



New South Wales

# **Marrickville Local Environmental Plan 2011 (Amendment No 18)**

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*.

**BRETT WHITWORTH**

As delegate for the Minister for Planning and Public Spaces

## **Marrickville Local Environmental Plan 2011 (Amendment No 18)**

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### **1 Name of Plan**

This Plan is *Marrickville Local Environmental Plan 2011 (Amendment No 18)*.

### **2 Commencement**

This Plan commences on 16 July 2020 and is required to be published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to the following land at St Peters—

- (a) 50–52 Edith Street (Lot 1, DP 745657 and Lot 1, DP 745014),
- (b) 67 and 73–83 Mary Street (Lot 1, DP 180958 and Lot 1, DP 556914),
- (c) 43 Roberts Street (Lot 1, DP 87885 and Lot A, DP 331215).

### **4 Maps**

The maps adopted by *Marrickville 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 Marrickville Local Environmental Plan 2011

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

Insert after clause 4.6(8)(ca)—

- (cb) clause 6.21(4).

### [2] Clause 6.21

Insert at the end of Part 6—

#### 6.21 50–52 Edith Street, 67 and 73–83 Mary Street and 43 Roberts Street, St Peters

- (1) The objectives of this clause are as follows—
  - (a) to ensure the ongoing provision of employment and service opportunities on the subject land,
  - (b) to ensure that development on the subject land will not have a detrimental impact on the amenity, character and environmental quality of the surrounding area.
- (2) This clause applies to the following land at St Peters (the *subject land*)—
  - (a) 50–52 Edith Street (Lot 1, DP 745657 and Lot 1, DP 745014),
  - (b) 67 and 73–83 Mary Street (Lot 1, DP 180958 and Lot 1, DP 556914),
  - (c) 43 Roberts Street (Lot 1, DP 87885 and Lot A, DP 331215).
- (3) Development consent must not be granted to development that results in more than 50% of the gross floor area of all buildings on the subject land being used for the following purposes—
  - (a) home businesses,
  - (b) home industries,
  - (c) home occupations,
  - (d) residential accommodation,
  - (e) tourist and visitor accommodation.
- (4) Development consent may be granted to development that results in a building on part of the subject land exceeding the maximum height shown for that part on the Height of Buildings Map if—
  - (a) the development is within 1 metre of a part of the subject land that is subject, under clause 4.3, to a greater maximum building height, and
  - (b) the development does not result in that greater maximum building height being exceeded, and
  - (c) the development does not result in any unreasonable massing or amenity impacts to the surrounding area.
- (5) Development consent must not be granted to development on the subject land unless—
  - (a) a development control plan that provides for the matters specified in subclause (6) has been prepared for or applies to the land, or
  - (b) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated.
- (6) 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) buildings to be retained in, and incorporated into, any future mixed use development,
- (c) distribution of land uses, including open space (its function and landscaping),
- (d) building envelopes and built form controls, including specified building storeys, and bulk, massing and modulation of buildings,
- (e) housing mixes, including affordable and adaptable housing,
- (f) vehicle access arrangements,
- (g) encouraging sustainable transport, including increased use of public transport, walking and cycling, and appropriate car parking provision,
- (h) improvements to the public domain,
- (i) the application of the principles of ecologically sustainable development,
- (j) environmental impacts such as overshadowing and solar access and visual and acoustic privacy,
- (k) the mitigation of aircraft noise (including through building design and the use of appropriate building materials).

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

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

**Use of certain land at 50–52 Edith Street, 67 and 73–83 Mary Street and 43 Roberts Street, St Peters**

- (1) This clause applies to land to which clause 6.21 of this Plan applies.
- (2) Development for the purpose of a residential flat building is permitted with development consent, but only as part of a mixed use development.