



New South Wales

# Sydney Regional Environmental Plan No 28—Parramatta

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*. (P98/00164/PC)

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Sydney, 4 August 1999

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## **1999 No 444**

Clause 1            Sydney Regional Environmental Plan No 28—Parramatta

Part 1              Preliminary

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# **Sydney Regional Environmental Plan No 28—Parramatta**

## **Part 1 Preliminary**

### **1 Name of this Plan**

This Plan is *Sydney Regional Environmental Plan No 28—Parramatta*.

### **2 Land covered by this Plan**

This Plan applies to the land known as the Parramatta Primary Centre, as shown on the Primary Centre and Precincts Map. That land is predominantly within the City of Parramatta and partly within the City of Holroyd.

### **3 Precincts created by this Plan**

This Plan creates six Precincts within the Parramatta Primary Centre. The Precincts are shown on the Primary Centre and Precincts Map.

The Precincts are:

Precinct 1—City Centre

Precinct 2—Harris Park

Precinct 3—Government

Precinct 4—Westmead

Precinct 5—Rydalmere

Precinct 6—Camellia

### **4 Objectives of this Plan**

(1) The objectives of this Plan are:

- (a) to establish regional planning aims for the Parramatta Primary Centre, and
- (b) to recognise the unique and varied nature of each Precinct.

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- (2) A separate Part of this Plan provides, for each Precinct:
- (a) aims for development and detailed development controls in:
    - Part 3 for Precinct 1—City Centre,
    - Part 5 for Precinct 3—Government, and
  - (b) aims for development in:
    - Part 4 for Precinct 2—Harris Park,
    - Part 6 for Precinct 4—Westmead,
    - Part 7 for Precinct 5—Rydalmere,
    - Part 8 for Precinct 6—Camellia.

## **5 Relationship of this Plan to other environmental planning instruments**

- (1) The following do not apply to land within the City Centre or Government Precinct:

*Parramatta Planning Scheme Ordinance*

*Parramatta Local Environmental Plan 1989 (City Centre)*

- (2) The following does not apply to land within the City Centre, Harris Park or Government Precinct:

*Parramatta Local Environmental Plan 1996 (Heritage and Conservation).*

- (3) This Plan repeals *Interim Development Order No 1—City of Parramatta*.

- (4) This Plan amends the following instruments as set out in Schedule 7:

*Holroyd Local Environmental Plan 1991*

*Parramatta Planning Scheme Ordinance*

*Parramatta Local Environmental Plan 1989 (City Centre)*

*Parramatta Local Environmental Plan 1990 (Toongabbie Ward)*

*Parramatta Local Environmental Plan No 196*

*Parramatta Local Environmental Plan 1996 (Heritage and Conservation)*

*State Environmental Planning Policy No 4—Development Without Consent*

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Part 1              Preliminary

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- (5) If there is an inconsistency between this Plan and any other environmental planning instrument made before the appointed day, this Plan prevails.
- (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to height requirements for buildings within the City Centre or Harris Park Precinct.

### **6 Strategic direction**

Any draft local environmental plan that applies to land within the Parramatta Primary Centre should facilitate the strategies and the structure plans outlined in the *Parramatta Regional Planning Strategy, 1999* and the *Parramatta Regional Access Strategy, 1999* (which are available from Parramatta City Council, Holroyd City Council and the Department).

### **7 Consent authority**

- (1) Parramatta City Council is the consent authority for any development applications required by this Plan for development within the City of Parramatta.
- (2) Holroyd City Council is the consent authority for any development applications required by this Plan for development within the City of Holroyd.
- (3) This clause is subject to the Act.

### **8 Definitions**

- (1) Expressions used in this Plan and defined in the Dictionary in Schedule 1 have the meanings set out in the Dictionary.
- (2) The list of contents of this Plan and notes in this Plan are not part of this Plan.

### **9 Adoption of Model Provisions**

- (1) This Plan adopts clauses 5, 7, 9–14, 18, 22, 24, 30, 31 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.
- (2) For the purposes of adopting those provisions, references in those provisions to the local environmental plan adopting them are to be read as references to this Plan.



- (3) This clause applies only to land within Precinct 1—City Centre, Precinct 2—Harris Park and Precinct 3—Government.

## 10 Master plans

### (1) Master plans

This clause applies to land described in Schedule 2.

For the purposes of this clause, the *appropriate authority* with responsibility for adopting a master plan is:

- (a) the Council concerned, for land in the area of that Council described in Part 1 of Schedule 2, and
- (b) the Director, for any land described in Part 2 of Schedule 2.

### (2) Requirement for a master plan

Consent must not be granted for development on land to which this clause applies unless the consent authority has taken the master plan for the land into consideration.

However, the prospective consent authority may waive compliance with this subclause if the Council concerned or the Director, as the case may be, considers that the development is of a minor nature, and that other guidelines that apply to the proposed development are adequate.

### (3) Nature of master plans

A master plan for the purposes of this Plan is a document consisting of written information, maps and diagrams which:

- (a) outlines detailed provisions relating to development of land to which the master plan applies, and
- (b) explains how the planning aims, and the precinct, zone and special area objectives in this Plan are applied.

### (4) Preparation of master plans

A draft master plan may be prepared by, or on behalf of, the owner or lessee of the land concerned, the Council concerned or the Director.

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Clause 10 Sydney Regional Environmental Plan No 28—Parramatta

Part 1 Preliminary

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### **(5) Content of master plans**

A draft master plan that is not prepared by the appropriate authority is to be prepared following consultation with the appropriate authority and is to illustrate and explain, where the appropriate authority so requires, proposals for the following:

- (a) phasing of development,
- (b) urban design considerations, including principles drawn from an analysis of the site and its context, density, height controls, building envelopes, identified views, privacy and security,
- (c) distribution of major land uses, including public access and open space,
- (d) environmental considerations, including noise attenuation, flood mitigation, water and soil management, remediation of contaminated land, solar access, energy efficiency, and management of significant native flora and fauna habitat,
- (e) access considerations, including public transport, pedestrian, cycle and road access and circulation networks, including local traffic impact and parking,
- (f) patterns of subdivision or site amalgamation,
- (g) infrastructure provision and funding,
- (h) site landscaping,
- (i) heritage considerations, including conservation and protection of heritage items, heritage conservation areas, identified historic views and archaeological relics (including the preparation of conservation plans),
- (j) provision of public facilities,
- (k) any other matter required by the appropriate authority.

### **(6) Master plan steering committee**

The appropriate authority may form a master plan steering committee:

- (a) to assist in the preparation of a draft master plan, or

(b) to advise on or review a master plan or a draft master plan.

The members of the master plan steering committee may consist of employees of the Council concerned, officers or employees of the Department of Urban Affairs and Planning, representatives of government authorities, agencies or service providers, or owners or lessees of land the subject of the draft master plan or master plan or representatives of any such owner or lessee.

**(7) Adoption of master plans**

- (a) A draft master plan must be submitted to the appropriate authority for adoption.
- (b) If the Council concerned has rejected, or has not adopted, a draft master plan in relation to land described in Part 1 of Schedule 2 within 6 months after the date on which the draft master plan was submitted to it for adoption, the Director may adopt the draft master plan. In this case, the Director must seek the views of the relevant Council concerning the draft master plan before the Director adopts it.
- (c) A draft master plan becomes a master plan if it is adopted by the appropriate authority.
- (d) When a master plan is adopted, the appropriate authority must:
  - (i) notify the owner or lessee of the land concerned, and any organisation or individual that made a submission to the appropriate authority about it, and
  - (ii) advertise the adoption of the master plan in a newspaper circulating in the locality.

**(8) Consultation**

- (a) A draft master plan submitted to the appropriate authority for adoption must be advertised, and publicly exhibited for not less than 21 days, for public comment.
- (b) The appropriate authority (if a Council) must submit a copy of the draft master plan to the Director and to any other public authority or community organisation the appropriate authority considers is likely to be affected by development to which it relates for comment. If the appropriate authority is the Director, the draft master plan must be submitted to the Council concerned for comment.

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Clause 10 Sydney Regional Environmental Plan No 28—Parramatta

Part 1 Preliminary

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- (c) The appropriate authority must take into account any written submissions made about the content of the draft master plan during the exhibition period. Any comments made by the Director or the Council within 30 days of receipt of the draft must be taken into consideration prior to the draft master plan being adopted.

### (9) Amendment of master plans

- (a) A master plan may be amended by a master plan.
- (b) The appropriate authority may request the preparation of such an amendment for the purpose of keeping the master plan up to date.
- (c) An amendment to a master plan may be dealt with concurrently with a development application.

### (10) Availability of master plans

A copy of a master plan must be available for inspection at the offices of the Council concerned during normal business hours.

## 11 Savings and transitional provision

Local environmental plans and deemed environmental planning instruments apply to development applications lodged but not finally determined before the commencement of this Plan as if this Plan had been exhibited in the form in which it was made, but had not commenced.

## 12 Annual monitoring report

- (1) The council concerned must, as soon as practicable as may be after each anniversary of the appointed day, prepare an annual monitoring report for land to which this Plan applies within its area.

The aims of an annual monitoring report are:

- (a) to report on achievement of the objectives of this Plan and the implementation of the *Parramatta Regional Action Plan, 1999*, and
- (b) to provide a management tool which indicates development trends, and
- (c) to identify changes required in response to development trends so that Parramatta fulfills its role as a primary centre within the Sydney Metropolitan Region.

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- (2) A monitoring report is to be made public and to monitor the following for the preceding year:
- (a) for the portion of the Parramatta Primary Centre within the area of the consent authority (if a Council):
    - (i) changes in use of different modes of transport,
    - (ii) changes in the level of public transport services,
    - (iii) nett number of parking spaces within the Parramatta Primary Centre,
    - (iv) improvements in the public domain,
    - (v) implementation of actions specified in the *Parramatta Regional Action Plan, 1999*,
    - (vi) draft local environmental plans and development control plans prepared by the consent authority, including a statement of their aims.
  - (b) for Precinct 1—City Centre, Precinct 2—Harris Park and Precinct 3—Government:
    - (i) floor space (in square metres) within the area of the consent authority (if a Council) used for each of the following land uses:
      - retail,
      - commercial,
      - residential, including affordable housing,
      - industrial, and
    - (ii) the condition of heritage items and any decisions of the consent authority (if a Council) which affect heritage items within its area.

## **1999 No 444**

Clause 13            Sydney Regional Environmental Plan No 28—Parramatta

Part 2                Primary Centre controls

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## **Part 2 Primary Centre controls**

### **13 Land covered by this Part**

This Part applies to all land within the Parramatta Primary Centre.

### **14 Planning aims for the Parramatta Primary Centre**

- (1) The regional planning aims in this Part apply to the whole Parramatta Primary Centre and provide a framework within which other development controls operate. These aims must be considered by the consent authority in assessing development applications and should be considered when a Council prepares a local environmental plan.
- (2) The aims of the Parramatta Primary Centre are as follows:
  - (a) to provide a planning framework for Parramatta to fulfil its role as a primary centre in the Sydney Metropolitan Region,
  - (b) to recognise the unique range of land uses in the Parramatta Primary Centre and foster interaction between the six Precincts (the City Centre, Harris Park, Government, Westmead, Rydalmere and Camellia Precincts) to encourage their mutual development, while concentrating major commercial development in the City Centre Precinct,
  - (c) to facilitate improvements to accessibility and urban design throughout the Parramatta Primary Centre, while preserving and promoting the heritage elements of the region,
  - (d) to consolidate, simplify and update the planning controls for the Parramatta Primary Centre to give effect to the *Parramatta Regional Planning Strategy, 1999* and other related strategies,
  - (e) to support growth in the Parramatta Primary Centre by improvements to public transport, in the form of an integrated regional transport system,
  - (f) to conserve and promote Parramatta's heritage as a framework for its identity, prosperity, livability and social development,
  - (g) to develop a strong, diverse and sustainable economy drawing on and expanding the unique economic base of the Parramatta Primary Centre,

- (h) to improve the quality of urban design and ensure the public domain is safe and attractive,
- (i) to ensure development contributes positively to the quality of life of existing and future residents, visitors and workers through the provision of housing, employment and a range of services,
- (j) to ensure ecologically sustainable development which produces positive gains in the quality of the ecological, social and economic environments, balancing present needs with the ability of future generations to meet their own needs. This includes adopting a precautionary principle to avoid uncalculated risk of environmental damage, and evaluating the full cost of decisions affecting the environment before making them,
- (k) to promote and retain different kinds of housing, including affordable housing which supports a socially and culturally diverse residential population,
- (l) to emphasise and interpret the role of the Parramatta River and its foreshore as an important natural focus and link through the Parramatta Primary Centre, recognising the symbolic and historic links between key heritage items and precincts created by this Plan.

