

Attachment D: Cabramatta Town Centre LEP Clause Amendments

(Extract from Stage 2 Planning Proposal)

Proposed Amended Clause (7.2)

This existing clause 7.2 (Cabramatta – floor space ratio) is proposed to be amended as follows:

7.2 Cabramatta—floor space ratio

- (1) This clause has effect despite clause 4.4.
- (2) The floor space ratio of a building on land identified as “Cabramatta” on the Town Centre Precinct Map must not exceed 2:1 unless the site area of the building is to be at least the minimum site area shown for the land on the Minimum Site Area Map.
- (3) **Despite subclause (2),** the maximum floor space ratio for a building on land identified as “Cabramatta—Area A” on the Town Centre Precinct Map is—
 - (a) if the building is not used for the purpose of residential accommodation—1.5:1, or
 - (b) if less than 10% of the floor space is used for the purpose of residential accommodation—2:1, or
 - (c) if 10% to 50% of the floor space is used for the purpose of residential accommodation—2.2:1, **or**
 - (d) **if more than 50% of the floor space is used for the purpose of the residential accommodation—FSR identified on the floor space ratio map applies**
- ~~(4) The maximum floor space ratio for a building on land identified as “Cabramatta—Area B” on the Town Centre Precinct Map is—~~
 - ~~(a) if the building is not used for the purpose of residential accommodation—1.5:1, or~~
 - ~~(b) if less than 10% of the floor space is used for the purpose of residential accommodation—1.6:1, or~~
 - ~~(c) if 10% to 50% of the floor space is used for the purpose of residential accommodation—1.7:1.~~
- (5) **Despite subclause (2),** the maximum floor space ratio for a building on land identified as “Cabramatta—Area ~~C~~ B” on the Town Centre Precinct Map is—
 - (a) if the building is not used for the purpose of residential accommodation—2:1, or
 - (b) if less than 10% of the floor space is used for the purpose of residential accommodation—2:1, or
 - (c) if 10% to 50% of the floor space is used for the purpose of residential accommodation—2.2:1, **or**
 - (d) **if more than 50% of the floor space is used for the purpose of the residential accommodation—FSR identified on the floor space ratio map applies**
- (6) **Despite subclause (2),** the maximum floor space ratio of any air space development on land identified as “~~Cabramatta—East~~ **Area C**” on the Town Centre Precinct Map that enhances pedestrian connectivity across the railway line is—

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- (a) if at least 30% of the floor space is used for the purpose of residential accommodation—4:1, or
 - (b) in any other case—2.5:1.
- (7) In this clause, ***air space development*** includes development of the air space above the railway line for commercial, entertainment, retail, residential, tourist and visitor accommodation, parking and related purposes.

Associated Map Changes

To reflect the changes in the amended Clause 7.2, map amendments are required on Town Centre Precinct map (**Refer to: Attachment D Cabramatta Town Centre LEP Map Amendments**). The changes involve deleting “Area B” on the Town Centre Precinct Map. There are also other minor map amendments relating to “Area A” and “Area Cabramatta Town Centre East” to rename and to amend where the areas apply.

Proposed Amended Clause (7.3)

This existing clause 7.3 (Cabramatta – height of building) is proposed to be amended as follows:

7.3 Cabramatta—height of buildings

- (1) The objective of this clause is to allow development to be built to the maximum permissible building height only if certain development standards are met.
- (2) This clause has effect despite clause 4.3.
- (3) The height of a building on land identified as “Cabramatta” on the Town Centre Precinct Map must not exceed 14 metres unless the site area of the building is to be at least the minimum site area shown for the land on the Minimum Site Area Map.
- (4) The height of a building on land identified as “Cabramatta—Area A” on the Town Centre Precinct Map must not exceed 10 metres unless at least 50% of the building will be used for a residential purpose.
- ~~(5) The height of a building on land identified as “Cabramatta—Area B” on the Town Centre Precinct Map must not exceed 8.5 metres unless the building will include development for the purpose of shop top housing.~~
- ~~(6) The height of a building on land identified as “Cabramatta—Area D” on the Town Centre Precinct Map must not exceed 10 metres unless the part of the building that exceeds a height of 10 metres is used for the purpose of public car parking.~~
- (7) Despite subclause (3 ~~4~~), the maximum height of any air space development over the railway line on land identified as “Cabramatta—East **Area C**” on the Town Centre Precinct Map that enhances pedestrian connectivity across the railway line is ~~25~~ **26** metres from the level of the existing railway track.

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- (8) In this clause, ***air space development*** includes development of the air space above the railway line for commercial, entertainment, retail, residential, tourist and visitor accommodation, parking and related purposes.

Associated Map Changes

To reflect the changes in the amended Clause 7.3, map amendments are required on Town Centre Precinct map (**Refer to: Attachment D Cabramatta Town Centre LEP Map Amendments**). The changes involve deleting “Area B” and “Area D” on the Town Centre Precinct Map. There are also other minor map amendments relating to “Area A” and “Area Cabramatta Town Centre East” to rename and to amend where the areas apply.

IMPORTANT NOTE:

The draft proposed clauses in this Planning Proposal are indicative only, final drafting will be subject review by the NSW Parliamentary Counsel’s Office and may be altered under this process.