



New South Wales

Parramatta Local Environmental Plan 2011 (Amendment No 59)

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

Parramatta Local Environmental Plan 2011 (Amendment No 59)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Parramatta Local Environmental Plan 2011 (Amendment No 59)*.

2 Commencement

- (1) This Plan commences on 30 December 2022, except as provided by subclause (2), and is required to be published on the NSW legislation website.
- (2) Schedule 2 commences on 30 June 2023.

3 Land to which Plan applies

This Plan applies to certain land in Melrose Park and Ermington known as the Melrose Park Precinct.

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—commencing 30 December 2022

[1] Clause 5.1 Relevant acquisition authority

Insert in appropriate order in clause 5.1(2), table—

Zone SP2 Infrastructure and marked “Educational establishment”	Department of Education
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[2] Part 9

Insert after Part 8—

Part 9 Additional local provisions—Melrose Park Precinct

9.1 Definitions

In this Part—

Area 1 means the part of Melrose Park North identified as “Area 1” on the Key Sites Map.

Melrose Park North means the part of the Melrose Park Precinct identified as “Melrose Park North” on the Key Sites Map.

Melrose Park Precinct means the land identified as “Melrose Park Precinct” on the Key Sites Map.

9.2 Gross floor area for residential and non-residential purposes

- (1) Development for the purposes of residential flat buildings is permitted with development consent on land in Zone B2 in Area 1.
- (2) Development consent must not be granted to development for the purposes of residential flat buildings on land in Zone B2 in Area 1 unless the consent authority is satisfied at least 30,000m² of the gross floor area of all the buildings on land in Zone B2 in Area 1 will be used for non-residential purposes.
- (3) Development consent must not be granted to development for the purposes of residential accommodation in Area 1 unless the consent authority is satisfied the gross floor area of all the buildings in Area 1 that will be used for residential accommodation does not exceed 434,023m².

9.3 Design excellence

- (1) This clause applies to development involving the erection of a new building or external alterations to an existing building in Melrose Park North.
- (2) Development consent must not be granted to development to which this clause applies unless—
 - (a) a design excellence panel has reviewed the development, and
 - (b) if the development is on land identified as “MPD” on the Additional Local Provisions Map—an architectural design competition has been held, and
 - (c) the consent authority is satisfied the development exhibits design excellence, considering the matters specified in clause 9.4.
- (3) In deciding whether to grant development consent, the consent authority must consider—

- (a) the findings of the design excellence panel, and
 - (b) if the development is on land identified as “MPD” on the Additional Local Provisions Map—the results of the architectural design competition.
- (4) Subclauses (2)(b) and (3)(b) do not apply if the consent authority certifies in writing that an architectural design competition is not required for the development.
- (5) In this clause—
design excellence panel means a panel consisting of 2 or more persons established by the consent authority for the purposes of this clause.

9.4 Consideration of design excellence

In deciding whether development exhibits design excellence for the purposes of clause 9.3, the consent authority must consider the following—

- (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) how the development addresses the following matters—
 - (i) the suitability of the land for development,
 - (ii) the existing and proposed uses and use mix,
 - (iii) any heritage and archaeological issues and streetscape constraints or opportunities,
 - (iv) the location of any proposed tower, considering the need for the proposed tower to have an acceptable relationship with other existing or proposed towers on the same site or neighbouring sites, in relation to separation, setbacks, amenity and urban form,
 - (v) the bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
 - (x) the integration of basement car parking into the landscape, without detrimental impacts on the streetscape,
 - (xi) the impact on, and any proposed improvements to, the public domain,
 - (xii) the impact on any special character area,
 - (xiii) achieving appropriate interfaces at ground level between the building and the public domain,
 - (xiv) excellence and integration of landscape design.

9.5 Concurrence of Planning Secretary

- (1) Development consent must not be granted to development in Melrose Park North unless the consent authority has obtained the concurrence of the Planning Secretary.
- (2) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
 - (a) the impact of the development on—
 - (i) designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (b) the cumulative impact of the development with other development that has, or is likely to be, carried out in surrounding areas on—
 - (i) existing designated State public infrastructure, and
 - (ii) the need for additional designated State public infrastructure,
 - (c) the steps taken to address the impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.
- (3) In deciding whether to grant concurrence, the Planning Secretary must also consult the public authorities that the Planning Secretary considers relevant to the development.
- (4) In deciding whether to grant concurrence for development for the purposes of residential accommodation in Area 1 that will result in more than 11,000 dwellings in the Melrose Park Precinct, the Planning Secretary must also consider the nature, scale and location of the development in relation to the existing and proposed road and public transport infrastructure in the area.
- (5) This clause does not apply to development if all or part of the land on which the development is to be carried out is in a special contributions area to which a determination under the Act, section 7.23 applies.
- (6) In this clause—

designated State public infrastructure means public facilities or services of the following kinds, provided or financed by the State or, if provided or financed by the private sector, to the extent of the financial or in-kind contribution by the State—

 - (a) State and regional roads,
 - (b) bus interchanges and bus lanes,
 - (c) light rail infrastructure,
 - (d) regional open spaces,
 - (e) social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.

Schedule 2 Amendment of Parramatta Local Environmental Plan 2011—commencing 30 June 2023

[1] Clause 9.1 Definitions

Omit the definition of *Area 1*.

[2] Clause 9.2 Gross floor area for residential and non-residential purposes

Insert after 9.2(3)—

- (4) Development consent must not be granted to development for the purposes of residential accommodation in Area 2 unless the consent authority is satisfied the gross floor area of all the buildings in Area 2 that will be used for residential accommodation does not exceed 32,880m².
- (5) Development consent must not be granted to development for the purposes of residential accommodation in Area 3 unless the consent authority is satisfied the gross floor area of all the buildings in Area 3 that will be used for residential accommodation does not exceed 14,437m².
- (6) In this clause—
 - Area 1* means the part of Melrose Park North identified as “Area 1” on the Key Sites Map.
 - Area 2* means the part of Melrose Park North identified as “Area 2” on the Key Sites Map.
 - Area 3* means the part of Melrose Park North identified as “Area 3” on the Key Sites Map.

[3] Clause 9.5 Concurrence of Planning Secretary

Omit “in Area 1” from clause 9.5(4).