## **1999 No 444**

Clause 15            Sydney Regional Environmental Plan No 28—Parramatta

Part 3                Precinct 1—City Centre Precinct

Division 1           Aims of Part 3

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## **Part 3 Precinct 1—City Centre Precinct**

### **Division 1        Aims of Part 3**

#### **15    Aims of Part 3**

The aims of this Part are as follows:

- (a) to enhance the Parramatta City Centre as a pre-eminent commercial, retail, community services and cultural tourism centre in the Greater Metropolitan Region,
- (b) to provide sufficient development capacity for the growth of Parramatta City Centre in its retail, residential and commercial functions,
- (c) to enhance access to Parramatta, particularly by public transport, walking and cycling,
- (d) to ensure development enhances, protects and capitalises on Parramatta's heritage, the river corridors, park systems, public spaces and special areas,
- (e) to protect the long-term commercial development potential of Parramatta City Centre.

### **Division 2        Zoning**

#### **16    Land use zones and explanation**

The following land use zones for land within the City Centre Precinct are shown on the City Centre Zoning Map:

- (a) City Core—very high density, high activity, commercial area, allowing a wide range of land uses, and residential development in selected areas,
- (b) Retail Core—primary retail zone allowing all uses, including commercial and residential uses above the ground floor,
- (c) City Edge—medium density mixed use zone, serving as a transitory zone between the core and nearby residential, open space and river foreshore areas,



- (d) Automotive Business—land identified to provide for automotive businesses and related uses, and also for future expansion of the Parramatta City Centre in the longer term,
- (e) Special Uses—recognition of certain key land held for special use by public authorities or community organisations,
- (f) Open Space—land identified for public open space, and for recreational and community facilities,
- (g) Transport—applies to existing and future uses related to transport and access, including road, rail and related transport services.

## 17 City Core zone

### (1) Objectives of the City Core zone

The objectives of the City Core zone are as follows:

- (a) to encourage Parramatta's role and growth as a focus within the Greater Metropolitan Region for finance, commerce, tourism, cultural activities, entertainment and government services,
- (b) to provide a consolidated commercial core to the Parramatta City Centre and concentrate commercial development around the Parramatta Railway Station,
- (c) to encourage and protect accessible city blocks by providing active frontages to streets and a network of pedestrian-friendly streets, lanes and arcades.

### (2) Development within the City Core zone

Development controls for the City Core zone are as follows:

- (a) Within the City Core zone, exempt development may be carried out without development consent.
- (b) Any other development may be carried out only with development consent.
- (c) Development at the ground floor street frontage of buildings may be carried out only for the purpose of amusement centres, child care centres, clubs, commercial premises that are frequented by customers, entertainment facilities, hotels, medical consulting rooms, motels, places of public worship, refreshment rooms, shops and access to uses on other levels.

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Clause 17 Sydney Regional Environmental Plan No 28—Parramatta

Part 3 Precinct 1—City Centre Precinct  
Division 2 Zoning

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- (d) Despite paragraphs (a) and (b), residential buildings, other than hotels and serviced apartments, are not allowed in the hatched area identified on the City Centre Zoning Map, for a period of two years from the appointed day.

### **18 Retail Core zone**

#### **(1) Objectives of the Retail Core zone**

The objectives of the Retail Core zone are as follows:

- (a) to maintain and enhance the Parramatta City Centre as a primary retail centre in the Greater Metropolitan Region,
- (b) to create and consolidate an identifiable central retail spine within the City of Parramatta,
- (c) to ensure retail uses interact with primary pedestrian routes and provide active frontages to streets,
- (d) to protect and encourage accessible city blocks by providing active frontages to streets, and a network of pedestrian-friendly streets, lanes and arcades.

#### **(2) Development within the Retail Core zone**

- (a) Within the Retail Core zone, exempt development may be carried out without development consent.
- (b) Any other development may be carried out only with development consent.
- (c) Development on the ground floor of the building within this zone may be carried out only for the purpose of shops, entertainment facilities, commercial premises frequented by customers or refreshment rooms.

### **19 City Edge zone**

#### **(1) Objectives of the City Edge zone**

The objectives of the City Edge zone are as follows:

- (a) to encourage a mixed use, medium density area that will provide a physical transition between the City Core and Retail Core zones and nearby lower density residential areas, and park and river foreshore areas,

- (b) to encourage an increase in the permanent residential population through new residential development or the conversion of existing buildings and to ensure the maintenance of a range of housing choice,
- (c) to encourage the provision of neighbourhood support services and facilities for the residential and working population,
- (d) to protect and encourage accessible city blocks by providing active frontages to streets and a network of pedestrian-friendly streets, lanes and arcades.

**(2) Development within the City Edge zone**

- (a) Within the City Edge zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - home activities.
- (b) Any other development may be carried out only with development consent.
- (c) Despite paragraphs (a) and (b), buildings are not allowed on land shown cross hatched on the City Centre Zoning Map.

**20 Automotive Business zone**

**(1) Objectives of the Automotive Business zone**

The objectives of the Automotive Business zone are as follows:

- (a) to provide for automotive businesses, trades and services to reinforce the existing functions of land within the zone,
- (b) to ensure that development is arranged and carried out in a way that does not intrude on the amenity of adjoining residential areas,
- (c) to maintain a low building density to retain the option of long-term centre expansion.

**(2) Development within the Automotive Business zone**

- (a) Within the Automotive Business zone, exempt development may be carried out without development consent.

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Clause 20 Sydney Regional Environmental Plan No 28—Parramatta

Part 3 Precinct 1—City Centre Precinct  
Division 2 Zoning

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- (b) Within the Automotive Business zone, development for the purpose of the following may be carried out, but only with development consent:
  - automotive uses; brothels; bus depots; car parking stations; child care centres; dwelling houses; finance and insurance agency offices; home activities; motels; places of public worship; refreshment rooms; shops primarily intended to serve people working in this zone; utility installations (other than gas holders or generating works).
- (c) Any other development is prohibited within the Automotive Business zone.

### 21 Special Uses zone

#### (1) Objectives of the Special Uses zone

The objectives of the Special Uses zone are as follows:

- (a) to facilitate appropriate development on land that is, or is proposed to be, used by public authorities, institutions or organisations to provide community facilities, services or utilities,
- (b) to allow other ancillary development that is incidental to the primary use specified on the map.

#### (2) Development within the Special Uses zone

- (a) Within the Special Uses zone, exempt development may be carried out without development consent.
- (b) Within the Special Uses zone, development for the purpose of the following may be carried out, but only with development consent:
  - the particular land use indicated by red lettering on the City Centre Zoning Map.
- (c) Any other development is prohibited within the Special Uses zone.

**22 Open Space zone****(1) Objectives of the Open Space zone**

The objectives of the Open Space zone are as follows:

- (a) to enable development of land for the purpose of open space and recreation and to facilitate continued provision or enhancement of parks, community facilities, and support services, utilised by the community,
- (b) to enable other ancillary, incidental or related uses that will encourage the enjoyment of land zoned for open space,
- (c) to encourage the retention and enhancement of open space links along the Parramatta River foreshore,
- (d) to facilitate public access to land and buildings within this zone.

**(2) Development within the Open Space zone**

- (a) Within the Open Space zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - gardening or bush fire hazard reduction; landscaping; maintenance works.
- (b) Within the Open Space zone, development for the purpose of the following may be carried out, but only with development consent:
  - amenity buildings; artworks; bicycle hire; boat hire and boat launching facilities; child care centres; community facilities; identifying or interpretive signage ancillary to another use allowed on the site; kiosks; outdoor eating areas linked to kiosks within the zone or restaurants in adjoining zones; recreation areas; utility installations (other than gas holders or generating works); water based entertainment facilities.
- (c) Any other development is prohibited within the Open Space zone.

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Clause 22 Sydney Regional Environmental Plan No 28—Parramatta

Part 3 Precinct 1—City Centre Precinct  
Division 2 Zoning

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### (3) Open space reservation

Land within this zone shown reserved for open space on the City Centre Zoning Map is to be acquired by the public authority indicated on that map on receipt of a written request from the owner of the land.

## 23 Transport zone

### (1) Objectives of the Transport zone

The objectives of the Transport zone are as follows:

- (a) to facilitate continued and efficient operation of road and related transport services, and rail and related transport services,
- (b) to facilitate the future growth of the transport network,
- (c) to encourage city core uses at major transport nodes,
- (d) to provide support facilities for users of the public transport system.

### (2) Development within the Transport zone

- (a) Within the Transport zone, exempt development and development for the purpose of the following may be carried out without development consent:  
landscaping; maintenance works.
- (b) Within the Transport zone, development for the purpose of the following may be carried out, but only with development consent:  
bus depots; bus stations; public transport facilities; public utility undertakings; railways; roads; workshops.
- (c) Within the part of the Transport zone outlined in red on the City Centre Zoning Map, development for the purpose of the following may also be carried out, but only with development consent:  
advertisements; advertising structures; commercial premises; hotels; serviced apartments; shops; refreshment rooms.
- (d) Any other development is prohibited within the Transport zone.

## **24 Land reserved for road widening**

Land shown reserved for road widening on the City Centre Zoning Map is to be acquired by the public authority indicated on that map on receipt of a written request from the owner of the land.

## **Division 3 Building design controls**

### **25 Urban design**

Development is to seek to achieve the following urban design objectives, and consent must not be granted for the carrying out of development unless the consent authority has given consideration to these objectives:

- (a) the major facades and entries of buildings are to address major public places, such as streets, squares, parks and the river,
- (b) through-site pedestrian links are to be made to squares, parks and the river, where applicable,
- (c) buildings are to be built predominantly to the street alignment and side boundaries, and are to provide continuous street frontages for enhanced pedestrian amenity,
- (d) buildings are to have regard to adjoining buildings and works with transitions of height, massing and scale, where appropriate,
- (e) the design of buildings is to have regard to the existing heritage character of a place, where applicable,
- (f) space allocated for vehicular entrances is to be minimised, with those entrances provided predominantly from lanes or centres of blocks,
- (g) residential buildings are to maximise the number of pedestrian entrances to the street,
- (h) visual impact of car parking is to be minimised by the use of underground parking, and by screening above-ground parking from the street by locating the parking behind other active uses on street, square, park or river frontages,
- (i) building bulk created by large unbroken expanses of wall is to be reduced by articulation and modulation,

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- (j) retention of existing laneways and public accessways is to be encouraged.

### 26 Height of buildings

#### (1) Objectives for the control of height of buildings

The objectives for the control of the height of buildings in the City Centre Precinct are as follows:

- (a) to allow sunlight access to key areas of the public domain by ensuring that:
  - (i) further overshadowing of certain parks and community places is avoided or limited, and
  - (ii) existing overshadowing of certain parks and community places is reduced in the long term,
- (b) to ensure structures and works adjoining parks and the river corridor are not overbearing,
- (c) to permit the most intensive high-scale development in immediate proximity to public transport nodes,
- (d) to require the height of future buildings to have regard to heritage sites, and their settings, their views and their visual interconnections,
- (e) to enable view sharing within the Parramatta City Centre,
- (f) to nominate heights which integrate with building heights in Special Areas,
- (g) to ensure that regard is had to the preservation of key identified historic views shown in the Parramatta Regional Planning Strategy, 1999.

