.
- (2) This clause applies to the erection of a new building to be used for the purposes of a residential flat building or mixed use development on land identified as “Area 15” on the Key Sites Map if—
  - (a) the lot on which the building will be sited is at least 24 metres wide at the front building line, and
  - (b) the site area of the development is at least 1,800 square metres.
- (3) Despite clause 4.4, development consent may be granted for development to which this clause applies if the building exceeds the maximum permissible floor space ratio by up to 5% of the maximum permissible floor space ratio, but only if the consent authority is satisfied that—
  - (a) the additional floor space will be used for the purposes of residential accommodation, and
  - (b) the development will not adversely impact on neighbouring land in terms of visual bulk or overshadowing.
- (4) Development consent must not be granted under this clause unless the consent authority is satisfied that—
  - (a) the part of a building that is a dwelling, whether or not as part of a residential flat building or mixed use development, exceeds the BASIX water target score for the building by a minimum 15-point increase, and
  - (b) the part of a building that is a dwelling, whether or not as part of a residential flat building or mixed use development, exceeds the BASIX energy target score for the building by at least the amount specified in the Table to this subclause for a building of that kind.

**Table Minimum increase in BASIX energy target score**

Height of building, expressed as number of storeys	Building with FSR of at least 6:1, but less than 14:1	Building with FSR of at least 14:1
5–15 storeys	25	15
16–30 storeys	20	10
31–40 storeys	10	10

Height of building, expressed as number of storeys	Building with FSR of at least 6:1, but less than 14:1	Building with FSR of at least 14:1
41 or more storeys	10	10

- (5) In this clause—
- BASIX energy target score** means the energy target score set out in a BASIX certificate, within the meaning of the *Environmental Planning and Assessment Regulation 2000*.
- BASIX water target score** means the water target score set out in a BASIX certificate, within the meaning of the *Environmental Planning and Assessment Regulation 2000*.
- maximum permissible floor space ratio** means the maximum floor space ratio permitted for the building as a result of the floor space ratio shown for the land on the Floor Space Ratio Map.
- mixed use development** means a building or place comprising commercial premises and dwellings.

#### **Car parking on land at 33–43 Marion Street, Parramatta**

- (1) The objectives of this clause are as follows—
- to identify the maximum number of car parking spaces that may be provided to service particular uses of land,
  - to minimise the amount of vehicular traffic generated because of proposed development.
- (2) This clause applies to land identified as “Area 15” on the Key Sites Map.
- (3) Despite clause 7.3, development consent must not be granted to development on land to which this clause applies that includes car parking spaces in connection with a proposed use of land if the total number of car parking spaces, including existing car parking spaces, provided on the site would be greater than the maximum set out in this clause.
- (4) If the consent authority is satisfied that there are car parking spaces in excess of the requirements of the occupiers of an existing building, the consent authority may grant development consent to the use of those car parking spaces by persons other than the occupiers of the building.
- (5) If the maximum number of car parking spaces under this clause is not a whole number, the number is to be rounded to the nearest whole number.
- (6) More than one provision of this clause may apply in the case of a mixed use development and in such a case—
- the maximum number of car parking spaces is the sum of the number of spaces permitted under each of those provisions, and
  - a reference in those provisions to a building is taken to be a reference to the parts of the building in which the relevant use occurs.
- (7) **Business premises and office premises**
- The maximum number of car parking spaces for a building used for the purposes of business premises or office premises is as follows—
- if the building has a floor space ratio of no more than 3.5:1—1 space for each 175 square metres of gross floor area of the building used for those purposes,

- (b) if the building has a floor space ratio greater than 3.5:1, the following formula is to be used—

$$M = (G \times A) \div (50 \times T)$$

where—

*M* is the maximum number of parking spaces, and

*G* is the gross floor area of all office premises and business premises in the building in square metres, and

*A* is the site area in square metres, and

*T* is the total gross floor area of all buildings on the site in square metres.

(8) **Centre-based child care facilities**

The maximum number of car parking spaces for a building used for the purposes of a centre-based child care facility is 1 space plus 1 space for every 100 square metres of the gross floor area of the building used for those purposes.

(9) **Dwelling houses, attached dwellings and semi-detached dwellings**

The maximum number of car parking spaces for dwelling houses, attached dwellings and semi-detached dwellings is 1 space for each dwelling.

(10) **Health consulting rooms and medical centres**

The maximum number of car parking spaces for a building used for the purposes of health consulting rooms or medical centres is 2 spaces for every consulting room.

(11) **Hotel or motel accommodation and serviced apartments**

The maximum number of car parking spaces for a building used for the purposes of hotel or motel accommodation or serviced apartments is—

- (a) if the building contains up to 100 bedrooms—1 space for every 4 bedrooms, and
- (b) if the building contains more than 100 bedrooms—1 space for every 5 bedrooms.

(12) **Information and education facilities**

The maximum number of car parking spaces for a building used for the purposes of information and education facilities is 1 space for every 200 square metres of the gross floor area of the building used for those purposes.

(13) **Light industries**

The maximum number of car parking spaces for a building used for the purposes of light industries is 1 space for every 150 square metres of the gross floor area of the building used for those purposes.

(14) **Places of public worship and entertainment facilities**

The maximum number of car parking spaces for a building used for the purposes of a place of public worship or an entertainment facility is whichever of the following provides the greater number of spaces—

- (a) 1 space for every 10 seats, or
- (b) 1 space for every 30 square metres of the gross floor area of the building used for those purposes.

(15) **Residential flat buildings, dual occupancies and multi dwelling housing**

The maximum number of car parking spaces for residential flat buildings, dual occupancies and multi dwelling housing is as follows—

- (a) for each studio dwelling—0.1 spaces,
- (b) for each 1 bedroom dwelling—0.3 spaces,
- (c) for each 2 bedroom dwelling—0.7 spaces,
- (d) for each 3 or more bedroom dwelling—1 space.

(16) **Retail premises**

The maximum number of car parking spaces for a building used for the purposes of retail premises is as follows—

- (a) if the building has a floor space ratio of no more than 3.5:1—1 space for each 90 square metres of gross floor area of the building used for those purposes,
- (b) if the building has a floor space ratio greater than 3.5:1, the following formula is to be used—

$$M = (G \times A) \div (50 \times T)$$

where—

*M* is the maximum number of parking spaces, and

*G* is the gross floor area of all retail premises in the building in square metres, and

*A* is the site area in square metres, and

*T* is the total gross floor area of all buildings on the site in square metres.

(17) In this clause—

***car parking space*** means a space intended to be used for the parking of cars that is ancillary to another land use on the site, but does not include the following—

- (a) a place primarily used for the purpose of washing vehicles,
- (b) a place primarily used for the purpose of loading or unloading of goods,
- (c) a place primarily used for the purpose of storing bicycles or motorcycles,
- (d) a car parking space in a car park,
- (e) a car parking space for the exclusive use of vehicles belonging to a car share scheme.

***car share scheme*** means a scheme in which a body corporate, an unincorporated body or a public authority owns or manages and maintains vehicles for shared or communal use and hires those vehicles exclusively to members of the scheme for occasional use for short periods of time, on demand and on a pay-as-you go basis.

[2] **Schedule 5 Environmental heritage**

Omit the matter relating to item I731 from Part 1.