#### (2) Height of buildings

Height is the dominant control and has precedence over achievement of maximum floor space ratio for buildings in the City Centre Precinct.

The height of a building on any land is not to exceed the maximum height shown for the land on the City Centre Height Map, or, if the land is within a Special Area, the maximum height shown for the land on the City Centre Special Areas Map.

Any building on land in the Special Uses or Open Space zone is not to exceed a single storey in height.



**(3) Sun access planes**

All new buildings and additions or alterations to existing buildings must comply with the following sun access plane control established for Civic Place, Lancer Barracks and Jubilee Park, irrespective of the existing height of nearby buildings.

The erection of a building so that any part of the building is above a sun access plane shown on a sun access plane diagram is prohibited, unless the part of the building is a minor architectural roof feature.

**Note.** Height controls reflect the sun access principle in all other public places.

**27 Floor space ratios****(1) Objectives for floor space ratio controls**

The objectives for the maximum floor space ratios in the City Centre Precinct are as follows:

- (a) to provide sufficient development capacity to meet the Parramatta City Centre's role,
- (b) to relate growth in development capacity to improvements in public transport and internal circulation, with densities highest on land at or near Parramatta Railway Station and decreasing with distance from that station,
- (c) to fix a maximum floor space ratio that provides for adequate open space, privacy between buildings, access for cars into and through the site, pedestrian through-site links and appropriate building addresses in the layout of the site,
- (d) to fix a maximum floor space ratio that provides adequately for balconies, lift shafts, car parking access and ramps, external wall thickness, environmental objectives of natural ventilation and sunlight access, and urban design objectives of facade and rooftop articulation, in the design of buildings.

**(2) Maximum floor space ratios**

- (a) The floor space ratio of buildings on land in the City Centre Precinct is not to exceed the maximum floor space ratio shown for the land on the City Centre Floor Space Ratio Map. The achievement of any floor space ratio is subject to compliance with the height controls and other provisions of this Plan.

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- (b) Regardless of any other provision of this Plan, Council-owned land that is being used for public access purposes, roads or laneways at the appointed day is not to be considered in the calculation of floor space ratios for the purposes of this Plan.

## 28 Special Areas

### (1) Objectives of the controls for Special Areas

The general objectives of the controls for Special Areas are as follows:

- (a) to protect Special Areas from development incompatible with the particular character and significance of each Special Area,
- (b) to reinforce the specific attributes and qualities of the built form of each of the Special Areas.

### (2) Development within Special Areas

The consent authority, in considering a development application for land in or adjoining a Special Area within the City Centre Precinct, must have regard to the following:

- (a) **Church Street North:**
  - (i) whether the development will reinforce the sense of arrival into historic Parramatta, from St Patricks Cemetery to Lennox Bridge, with continuous urban low-scale buildings and continuous street alignments,
  - (ii) the extent to which the development will maintain identified views from Parramatta Park (the Crescent) and Old Government House towards the hills to the north, and views of St Patricks, St Peters, and All Saints Churches and the former Kings School,
  - (iii) whether development adjacent to Prince Alfred Park reinforces the character of an urban park by encouraging appropriate surrounding uses and buildings to address the Park.
- (b) **Prince Alfred Park:**
  - (i) whether the development will assist in establishing the Park as a major public place marking the northern end of the Church Street spine,

- (ii) the extent to which the development will maintain the views from Parramatta Park (the Crescent) and Old Government House towards the hills to the north, and views of St Patricks, St Peters and All Saints Churches and the former Kings School (Marsden Rehabilitation Centre),
  - (iii) whether the development will reinforce the character of Prince Alfred Park as an urban park by encouraging appropriate surrounding uses and buildings to address the Park,
  - (iv) whether development proposed adjacent to the Park will emphasise the formal layout of the Park and its monuments, with the formal siting of buildings to the street alignment and formal street tree planting,
  - (v) whether redevelopment of the Marsden Rehabilitation Centre site is inconsistent with the conservation management plan for that site available from the Heritage Office.
- (c) **Church Street:**
- (i) whether the development will enhance Church Street as the major historic north-south retail street and pedestrian spine from Victoria Road to the Great Western Highway,
  - (ii) whether the development will maintain sunlight into the street, and existing narrow street frontages with low-scale building heights and a consistent street alignment,
  - (iii) whether the development will encourage a diverse range of retail, dining, entertainment, civic and cultural activities to revitalise the central role of Church Street as a major pedestrian promenade in the public life of the City,
  - (iv) whether the development assists in the recognition of the heritage value of existing buildings and public domain elements, by conserving and, where necessary, reinstating original facades, verandahs, awnings, kerbs and other historic elements,
  - (v) the extent to which the development encourages a diverse range of retail and cultural activities to revitalise the central role of Church Street in the public life of the City,

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- (vi) whether the development improves pedestrian links from Westfield Shoppingtown to Church Street Mall,
  - (vii) for development of Westfield Shoppingtown, whether the way in which buildings address Church and Argyle Streets will be enhanced.
- (d) **George Street:**
- (i) whether the development recognises the historic role of George Street as the main east-west axis in the City and as a prestigious commercial address, and maintains and enhances historic views,
  - (ii) whether the development retains the predominant existing 3 storey street frontage heights between Marsden Street and Harris Street,
  - (iii) whether the development maintains pedestrian amenity and daylight access to the street, and avoids wind downdrafts by setting tall buildings back from the street frontage,
  - (iv) whether development around heritage items is sympathetic development, and has due regard to their scale, materials and setting.
- (e) **Civic Centre:**
- (i) whether the development establishes a place which reflects the Primary Centre status of Parramatta and its historic identity and provides an appropriate gateway to the Central Business District,
  - (ii) whether the development will improve the functioning of the railway station and its environs as a public transport interchange and will enhance the railway station and adjacent areas as major places of arrival to the Parramatta City Centre,
  - (iii) whether the development improves pedestrian amenity with clear and easy access to and from the railway station,
  - (iv) whether the development conserves and enhances St Johns Church, the Town Hall, Lancer Barracks and other heritage items, their settings, their visual connections and public views of them, in any redevelopment proposals in their vicinity,
  - (v) the extent to which the development capitalises on the opportunity for redevelopment co-ordinated with the upgrading of public transport facilities,

- (vi) the desirability of providing a public square with an area of at least 6 000 square metres.
- (f) **City Edge River:**
  - (i) whether the development enhances and re-establishes Parramatta River as a major natural asset to the City, and re-establishes foreshore public land when new development occurs,
  - (ii) whether buildings adjacent to the river address the river with high quality facades and entrances,
  - (iii) whether the development retains building heights along the river which are consistent with the existing tree canopy,
  - (iv) whether the development along the river maintains or re-establishes building setbacks that will have due regard to the scale of the river and provide adequate public foreshore open space,
  - (v) whether the development maintains the opportunity to improve pedestrian access and foreshore landscaping, and interprets the important historical locations and views along the river, such as the landing place.
- (g) **City Edge West:**
  - (i) whether the development creates a clear distinction between the City Centre built form and the open space of Parramatta Regional Park, with continuous high quality facades built to the alignments of O'Connell, Macquarie and Pitt Streets,
  - (ii) whether the development enhances O'Connell, Macquarie and Pitt Streets as formal and prestigious addresses for major public and private sector buildings,
  - (iii) whether the development maintains a consistent street frontage height in O'Connell, Macquarie and Pitt Streets to match the height of the Law Courts on the corner of George and O'Connell Streets,
  - (iv) whether the development contributes to the heritage significance of St Johns Cemetery with an appropriately scaled setting, and maintains identified views to St Johns from Mays Hill, and along Hunter Street,

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- (v) whether development on the corner of Pitt and Macquarie Streets recognises the importance of this corner site in relation to the entrance of Parramatta Regional Park.
  - (h) **City Edge East:**
    - (i) whether the development creates a clear distinction between the City Centre built form and the open space of Robin Thomas and James Ruse Reserves, with continuous high quality facades built to the alignment of Harris Street,
    - (ii) whether the development maintains consistent street frontage heights and alignments on Harris Street.
- (3) **Building heights in Special Areas**

The height of a building on any land within a Special Area is not to exceed the height shown for the Special Area on the Special Areas Height Map.

## Part 4 Precinct 2—Harris Park Precinct

### Division 1 Aims of Part 4

#### 29 Aims of Part 4

The aims of this Part are as follows:

- (a) to conserve the significance of heritage items, their settings, historic subdivisions, conservation areas, identified views and sites of national significance, and to facilitate the preservation of those areas and sites and their presentation as an important cultural tourist attraction,
- (b) to maintain the role, and improve the amenity of, Harris Park Precinct as an important residential area close to the Parramatta City Centre, providing a range of different housing types and supporting land uses,
- (c) to protect and enhance the unique visual qualities of the Parramatta River by ensuring that development along the foreshore is of a scale and character in keeping with its foreshore location, and to maximise public access to, and use of, foreshore land,
- (d) to maintain existing commercial and industrial areas and encourage low to medium-rise buildings that are compatible with surrounding residential land uses.

### Division 2 Zoning

[Note: Deferred matter

Planning controls in the *Parramatta Planning Scheme Ordinance*, *Parramatta Local Environmental Plan 1989 (City Centre)* and *Parramatta Local Environmental Plan No 196* apply to land in this Precinct]

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Part 5                Precinct 3—Government Precinct

Division 1           Aims of Part 5

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## **Part 5 Precinct 3—Government Precinct**

### **Division 1        Aims of Part 5**

#### **30    Aims of Part 5**

The aims of this Part are as follows:

- (a) to conserve, enhance and promote the national heritage significance of the Precinct,
- (b) to recognise and increase the Precinct's role as a community and recreational resource for the people of Parramatta and Western Sydney,
- (c) to improve public access to, and ensure the Precinct forms an extension to, the civic/public spaces of Parramatta City, including access to and along the Parramatta River,
- (d) to enhance opportunities for future development of appropriate sites, particularly the North Parramatta Government Sites,
- (e) to facilitate opportunities for public transport linking the North Parramatta Government Sites to Westmead and the City Centre.

### **Division 2        Zoning**

#### **31    Land use zones and explanation**

The following land use zones for land within the Government Precinct are shown on the Government Precinct Zoning Map:

- (a) Regional Park—applies to Parramatta Park, and is primarily a public recreation and heritage conservation zone,
- (b) Parramatta Stadium—allows a stadium and a range of recreational, educational and entertainment uses,
- (c) Transport—applies to existing and future uses related to transport and access, including road, rail and related transport services,



- (d) North Parramatta Mixed Use—applies to the North Parramatta Government Sites and allows a mix of uses that provides for residential and home business uses, diverse commercial, community and tourist and recreational land uses, and a range of neighbourhood support services, while ensuring heritage conservation,
- (e) Private Open Space—land identified for private open space and community facilities.

### **32 Regional Park zone**

#### **(1) Objectives of the Regional Park zone**

The objectives of the Regional Park zone are as follows:

- (a) to identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*,
- (b) to allow for the management and appropriate use of that land as provided for in or under the *National Parks and Wildlife Act 1974*.

#### **(2) Development within the Regional Park zone**

Development controls for the Regional Park zone are as follows:

- (a) development for the purpose of any land use authorised by or under the *National Parks and Wildlife Act 1974* and any land use ordinarily incidental or ancillary to any such land use may be carried out without development consent,
- (b) any other development is prohibited within the Regional Park zone.

### **33 Parramatta Stadium zone**

#### **(1) Objectives of the Parramatta Stadium zone**

The objectives of the Parramatta Stadium zone are to allow a stadium and to allow a range of associated uses.

#### **(2) Development within the Parramatta Stadium zone**

Development controls for the Parramatta Stadium zone are as follows:

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Division 2 Zoning

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- (a) Within the Parramatta Stadium zone, exempt development and development for the purpose of the following may be carried out without development consent:  
gardening; landscaping (including tree planting, repaving and replacement of street furniture); maintenance works.
- (b) Within the Parramatta Stadium zone, development for the purpose of the following may be carried out, but only with development consent:  
educational, cultural or community activities; exhibitions; public entertainment; recreation areas; stadiums.
- (c) Any other development is prohibited in the Parramatta Stadium zone.

### 34 Transport zone

#### (1) Objectives of the Transport zone

The objectives of the Transport zone are as follows:

- (a) to facilitate the continued operation of road and related transport services, and rail and related transport services,
- (b) to provide for the efficient operation of public transport,
- (c) to facilitate the future growth of the transport network.

#### (2) Development within the Transport zone

Development controls for the Transport zone are as follows:

- (a) Within the Transport zone, exempt development and development for the purpose of the following may be carried out without development consent:  
landscaping; maintenance works.
- (b) Within the Transport zone, development for the purpose of the following may be carried out, but only with development consent:  
public transport facilities; public utility undertakings; railways; roads; workshops.
- (c) Any other development is prohibited within the Transport zone.

**35 North Parramatta Mixed Use zone****(1) Objectives of the North Parramatta Mixed Use zone**

The objectives of the North Parramatta Mixed Use zone are as follows:

- (a) to conserve heritage items by encouraging adaptive reuse of heritage items that is consistent with their settings, and to maintain and enhance their cultural landscape setting, while allowing additional compatible uses,
- (b) to permit diverse forms of development which provide opportunities for a range of private and public uses,
- (c) to ensure energy and water efficient design, minimise pollution and conserve the landscape,
- (d) to develop the transportation network for the Government Precinct and ensure contributions to public transport, bicycle and pedestrian facilities and services,
- (e) to establish a highly attractive area to live and work in, and for recreation, tourist use and enjoyment.

**(2) Development within the North Parramatta Mixed Use zone**

Development controls for the North Parramatta Mixed Use zone are as follows:

- (a) Within the North Parramatta Mixed Use zone, exempt development may be carried out without development consent.
- (b) Within the North Parramatta Mixed Use zone, development for the purpose of the following may be carried out, but only with development consent:
  - advertisements and advertising structures; amusement centres; backpackers' accommodation; bed and breakfasts; boarding houses; car parking stations; child care centres; commercial premises; community facilities; dwelling-houses; dual occupancies; educational establishments; home activities; kiosks; light industries; medical consulting rooms; multi-unit housing; places of public worship; recreation areas; refreshment rooms; shops.

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Division 2 Zoning

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- (c) Commercial premises within the Development and Conservation Special Area may only be in a building at ground level and below residential development.
- (d) Development for the purpose of the following, in addition to development described in paragraph (b), may be carried out within a building that is a heritage item or within the Adaptive Reuse Special Area, but only with development consent:
  - clubs; entertainment facilities; hospitals; hotels; motels; recreation facilities; serviced apartments; tourist facilities.
- (e) Any other development is prohibited within the North Parramatta Mixed Use zone.

### 36 Private Open Space zone

#### (1) Objectives of the Private Open Space zone

The objectives of the Private Open Space zone are as follows:

- (a) to enable the development of private land for the purpose of recreation, and for other ancillary, incidental or related uses which will encourage the provision of community facilities,
- (b) to ensure that new building forms are in scale and character with surrounding development and do not detract from the amenity enjoyed by nearby residents or the existing quality of the surrounding environment.

#### (2) Development within the Private Open Space zone

- (a) Within the Private Open Space zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - gardening or bush fire hazard reduction; landscaping; maintenance works.
- (b) Within the Private Open Space zone, development for the purpose of the following may be carried out, but only with development consent:
  - advertisements; child care centres; clubs; community facilities; entertainment facilities; kiosks; public utility undertakings (other than gas holders or generating works); recreation areas; recreation facilities; refreshment rooms.

- (c) Any other development is prohibited within the Private Open Space zone.

### **Division 3 Building design controls**

#### **37 Height of buildings**

##### **(1) Objectives for the control of height of buildings**

The objectives for the control of height of buildings in the Government Precinct are as follows:

- (a) to ensure heritage structures remain publicly visible and prominent from key public places,
- (b) to protect identified views from Parramatta Regional Park towards North Parramatta,
- (c) to ensure the height of future buildings steps up from the Parramatta River and is generally not above the typical existing tree canopy.

#### **38 Special Areas**

There are three Special Areas, as shown on the Government Precinct Special Areas Map.

##### **(1) Objectives for the controls for Special Areas**

The objectives of the controls for Special Areas are as follows:

- (a) to protect Special Areas from development incompatible with the particular character and significance of each Special Area,
- (b) to reinforce the specific attributes and qualities of the built form of each of the Special Areas.

##### **(2) Special Area considerations**

The consent authority, in considering a development application for land in or adjoining a Special Area, must have regard to the following objectives for the Special Area:

- (a) **River corridor:**
  - (i) to provide secure and attractive public access along the Parramatta River,

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Part 5 Precinct 3—Government Precinct

Division 3 Building design controls

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- (ii) to provide adequate public foreshore open space, having due regard to the scale of the river and establish building setbacks along the river,
  - (iii) to provide buildings and sites along the river that address the Parramatta River with high quality facades and entrances,
  - (iv) to encourage a diverse and active range of uses and cultural activities so as to revitalise the river corridor.
  - (v) to provide development that recognises the symbolic and historic links between key heritage items and the river.
- (b) **Adaptive reuse:**
- (i) to conserve and promote the adaptive reuse of redundant heritage buildings and their settings and allow sensitive redevelopment of appropriate portions of the area within a coherent and attractive framework,
  - (ii) to enhance and, where appropriate, re-establish historic views and vistas,
  - (iii) to conserve and enhance the cultural landscape,
  - (iv) to promote a range of uses that revitalises and enlivens the heritage buildings and their settings, while ensuring conservation of significant fabric,
  - (v) to conserve and promote the heritage values of the area and encourage tourism, leisure and recreational uses,
  - (vi) to facilitate continuing compatible public uses,
  - (vii) to conserve and promote significant Aboriginal and non-indigenous archaeological sites.
- (c) **Development and conservation:**
- (i) to integrate commercial, residential and neighbourhood community development into the landscape setting, while conserving heritage value,
  - (ii) to enhance existing vistas and, where appropriate, re-establish historic vistas and create new vistas through the orientation of new streets and the location of buildings and structures,
  - (iii) to conserve and enhance the cultural landscape,
  - (iv) to conserve and promote significant Aboriginal and non-indigenous archaeological sites.

## **Part 6 Precinct 4—Westmead Precinct**

### **39 Planning aims for the Westmead Precinct**

- (1) The planning aims for the Westmead Precinct are as follows:
  - (a) to encourage a vibrant Precinct with a distinct health and teaching identity,
  - (b) to improve direct and efficient access to and through the Precinct from other parts of the Greater Metropolitan Region, and to improve linkage of Westmead Hospital to the public transport network,
  - (c) to provide opportunities for a range of housing types,
  - (d) to develop a mixed use centre of retail, residential, commercial and community services at the transport node serving the Precinct,
  - (e) to facilitate physical and business research links to other Precincts, especially the City Centre, Rydalmere and Camellia Precincts.
- (2) These aims must be considered by the consent authority in assessing development applications and should be considered when a council prepares a local environmental plan for land within the Westmead Precinct.

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Part 7 Precinct 5—Rydalmere Precinct

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### **Part 7 Precinct 5—Rydalmere Precinct**

#### **40 Planning aims for the Rydalmere Precinct**

- (1) The planning aims for the Rydalmere Precinct are as follows:
  - (a) to encourage a vibrant Precinct with a distinct educational, residential and industrial identity,
  - (b) to provide opportunities for a range of residential opportunities, with particular emphasis on student accommodation,
  - (c) to improve public transport accessibility and to provide a direct pedestrian and cycle network that utilises the foreshore corridor and provides access to other Precincts,
  - (d) to encourage industry linked to the educational and research facilities and to encourage such links to other Precincts, such as the City Centre, Westmead and Camellia Precincts,
  - (e) to conserve and adaptively reuse the former Female Orphan School/Rydalmere Hospital and the other heritage items within the Rydalmere Precinct as part of an integrated campus for the University of Western Sydney, Nepean, and encourage wider community use of these facilities,
  - (f) to develop a mixed use centre of retail, residential, commercial and community services surrounding the railway station serving the Precinct.
- (2) These aims must be considered by the consent authority in assessing development applications and should be considered when a council prepares a local environmental plan for land within the Rydalmere Precinct.



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## Part 8 Precinct 6—Camellia Precinct

### 41 Planning aims for the Camellia Precinct

- (1) The planning aims for the Camellia Precinct are as follows:
  - (a) to encourage industry linked to other research, educational and business facilities in other Precincts, such as the City Centre, Westmead and Rydalmere Precincts,
  - (b) to maintain long-term opportunities for the future development of Camellia and prevent further lot fragmentation,
  - (c) to ensure that new development along the foreshore is of a scale and character in keeping with its foreshore location, and that the unique visual qualities of the foreshore are protected and enhanced,
  - (d) to seek opportunities to provide public access to the foreshore and improve the connectivity of the foreshore open space network,
  - (e) to maintain recreational uses and facilitate special events in the Precinct,
  - (f) to develop a mixed use centre of retail, residential, commercial and community services at the railway station node serving the Precinct.
- (2) These aims must be considered by the consent authority in assessing development applications and should be considered when a council prepares a local environmental plan for land within the Camellia Precinct.

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Part 9 Heritage areas and items

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## **Part 9 Heritage areas and items**

### **42 Objectives for heritage conservation**

The objectives in relation to heritage are the following:

- (a) to conserve the environmental heritage of Parramatta,
- (b) to retain the cultural significance of Parramatta,
- (c) to conserve significant fabric, settings, relics and views associated with the heritage significance of heritage items and heritage conservation areas,
- (d) to ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings,
- (e) to ensure that archaeological sites, potential archaeological sites and Aboriginal places are conserved,
- (f) to ensure that the heritage conservation areas throughout Parramatta retain their heritage significance, in particular, with regard to their settings.

### **43 Protection of heritage items, heritage conservation areas and relics**

- (1) The following development may be carried out only with development consent:
  - (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
  - (b) altering a heritage item or a building, work, relic or place within a heritage conservation area by making structural or non-structural changes to its exterior, including to the detail, fabric, finish or appearance of its exterior,
  - (c) altering a heritage item by making structural changes to its interior,
  - (d) moving a relic, or disturbing or excavating any land while knowing, or having reasonable cause to suspect, that the disturbance or excavation will, or is likely to, result in a relic being discovered, exposed, moved, damaged or destroyed,
  - (e) demolishing, dismantling, moving or altering a heritage item,

- (f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.
- (2) The consent authority must not consent to development described in subclause (1) affecting a heritage item described in Part 1 of Schedule 6, unless it obtains the concurrence of the Heritage Council.
- (3) In determining whether or not to grant such a concurrence, the Heritage Council must take into consideration the heritage significance of the heritage item and, if it is within such an area, the heritage conservation area concerned.

#### **44 Minor development**

Development consent is not required by clause 43 if:

- (a) the prospective consent authority is satisfied that the proposed development:
  - (i) is of a minor nature, or consists of maintenance of a heritage item or a building or work, relic, tree or place within a heritage conservation area, and
  - (ii) if it is an external alteration, would only have a minor visual impact, and
  - (iii) would not adversely affect the significance of the heritage item or heritage conservation area, and
  - (iv) would not have an adverse impact on the amenity of the neighbourhood, and
- (b) the prospective consent authority has been notified in writing of the proposed development and the prospective consent authority has confirmed in writing, before the development is carried out, that it is satisfied that the proposed development complies with paragraph (a), and that development consent is not required by any other provision of this Plan.

#### **45 Heritage considerations**

- (1) When determining a development application required by clause 43, the consent authority must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

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Part 9 Heritage areas and items

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- (2) This is to include (but is not limited to) consideration of:
- (a) for heritage items:
    - (i) the heritage significance of the item as part of the environmental heritage of Parramatta, and
    - (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
    - (iii) the measures proposed to conserve the heritage significance of the item and its setting, and
    - (iv) whether any archaeological site or potential archaeological site would be adversely affected, and
    - (v) the extent, if any, to which the carrying out of the proposed development would affect the form of an historic subdivision included in a heritage conservation area, and
    - (vi) the advice of the consent authority's heritage adviser or another person with appropriate skills and experience in relation to the heritage significance of the item, the impact of the proposed development on that significance and whether any amendments to the proposal could be made to minimise this impact, and
    - (vii) any submission received in relation to the proposed development in response to the notification or advertising of the application, and
  - (b) for heritage conservation areas:
    - (i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place that will be affected by the proposed development makes to this heritage significance, and
    - (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and
    - (iii) the compatibility of any proposed building or work with nearby original buildings and the character of the heritage conservation area, including compatibility with the existing size, form, scale, orientation, setbacks, pitch and form of the roof (if any), the style, size, proportion and position of the openings for windows or doors (if any), exterior materials and detailing, and

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- (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and
  - (v) whether any landscape or horticultural features of heritage significance would be adversely affected, and
  - (vi) whether any archaeological site or potential archaeological site would be affected and the extent, if any, to which the carrying out of the proposed development would affect an historic subdivision included in a heritage conservation area, and
  - (vii) the advice of the consent authority's heritage adviser or another person with appropriate skills and experience in relation to the impact of the proposed development on the heritage significance of the heritage conservation area, and whether any amendments to the proposal could be made to minimise this impact, and
  - (viii) any submission received in relation to the proposed development in response to the notification or advertising of the application, and
- (c) for a building that, in the opinion of the consent authority, contributes to the identity and character of Parramatta:
- (i) the extent to which the original exterior features and form of the building are intact, and
  - (ii) the extent to which the original exterior features and form of any adjoining buildings are intact, and
  - (iii) the contribution of the building to the history or significance of the area, and
  - (iv) whether the building constitutes a danger to users or occupiers, if any, of the building.

**46 Development adversely affecting a heritage item or heritage conservation area**

- (1) Before granting consent for development that may undermine or otherwise damage a heritage item or heritage conservation area, that will obscure, overshadow or otherwise have an adverse effect on a view of a heritage item or heritage conservation area, or that will otherwise adversely affect the heritage significance of a heritage item or heritage conservation area (or that will have a substantial adverse effect on a view from any such item), the consent authority must assess the impact of the proposed development:

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- (a) on the heritage significance, curtilage and setting of the heritage item, or heritage conservation area, and
  - (b) on any significant views of or from the heritage item.
- (2) The consent authority may refuse to grant any such consent unless a heritage impact statement has been submitted that will help it to assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the item or heritage conservation area. The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the significance of the item or heritage conservation area.

### **47 Advertised development**

The following development is identified as advertised development:

- (a) the demolition of a heritage item or a building, work, relic, tree or place in a heritage conservation area, or
- (b) the carrying out of any development allowed by clause 52.

### **48 Notice of applications for demolition to the Heritage Council**

Before granting consent for the demolition of a heritage item specified in Part 1 of Schedule 6, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.

### **49 Required documentation for work affecting heritage items, or a building, work, relic, tree or place within a heritage conservation area**

When determining whether or not to grant a development consent required by clause 43, the consent authority:

- (a) must not grant such a consent until it has considered a heritage impact statement which includes an assessment of the relevant matters listed in clause 45, and
- (b) may refuse to grant consent until it has considered a conservation management plan to enable the consent authority to assess the impact of the proposal on the heritage

significance of the item and its setting, or of the heritage conservation area.

**50 Development of Aboriginal places or of known or potential archaeological sites of Aboriginal cultural significance**

Before granting consent for development that is likely to have an impact on an Aboriginal place, or that will be carried out on an archaeological site that has Aboriginal cultural significance or a potential archaeological site that is reasonably likely to have Aboriginal cultural significance, the consent authority must:

- (a) consider a heritage impact statement, explaining how the proposed development could affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and
- (b) except where the development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of National Parks and Wildlife of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

**51 Development of other archaeological sites or potential archaeological sites**

- (1) Before granting consent for development that will be carried out on any other archaeological site or potential archaeological site that is the site of a heritage item or a site within a heritage conservation area, the consent authority must:
  - (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
  - (b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.
- (2) Subclause (1) does not apply if the proposed development will not involve disturbance of below-ground relics and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development.

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Part 9 Heritage areas and items

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### 52 Conservation incentives

The consent authority may grant consent to the use for any purpose of a building that is a heritage item, or of the land on which a building that is a heritage item is erected, even though the use would otherwise be prohibited by this Plan, if it is satisfied that the retention of the building depends on the granting of consent and:

- (a) the condition of the heritage item is such that the use of the item for any purpose which is allowed in the zone would be impractical or undesirable, and
- (b) the heritage item requires a substantial amount of capital expenditure (other than maintenance work) in order to conserve its heritage significance, and
- (c) the proposed use is in accordance with a conservation management plan which has been endorsed by the Heritage Council, and
- (d) the cost of the conservation work identified in the conservation management plan is such that there is no reasonable possibility that any of the uses which are allowed in the zone would be economically viable for the current or any future owner, and
- (e) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (f) the proposed use would not affect the heritage significance of the heritage item or its setting, and
- (g) any car parking spaces required by the proposed use can be accommodated without any adverse impact on the heritage significance of the heritage item or its setting, and
- (h) the proposed use would not adversely affect the amenity of land in the vicinity, and
- (i) in all other respects the proposed use complies with the provisions of this Plan.



## Part 10 Transport

### Division 1 Preliminary

#### 53 Application of Part 10

Unless otherwise stated, this Part applies to the Parramatta Primary Centre.

#### 54 Aims

The aims of this Plan with regard to transport provision are as follows:

- (a) to facilitate growth of the Parramatta Primary Centre mainly by the use of public transport, particularly by improving public transport access to and from Parramatta, by promoting efficient circulation of transport within Parramatta, and by supporting policies that encourage greater public transport use,
- (b) to achieve an overall mode split of 50% between public transport and private vehicles for the Parramatta Primary Centre (allowing for adjustments between Precincts) with a mode split of 60% for the City Centre Precinct favouring public transport (including walking and cycling) for the journey to work when employment growth reaches 60,000 in the Parramatta City Centre,
- (c) to assist in reducing transport vehicle kilometres travelled over western Sydney by encouraging a greater concentration of development in the Parramatta City Centre,
- (d) to encourage appropriate public transport infrastructure in order to achieve a high-quality public transport system,
- (e) to implement parking policies that discourage continued reliance on private vehicle use, reduce traffic congestion and improve pedestrian amenity.

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Clause 55 Sydney Regional Environmental Plan No 28—Parramatta

Part 10 Transport

Division 2 Parramatta Station

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### **Division 2 Parramatta Station**

#### **55 Parramatta Station and interchange**

- (1) Parramatta Railway Station and interchange will continue in their role as the hub of the regional public transport network to accommodate the predicted growth in employment in Parramatta City Centre and increase in public transport patronage.
- (2) Parramatta Station and interchange should:
  - (a) conveniently serve existing and future trip generators within the Parramatta City Centre, and
  - (b) be a focus for pedestrian routes, and
  - (c) provide safe, direct interchange between rail services and rail and bus services, and
  - (d) provide for interchange with future rapid transit buses with provision for later conversion to light rail, and
  - (e) provide taxi drop-off on both sides of the Station, and
  - (f) be prominent, easily located and accessible to all users, particularly in the context of any future redevelopment of the City Centre Precinct, and
  - (g) meet all public transport operational and safety requirements.

### **Division 3 Car parking**

#### **56 Objectives for car parking controls**

The objectives of the car parking controls are as follows:

- (a) to ensure that public transport becomes the most important and efficient means of moving people to and within the Parramatta City Centre,
- (b) to encourage commuting by public transport to the Parramatta City Centre in order to reduce the number of motor vehicles travelling through and to the Parramatta City Centre, and to improve overall environmental quality and pedestrian amenity,
- (c) to continue the attractiveness and competitiveness of the Parramatta City Centre for retail and commercial activities,

(d) to favour short-stay parking over commuter parking.

### 57 Car parking provisions

- (1) The number of car parking spaces provided for use for the purpose of a building of a kind described in the Table to this clause is not to exceed that calculated in accordance with that Table. Any fraction of a parking space resulting from such a calculation is to be disregarded.
- (2) Car parking spaces provided for use in connection with the use of function areas in hotels are to be available only to patrons while using the function facilities and must not be used for public car parking.

**Table Maximum car parking:**

Type of proposed building	Parking spaces permitted on-site
<b>(A) City Centre Precinct</b>	
Commercial	10 spaces per 1 000 square metres of gross floor area
Shop	40 spaces per 1 000 square metres of gross floor area
Dwelling houses	2 spaces per dwelling house
Dual occupancies	1 space per dwelling
Multi-unit housing 1 and 2 bedrooms	1 space per dwelling plus 1 space per 5 dwellings for visitors
Multi-unit housing 3 or more bedrooms	1.5 spaces per dwelling plus 1 space per 5 dwellings for visitors
<b>(B) Other Precincts</b>	
Commercial	1 space per 50 square metres of gross floor area
Industrial	1 space per 70 square metres of gross floor area

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Part 10 Transport  
Division 3 Car parking

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<b>Type of proposed building</b>	<b>Parking spaces permitted on-site</b>
Residential:  (a) Villas, townhouses and terraces	1 space per 1 or 2 bedroom unit 1.5 spaces per 3 or more bedroom unit and 2 spaces per 1 bedroom unit or above plus 0.25 space per dwelling for visitor parking.
(b) Residential flat buildings (400 metres or more from railway station and transit corridors)	1 space per 1 bedroom unit 1.25 spaces per 2 bedroom unit and 1.5 spaces per 3 or more bedroom unit plus 0.25 space per dwelling for visitor parking
(c) Residential flat buildings (within 400 metres of railway station and transit corridors)	1 space per 2 bedroom unit 1.2 spaces per 3 or more bedroom unit and 0.25 space per dwelling for visitor parking

## Part 11 Other provisions

### 58 Application of Part 11

This Part applies to land within the City Centre Precinct or the Government Precinct.

### 59 What is exempt development?

- (1) Development listed in Schedule 3 is exempt development, except as provided by subclauses (2) and (3).
- (2) Development is exempt development only if:
  - (a) it does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, dust, waste water, waste products, grit or oil or otherwise, and
  - (b) it complies with the deemed-to-satisfy provisions of the *Building Code of Australia*, and
  - (c) it complies with any relevant standards set for the development by this Plan and by any development control plan adopted for the purposes of this Plan, and
  - (d) it does not contravene any condition of a development consent applying to the land, and
  - (e) it does not obstruct drainage of the site on which it is carried out, and
  - (f) it does not restrict any vehicular or pedestrian access to or from the site, and
  - (g) it is carried out at least one metre from any easement or public sewer main and complies with the building over sewer requirements of Sydney Water Corporation applying to the land, and
  - (h) it does not require a tree to be removed,
  - (i) it is carried out behind the building line, where it is carried out in a heritage conservation area.
- (3) Development is not exempt development if it is carried out on land that:
  - (a) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or

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Part 11 Other provisions

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- (b) is within the Regional Park zone, or
- (c) is land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes, or
- (d) is identified as a heritage item by this Plan.

### 60 What is complying development?

- (1) Development listed in Schedule 4 is complying development if:
  - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
  - (b) it is not an existing use, as defined in section 106 of the Act, except as provided by subclauses (2) and (3).
- (2) Development is complying development only if :
  - (a) it complies with the deemed-to-satisfy provisions of the *Building Code of Australia*, and
  - (b) it will achieve the relevant group of outcomes listed in Schedule 4 for the proposed development, and
  - (c) it will comply with the relevant development standards set for the development by this Plan and by any development control plan adopted for the purposes of this Plan, and
  - (d) it will be carried out behind the rear alignment of any building on the site on which it is proposed to be carried out, if that site is located in a heritage conservation area identified by this or any other environmental planning instrument, and
  - (e) it does not contravene any condition of a development consent applying to the land, and
  - (f) a certificate of compliance has been obtained for the development, if required, from Sydney Water Corporation Limited.
- (3) Development is not complying development if it is carried out on land that:
  - (a) is identified in this or any other environmental planning instrument as bush fire prone, flood liable or contaminated land. or as land subject to subsidence, slip, erosion or acid sulfate soils, or

- (b) is a site that has previously been used as a service station or a sheep or cattle dip, for intensive agriculture, mining or extractive industry, waste storage or waste treatment, or for the manufacture of chemicals, asbestos or asbestos products, and a notice of completion of remediation work for the proposed use has not been given to the Council in accordance with *State Environmental Planning Policy No 55—Remediation of Land*, or
  - (c) is an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
  - (d) is within the Regional Park zone, or
  - (e) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes.
- (4) A complying development certificate issued for any such development is to be subject to the conditions for the development specified in Part 3 of Schedule 4.

#### 61 Demolition

- (1) The demolition of a building may be carried out only with development consent.
- (2) This clause does not require consent for exempt development.

#### 62 Subdivision

- (1) Subdivision of land, including subdivision under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*, may be carried out only with development consent.
- (2) The consent authority may refuse consent to a proposed subdivision of a building on land by a strata plan or a strata plan of subdivision where it is of the opinion that the subdivision is likely to:
  - (a) prevent achievement of the aims and objectives of this Plan, or
  - (b) prejudice the future economic development of the land or of adjoining land.

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- (3) A subdivision which creates a lot for a car parking space that is separable from the lot for a related residential unit is prohibited except where the lot for the car parking space is only for the use of a resident or occupant of the subject building.

### **63 Development of land near zone boundary**

- (1) This clause applies to the following land:

Land in the City Centre Precinct or Government Precinct, excluding land in the Regional Park or Open Space zone, that is within 5 metres of the boundary between two zones.

- (2) Subject to subclause (3), development may, with development consent, be carried out on land for any purpose for which development may be carried out (with or without consent) within the zone adjacent to the zone within which the development is to be carried out.
- (3) Consent must not be granted to the carrying out of development pursuant to this clause, unless the carrying out of the development is necessary, in the opinion of the consent authority, due to design requirements relating to the subdivision of land to which this clause applies.

### **64 Minor council works and maintenance**

- (1) Development carried out by or on behalf of the Council for the purpose of the following may be carried out on any land, excluding land in the Regional Park zone, without development consent:
- (a) provision of roads, stormwater drainage, recreation areas, landscaping, gardening, public amenities, or cycle ways,
  - (b) provision of street furniture, such as benches, council information signs, public artwork installations, street lights, and telephone kiosks,
  - (c) minor improvements to footpaths and other public pedestrian areas, such as tree planting and repaving, street surfacing, reconstruction of kerbs, footpaths, gutters and the like.



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**65 Community use of educational establishments and other community facilities for community purposes**

Development consent may be granted for the use of an educational establishment or other community facility for any community purpose, such as a meeting room, public library, sport or recreation facility or for any other community purpose, whether or not such use is a commercial use of the land.

**66 Temporary use of land**

- (1) Regardless of any other provisions of this Plan, consent may be granted to development on land within any zone for any temporary purpose for a maximum period of 28 days, whether consecutive or not, in any one calendar year.
- (2) Regardless of any other provisions of this Plan, consent may be granted to development (excluding development for the purpose of advertising or advertising structures) which is approved by the Sydney Organising Committee for the Olympic Games to be carried out for a period of not more than 84 days.
- (3) Before granting consent for development as referred to in subclause (1) or (2), the consent authority must be satisfied that:
  - (a) the temporary use is necessary and reasonable for economic use of the land pending its subsequent development in accordance with this Plan, and
  - (b) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan, and
  - (c) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
  - (d) appropriate arrangements are made for the removal of the use and any associated structures at the end of the period specified in the development consent.

**67 Access for mixed use buildings**

The consent authority must not consent to development for the purpose of a mixed use building, which includes two or more dwellings, unless it is satisfied that a separate entrance and separate internal access will be provided for use exclusively for the purpose of the dwellings.

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### **68 Foreshore development**

Before granting consent for development which includes works adjacent to the Parramatta River foreshore, the consent authority must consider how the proposed development will affect:

- (a) the preservation and enhancement of the natural features and vegetation of the area, and
- (b) the visual amenity of the foreshore, and
- (c) the historic and cultural significance of the foreshore, and
- (d) all opportunities to increase public access to the foreshore through acquisition, dedication or right-of-way.

### **69 Foreshore building line**

- (1) The consent authority may, by order, fix a foreshore building line in respect of any land fronting the Parramatta River.
- (2) A foreshore building line, when fixed in accordance with this clause, is to be recorded by the consent authority concerned on a map kept at the office of the consent authority concerned and made available for inspection by the public during ordinary office hours.
- (3) A building must not be erected between a foreshore building line and the Parramatta River.

### **70 Outdoor advertising**

- (1) Development for the purpose of an advertisement may be carried out with development consent if it is not exempt development and is not prohibited by this clause.
- (2) Despite any other provisions of this Plan, development may be carried out with consent on any land for the purpose of an advertisement that directs the travelling public to a specific tourist facility or place of scientific, historic or scenic interest, if the consent authority is satisfied that:
  - (a) the principal purpose of the advertisement is to direct the travelling public to that building or place, and
  - (b) the dimensions and overall size of the advertisement are not larger than would reasonably be required to so direct the travelling public.

- (3) Development for the purpose of the following is prohibited:
- (a) an advertisement on land within the Open Space zone if it is not exempt development or allowed by subclause (2),
  - (b) an advertisement on land within any residential zone if it is not exempt development or otherwise allowed by subclause (2),
  - (c) pole or pylon advertising signs.

#### **71 Land classified or reclassified as operational land**

Each parcel of land listed in Schedule 5 has been classified, or reclassified, as operational land by the local environmental plan specified in that Schedule in relation to the land.

#### **72 Acquisition and development of reserved land**

- (1) The owner of any land reserved for future acquisition may, by notice in writing, request the appropriate acquisition authority to acquire that land.
- (2) The *appropriate acquisition authority* for reserved land is indicated in the Table below.
- (3) Subject to subclause (4), on receipt of a notice referred to in subclause (1), the public authority concerned shall acquire the land.
- (4) The Roads and Traffic Authority is not required to acquire land the subject of a notice referred to in subclause (1):
  - (a) unless:
    - (i) a development application has, since the land last became subject to this clause, been made in respect of the land, or
    - (ii) the Authority has refused to grant its concurrence, as referred to in subclause (6), to the proposed development, or
  - (b) unless the land is vacant land, or
  - (c) unless the Authority has publicly indicated that it proposes to carry out development on the land within the next 5 years, or
  - (d) unless the Authority is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.

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- (5) Until:
- (a) land the subject of a notice referred to in subclause (1) is acquired by the public authority concerned, or
  - (b) land that has been acquired under this clause is developed for the purpose for which it has been acquired,
- development may, with development consent, be carried out on the land for any purpose, where the consent authority is satisfied that the development will not adversely affect the usefulness of the land for the purpose for which it has been reserved.
- (6) The consent authority must not grant consent as referred to in subclause (5) to the development of land to be acquired by another public authority unless it obtains the concurrence of that public authority.
- (7) In determining whether to grant concurrence under subclause (6), the public authority concerned must take into consideration:
- (a) the effect of the proposed development on the costs of acquisition, and
  - (b) the imminence of acquisition, and
  - (c) the cost of re-instatement of the land for the purpose for which the land is to be acquired.

**Table Appropriate acquisition authority**

<b>Precinct</b>	<b>Reserved for</b>	<b>Notation on the zoning map</b>	<b>Acquisition authority</b>
City Centre	open space	PCC	Parramatta City Council
City Centre	open space	C	the Corporation under the Act
City Centre	local road widening	PCC	Parramatta City Council
City Centre	arterial road widening	RTA	Roads and Traffic Authority

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**73 Development along public transport corridors**

- (1) In this clause, *public transport corridor* means land shown stippled black on the map marked “Sydney Regional Environmental Plan No 18—Public Transport Corridors”, a copy of which is deposited in the office of each consent authority.
- (2) Despite any other provision of this Plan:
  - (a) a person must not carry out development on land within a public transport corridor, and
  - (b) the consent authority must not consent to the carrying out of development on land within, or in the immediate vicinity of, a public transport corridor,otherwise than in accordance with the provisions of *Sydney Regional Environmental Plan No 18—Public Transport Corridors*.

**74 Reservation and acquisition of public transport corridor land**

- (1) This clause applies to land shown coloured yellow and stippled black on the map marked “Sydney Regional Environmental Plan No 18—Public Transport Corridors”.
- (2) The land to which this clause applies is reserved for public transport purposes.
- (3) The owner of land to which this clause applies may, by notice in writing, require the corporation to acquire the land.
- (4) On receipt of a notice referred to in subclause (3), the corporation must acquire the land to which the notice relates.

**75 Noise and vibration**

Consent must not be granted to any proposed development:

- (a) that, in the opinion of the consent authority, may be adversely affected by rail-related noise or vibration, or
- (b) that will be carried out on land near a classified road, within the meaning of the *Roads Act 1993*,

unless the development incorporates mitigation measures which are in accordance with the noise control guidelines contained in the Environmental Protection Authority’s *Environmental Noise Control Manual*.

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### **76 Flood liable land**

- (1) A person must not erect a building or carry out work on flood liable land except with development consent.
- (2) Consent must not be granted for the erection of a building or the carrying out of a work on land to which this Plan applies unless the consent authority has taken into account whether carrying out of the proposed development would:
  - (a) be consistent with any interim flood policy or floodplain management plan adopted by the Council in accordance with the principles contained in the manual entitled “Floodplain Development Manual” dated December 1986 (Reference No PWD86010),
  - (b) detrimentally increase the potential flood affectation on other development or property,
  - (c) result in, to a substantial degree, an increased risk to human life,
  - (d) be likely to result in additional economic and social cost to the community,
  - (e) adversely affect the environment of the floodplain by causing avoidable erosion, siltation, unnecessary destruction of river bank vegetation or a reduction in the stability of the river bank.

### **77 Excavation and filling of land**

- (1) A person may excavate or fill land to which this Plan applies only with development consent.
- (2) When assessing an application for consent required by subclause (1), the consent authority must have particular regard to:
  - (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, and
  - (b) the effect of the proposed works on the likely future use or redevelopment of the land, and
  - (c) the quality of the fill or of the soil to be excavated, or both, and
  - (d) the effect of the proposed work on the existing and likely amenity of adjoining properties, and

- (e) the source of any fill material or the destination of any excavated material, and
  - (f) the likelihood of disturbing relics.
- (3) Subclause (1) does not apply to:
- (a) any excavation or filling of land necessarily carried out to allow development for which consent has been granted under the Act, or
  - (b) any excavation or filling of land which is considered by the prospective consent authority to be of a minor nature.

### 78 Restricted premises

Consent may be granted to the carrying out of development for the purpose of restricted premises only where conditions are imposed requiring that:

- (a) no part of the restricted premises, other than an access corridor, will be located within 1 500 millimetres (measured vertically) from any adjoining footpath, roadway, arcade or other public thoroughfare, and
- (b) no part of the restricted premises or building in which the premises will be situated will be used as a dwelling unless separate access will be available to the dwelling, and
- (c) any signage related to the premises will be of a size, shape and content that does not interfere with the amenity of the locality, and
- (d) no other objects, products or goods related to the restricted premises will be visible from outside the premises.

This clause does not limit the conditions that may be imposed on such a consent.

### 79 Brothels

In determining an application to carry out development for the purpose of a brothel, the consent authority must consider the following:

- (a) whether the operation of the brothel will be likely to cause a disturbance in the neighbourhood because of its size, location, hours of operation or clients or the number of employees and other people working in it,

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- (b) whether the operation of the brothel will be likely to interfere with the amenity of the neighbourhood,
- (c) whether the operation of the brothel will be likely to cause a disturbance in the neighbourhood when taking into account other brothels operating in the neighbourhood involving similar hours of operation,
- (d) any other environmental planning instruments that the consent authority considers relevant.

### **80 Development in the Open Space zone**

- (1) Consent must not be granted for development on land within the Open Space zone unless the consent authority has taken into consideration whether the proposed development is consistent with any plan of management for the land adopted by the Council.
- (2) Consent must not be granted for development on land within the Open Space zone unless the consent authority has taken into consideration all of the following:
  - (a) the need for the proposed development on that land,
  - (b) whether the impact of the proposed development will be detrimental to the existing or future use of the land,
  - (c) whether the proposed development will be for the purpose of recreation or will be secondary and complementary to the use of the land for the purpose of recreation,
  - (d) whether the height and bulk of any proposed building or structure has regard to existing vegetation, topography and stormwater flow,
  - (e) in the case of public open space, whether the proposed development will significantly diminish public use and access to public open space,
  - (f) whether the proposed development is compatible with adjacent uses in relation to its height, bulk and noise generation and any other aspects that might conflict with surrounding land uses.

### **81 Telecommunications facilities**

- (1) A person must not erect a structure or work for telecommunications infrastructure except with development consent.



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- (2) Consent must not be granted for the erection of a structure or carrying out of work for the purpose of telecommunications infrastructure unless the consent authority has taken into consideration the following:
- (a) the potential for underground installation,
  - (b) the potential for co-location with existing facilities,
  - (c) the impact of the infrastructure on visual amenity,
  - (d) the impact of the infrastructure on the heritage significance of the area and heritage items,
  - (e) the impact of the infrastructure on vegetation and street infrastructure.

## 82 Tree preservation

- (1) Consent is required before a person ringbarks, cuts down, tops, prunes, lops, removes, injures, poisons or wilfully destroys any tree that has an overall height of 3 metres or more above the ground.
- (2) Development consent is not required where:
- (a) the tree's condition constitutes an immediate threat to life or property, or
  - (b) the tree is included in any current list of noxious plants from time to time published by the Department of Agriculture, or
  - (c) the trunk of the tree is located within 1 metre from any part of any habitable building or within 1 metre from any underground utility service main, or
  - (d) the work involves only minor pruning which is necessary to promote growth or fruit production, or to improve the shape of the tree's canopy, and is not likely to jeopardise the tree's existence, or
  - (e) the tree is in a State forest within the meaning of the *Forestry Act 1916*, or is trimmed or otherwise dealt with in accordance with the *Electricity Supply (Safety Plans) Regulation 1997* or the *Electricity (Tree Preservation) Regulation 1995*, or
  - (f) the work consists of any clearing that involves the removal or lopping of the tree in accordance with the *Roads Act 1993*.

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- (3) Consent required by this clause must not be granted unless the consent authority has considered:
- (a) the reason for the proposed work, and
  - (b) the contribution of the tree to the local landscape or streetscape, and
  - (c) the type and rarity of the species, and
  - (d) the number of trees in the vicinity, and
  - (e) whether the tree may become dangerous or damage property or utility services, and
  - (f) whether new plantings are proposed or are desirable, and
  - (g) the effect of the proposed work on local views, on solar access to properties and on local amenity, and
  - (h) any heritage or ecological habitat significance of the tree, and
  - (i) the effect of the proposed work on soil conservation and erosion, and
  - (j) the effect of the proposed work on flora and fauna habitat.

**83 Acid sulfate soils**

- (1) A person must not, without development consent, carry out works described in the following Table on land of the class specified for those works, except as provided by subclause (3).

**Table**

<b>Class of land as shown on Acid Sulfate Soils Planning Map</b>	<b>Works</b>
1	Any works
2	Works below natural ground surface Works by which the water table is likely to be lowered
3	Works beyond 1 metre below natural ground surface Works by which the water table is likely to be lowered beyond 1 metre below natural ground surface
4	Works beyond 2 metres below natural ground surface Works by which the water table is likely to be lowered beyond 2 metres below natural ground surface
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land which are likely to lower the water table below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land

- (2) For the purposes of the Table to subclause (1), works include:
- (a) any disturbance of more than 1 tonne of soil (such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundation, or flood mitigation works), or
  - (b) any other works that are likely to lower the water table.
- (3) This clause does not require consent for the carrying out of those works if:
- (a) a copy of a preliminary assessment of the proposed works undertaken in accordance with the *Acid Sulfate Soils Assessment Guidelines* has been given to the prospective consent authority, and

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- (b) the prospective consent authority has provided written advice to the person proposing to carry out the works confirming that results of the preliminary assessment indicate the proposed works need not be carried out pursuant to an acid sulfate soils management plan prepared in accordance with the *Acid Sulfate Soils Assessment Guidelines*.
- (4) Consent required by this clause must not be granted unless the consent authority has considered:
  - (a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Assessment Guidelines*, and
  - (b) the likelihood of the proposed development resulting in the discharge of acid water, and
  - (c) any comments received from the Department of Land and Water Conservation within 21 days of the consent authority having sent that Department a copy of the development application and of the related acid sulfate soil management plan.
- (5) This clause requires consent for development to be carried out by councils, county councils or drainage unions despite:
  - (a) clause 35 and items 2 and 11 of Schedule 1 to the *Environmental Planning and Assessment Model Provisions 1980*, as adopted by this Plan, and
  - (b) clause 10 of *State Environmental Planning Policy No 4—Development Without Consent*.

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## Schedule 1 Dictionary

(Clause 8 (1))

***Aboriginal place*** means:

- (a) any site which has the physical remains of pre-European occupation by, or is of contemporary significance to, Aboriginal people. Such a site can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and carved trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. These sites include natural features such as creeks or mountains of cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

***Acid sulfate soils*** means actual or potential acid sulfate soils, as defined in the *Acid Sulfate Soils Assessment Guidelines*.

***Acid Sulfate Soils Assessment Guidelines*** means the *Acid Sulfate Soils Assessment Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

***Acid Sulfate Soils Planning Map*** means the series of maps marked “Acid Sulfate Soils Planning Maps” kept in the office of the Council.

***Adjoining land*** means any land which abuts the land the subject of the development application concerned or which would abut the land if it were not separated from it by a public road.

***Advertisement*** means a sign, notice, device or representation in the nature of an outdoor advertisement visible from any public place or public reserve, or from any navigable water.

***Advertising structure*** means a structure used or intended to be used principally for the display of an advertisement, but does not include a pole or pylon sign.

**Amusement centre** means a building or place (not being a hotel or pub) used principally for playing:

- (a) billiards, pool or other like games, or
- (b) electrically or mechanically operated amusement devices, such as pinball machines, video games and the like.

**Appointed day** means the day on which this Plan took effect.

**Archaeological assessment** means an assessment made by an archaeologist to determine the archaeological potential of a site.

**Archaeological site** means a site identified as an archaeological site in Part 1 or 2 of Schedule 6 and shown on the City Centre Heritage Map, Harris Park Heritage Map, or Government Heritage Map as an archaeological site. It includes a site known to the consent authority to have archaeological significance even if it is not so identified and shown.

**Architectural roof features** means minor decorative features such as finials, flag poles and the like.

**Automotive uses** means a use of a building or work or land for the purpose of fuelling, lubricating, cleaning, caring for, maintaining or repairing motor vehicles or of offering for sale and installing automotive accessories or parts and includes a service station, a car repair station, a motor showroom, an auto electrician's workshop, a shop for the sale of automotive spare parts, tyres or car batteries, a tyre retreading workshop and any other establishment performing similar functions, but does not include a panel beating workshop (other than a place used for panel beating of a minor nature ancillary to a motor showroom).

**Backpackers' accommodation** means a building or part of a building providing temporary accommodation for travellers and tourists who have their principal place of residence elsewhere and having an average of two or more beds in each room and a communal kitchen, living areas and laundry facilities.

**Bed and breakfast** means a dwelling in which the permanent residents provide short-term accommodation (which may include meals) for commercial purposes.

**Boarding house** means a building or part of a building let in lodgings or a hostel which provides lodgers with a principal place of residence, but does not include backpackers' accommodation, a guest house, serviced apartments, or any other building defined in this Schedule.

**Brothel** means premises habitually used for the purposes of prostitution or that are designed for that purpose. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

**Bulk store** means a building or place used for the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership.

**Bus depot** means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking.

**Bus station** means a building or place used as a terminal for the assembly and dispersal of passengers travelling by bus.

**Car parking station** means a building or place primarily used for the purpose of parking motor vehicles (whether on a casual or permanent basis) in exchange for payment.

**Car repair station** means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, but not used for:

- (a) body building, or
- (b) panel beating involving dismantling, or
- (c) spray painting, except for touching up.

**Child care centre** means a building or place where a child care service (such as a service of the kind provided at a long day care centre, a purpose-designed child care centre, an occasional centre, an outside of school hours care centre, a pre-school centre or the like) is provided for the purpose of education, minding or caring for 6 or more children, but does not include overnight accommodation.

***City Centre Floor Space Ratio Map*** means the map marked “Parramatta City Centre Floor Space Ratio Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

***City Centre Height Map*** means the map marked “Parramatta City Centre Height Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

***City Centre Heritage Map*** means the map marked “Parramatta City Centre Heritage Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

***City Centre Special Areas Map*** means the map marked “Parramatta City Centre Special Areas Map—Height”, as amended by the maps (or the specified sheets of the maps) marked as follows:

***City Centre Zoning Map*** means the map marked “Parramatta City Centre—Zoning Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

***Club*** means a building or place which is used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes and which is, or is intended to be, registered under the *Registered Clubs Act 1976*.

***Commercial premises*** means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined, or a building or place used for a purpose elsewhere specifically defined, in this Schedule.

***Communication device*** means a satellite communication dish or similar structure, or a television antenna or radio transmission mast or aerial, with a maximum height, width and depth of no more than 5 metres.

***Community facility*** means a building or place owned or controlled by the Council, another public authority or a religious organisation, or associated body of persons, for the physical, social, cultural, economic, intellectual or religious welfare of the community, which may consist of or include:



- (a) a public library, rest rooms, meeting rooms, recreation facilities, a child care centre, cultural activities, social functions or any similar building, place or activity, or
- (b) a community club, being a building or place used by persons sharing like interests, but not a registered club,

whether or not that building or place is also used for another purpose.

**Complying development** (see clause 60).

**Conservation management plan** means a document prepared in accordance with the provisions of the *New South Wales Heritage Manual* that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

**Contaminated land** has the same meaning as in section 145A of the Act.

**Demolish** a heritage item or a building, work, relic, tree or place within a heritage conservation area means wholly or partly destroy or dismantle the heritage item or the building, work, relic, tree or place.

**Designated flood** means:

- (a) the flood planning level adopted by the Council in accordance with the principles contained in the manual entitled “Floodplain Development Manual” dated December 1986 (Reference No PWD86010) and contained within a document prepared in accordance with Part 3 of the *Environmental Planning and Assessment Regulation 1994* as if it were a development control plan, or
- (b) the 100 year average recurrent interval (ARI) flood event if there is no such level adopted.

**Dual occupancy** means two self-contained dwellings (whether attached or detached) on a single allotment of land (or that would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development creating the dual occupancy).

***Dwelling*** means a room or a suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate domicile.

***Dwelling house*** means a building capable of containing one but not more than one dwelling.

***Educational establishment*** means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

***Entertainment facility*** means a public hall, theatre, cinema, music hall, concert hall, open air theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or educational establishment.

***Exempt development*** (see clause 59).

***Existing height*** of a building means the height of the building at the commencement of this Plan.

***Fascia sign*** means a sign attached to the fascia or return of an awning.

***Flood liable land*** means land which would be inundated by the designated flood and indicated as flood liable land on a map marked “Flood Liable Map” deposited in the office of the Council of the area concerned.

***Floor*** means space within a building which is situated between one floor level and the next floor level above or, if there is no floor above, the ceiling or roof above.

***Floor space area*** of a building means the sum of the gross horizontal areas of each floor of the building contained within the inner faces of the outer walls measured at a height of 1.5 metres above the floor, including the space occupied by internal walls, staircases, lobbies, corridors and toilets, and above ground parking, but not including:

- (a) the horizontal cross section of lift shafts and vertical service ducts measured between the wall faces internal to the lift shaft or duct, or

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- (b) any space permanently set aside within the building for underground parking (other than spaces used for public car parking), and for the unloading or loading of vehicles, including ramps or other means of access to it, or
  - (c) any space for the accommodation of mechanical or electrical plant or equipment servicing the building, or
  - (d) any terraces and balconies with walls less than 1.5 metres high.

**Floor space ratio** means the ratio of the floor space area of all buildings on a site to the site area.

**Flush wall sign** means a sign which is attached to the wall of a building (other than the transom of a doorway or display window) and not projecting more than 300 millimetres from the wall.

**General advertising** means any advertising that does not relate, in its content, to the use of the property on which the advertisement is to be displayed.

**Generating works** means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

**Government Heritage Map** means the map marked “Government Precinct—Heritage Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

**Government Precinct Special Areas Map** means the map marked “Government Precinct—Special Areas Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

**Government Precinct Zoning Map** means the map marked “Government Precinct—Zoning Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

**Harris Park Heritage Map** means the map marked “Harris Park Precinct—Heritage Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

***Health care professional*** means a person registered under the appropriate Act or by the appropriate professional association and who provides professional health care services to members of the public.

***Height*** of a building means the vertical distance measured in metres to the ceiling of the topmost floor from the horizontal plane at the average of the heights of the tops of the street kerbs nearest to each end of the street frontage of the building but:

- (a) if the building has frontages to more than one street, the vertical distance is to be measured from the horizontal plane at the average of the heights of the tops of the street kerbs nearest to each end of the highest and lowest street frontages of the building, unless paragraph (b) or (c) applies, or
- (b) if the building has frontages to two streets forming a street corner, the vertical distance is to be measured from the horizontal plane at the average of the heights of the tops of the street kerbs nearest to each end of the higher or highest street frontage of the building, unless paragraph (c) applies, or
- (c) if the building does not have a frontage to a street 10 or more metres wide, the vertical distance is to be measured from the horizontal plane at the average of the heights of the tops of the street kerbs nearest to each end of the street frontage of the building to the widest street to which the building has a frontage, unless paragraph (d) applies, or
- (d) if the building does not have a frontage to any street, the vertical distance is to be measured from the natural ground level, as it was at the commencement of this Plan, directly below the topmost point of the building or, if it is higher than the natural ground level, from the floor level of the building that is nearest to the former natural ground level directly below that topmost point.

***Helipad*** means an area or place not open to public use which is authorised by the Department of Transport and set apart for the taking off and landing of helicopters.

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***Heliport*** means an area or place open to public use which is for the use of helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

***Heritage conservation area*** means land described in Part 3 of Schedule 6 and shown edged heavy blue on any of the following maps:

City Centre Heritage Map,

Harris Park Heritage Map,

Government Heritage Map,

and includes buildings, works, relics, trees or places situated on or within that land.

***Heritage impact statement*** means a statement demonstrating the significance of an item, a property or a relic, an assessment of the impact that proposed development will have on that significance and the measures that are proposed to minimise that impact.

***Heritage item*** means a building, work, relic, tree or place or a component of a building, work, relic, tree or place, that is described in Part 1 or 2 of Schedule 6 and shown coloured blue on any of the following maps:

City Centre Heritage Map,

Harris Park Heritage Map,

Government Heritage Map.

***Heritage significance*** means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

***Home activity*** means any business, profession or industry carried on in a building or room or a number of rooms forming part of, attached to, or within the curtilage of, a dwelling, where:

- (a) only goods made or produced, or services offered, as a result of the activity or pursuit are displayed, sold or provided, and
- (b) the primary use of the dwelling is for residential purposes, and

- (c) the activity is carried out by the permanent residents of the dwelling, and
- (d) the activity or pursuit does not:
  - (i) interfere with the amenity of the locality by reason of the emission of excessive noise, vibration, smell, fumes, smoke, vapour, steam, soot, dust, waste water, waste products, grit, oil or otherwise, or
  - (ii) involve exposure to view from any public place of any matter, or
  - (iii) require the provision of any essential service main of greater capacity than that available in the locality, or
  - (iv) generate traffic out of keeping with the surrounding area.

**Hospital** means a building or place (other than an institution) used for providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or restaurants, and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use.

**Hotel** means premises which require a hotelier's licence to be granted under the *Liquor Act 1982*.

**Identified views** means historic and significant views identified in the Parramatta Strategy 1999.

**Industry** means:

- (a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or
- (b) the breaking up or dismantling of any goods or any article for trade or sale or gain, or in a process ancillary to any business,

but does not include an extractive industry.

**Institution** means a penal or reformatory establishment.

**Kiosk** means a structure used for the provision of food and drink for the refreshment of users of the open space in which it is situated.

**Landscaped area** means the landscaped area in a residential lot used for the growth of plants, grass and trees, but does not include buildings, structures or other hard paved areas.

**Light industry** means an industry in which the processes carried on, the transportation involved, or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood, but does not include any form of industry defined elsewhere in this Schedule.

**Local shop** means a shop which operates primarily to serve the daily needs of the surrounding residents or workers and does not exceed 60 square metres in gross floor area.

**Maintenance** means ongoing protective care of a heritage item or a building, work, relic, tree or place within a heritage conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology, such as the use of injectable damp proof courses.

**Map** means a map kept in the office of Parramatta City Council (or in the Office of Holroyd City Council if it relates wholly to land within that area). Copies of maps relating partly to land within that area are also held in the office of Holroyd City Council.

**Master plan** means a plan adopted under this Plan as a master plan.

**Medical consulting rooms** means a room or a number of rooms within or attached to a dwelling house, used by not more than 3 health care professionals, and where no more than 3 employees are employed, but does not include facilities for in-patient care.

**Motel** means premises (other than a backpackers' accommodation, boarding house, hotel, residential building or serviced apartments) used for the temporary or short-term accommodation of travellers, whether or not the premises are also used for the provision of meals to those travellers or the general public.

**Motor showroom** means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are also sold or displayed at the building or place.

**Multi-unit housing** means residential development resulting in two or more dwellings but not a dual occupancy, and includes terraces, villas, townhouses, cluster housing, integrated housing and residential flat buildings.

**Panel beating workshop** means a building or place used for the purpose of carrying out repairs to motor vehicles and agricultural machinery, where the work involved includes:

- (a) body building, or
- (b) panel beating (which may or may not involve dismantling), or
- (c) spray painting.

**Place of public worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

**Pole or pylon sign** means a sign which is erected on a pole or pylon independent of any building or any other structure.



**Potential archaeological site** means a site identified as a potential archaeological site in Part 1 or 2 of Schedule 6 and shown coloured blue on any of the following maps:

City Centre Heritage Map,

Harris Park Heritage Map,

Government Heritage Map.

It includes a site known to the consent authority to be of potential archaeological significance even if it is not so identified and shown.

**Primary Centre and Precincts Map** means the map marked “Parramatta Primary Centre and Precincts Map”, as amended by the maps (or the specified sheets of the maps) marked as follows:

**Prostitution** means sexual acts, or sexual services engaged in, in return for payment or other reward.

**Public utility undertaking** means any undertaking carried on by, or under the authority of, any Commonwealth or State Government department or agency, or pursuant to any Commonwealth or State Act, for the purpose of providing:

- (a) railway, light railway, road, water or air transport, or wharf or river services or facilities, or
- (b) sewerage or drainage services, or
- (c) water, hydraulic power, electricity or gas, or
- (d) telecommunications facilities.

**Recreation area** means:

- (a) a children’s playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used by the consent authority to provide for the physical, cultural or intellectual welfare of the community, or
- (d) an area used by a body of persons associated together for the purposes of the physical, cultural or intellectual welfare of the community to provide recreation facilities for those purposes,

but does not include racecourses and showgrounds.

**Recreation facility** means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, but does not include a building or place elsewhere specifically defined in this Schedule.

**Refreshment rooms** means premises in which meals or light refreshments are served to the public for profit or reward, whether or not they are also used for live entertainment or dancing.

**Relic** means:

- (a) any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement of Parramatta, not being Aboriginal habitation, or
- (b) any deposit, object or material evidence (which may consist of human remains) of any age relating to Aboriginal habitation of the local government area of Parramatta.

**Restricted premises** means a building or place at which:

- (a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or
- (b) a business to which section 578E of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

**Serviced apartments** means a building containing two or more self-contained dwellings:

- (a) which are used to provide short-term accommodation, but not subject to residential tenancy agreements within the meaning of the *Residential Tenancies Act 1987*, and
- (b) which are serviced or cleaned by the owner or manager of the apartments or the owner's or manager's agents.

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**Service station** means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil or other petroleum products, whether or not the building or place is also used for one or more of the following purposes:

- (a) the hiring of vehicles and trailers,
- (b) the retail selling or the installation of spare parts and accessories for motor vehicles,
- (c) the washing and greasing of motor vehicles,
- (d) the repairing and servicing of motor vehicles (other than repair or servicing involving bodybuilding, panel beating or spray painting),
- (e) the retail selling or hiring of small consumer goods.

**Shop** means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials.

**Site area**, for the purpose of calculating a floor space ratio, means contiguous land to which an application for consent under the Act relates, but does not include any land on which the development to which the application relates is not permitted by or under this Plan.

**Special Area** means land designated as a Special Area on the “City Centre Special Areas Map” or “Government Precinct Special Areas Map”.

**Street frontage height** of a building, in relation to a street to which the building has a frontage, means the vertical distance measured in metres at the centre of the frontage from the average of the street levels at each end of the frontage to the parapet level of the building. The parapet level is the horizontal plane in which at least two-thirds of the length of the top of the facade of the building adjacent to the street is situated.

**Sun access plane diagram** means a diagram included in the document marked “Sydney Regional Environmental Plan No 28—Parramatta—Sun Access Plane Diagrams”, kept in the Parramatta Office of the Department and a copy of which is kept in the office of the consent authority for land to which it relates, as amended by the specified sheets (that are so kept) marked as follows:

***The Act*** means the *Environmental Planning and Assessment Act 1979*.

***The Council*** means the Council of the area concerned.

***Top hamper sign*** means an advertising structure that is attached to the transom of a doorway or display window of a building.

***Under awning sign*** means an advertising structure which is affixed to the underside of an awning.

***Warehouse*** means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

## **Schedule 2 Master plan sites**

(Clause 10)

### **Part 1**

- Civic Place—comprised of all land bounded by Macquarie Street, Smith Street, Darcy Street and the Church Street Mall, Parramatta.

### **Part 2**

- North Parramatta Mixed Use Zone, as identified in the Government Precinct Zoning Map.

## Schedule 3 Exempt development

(Clause 59)

### 1 Advertising structures and displays

Erection of an advertising structure and display of an advertisement on it, or the display of an advertisement that is not on an advertising structure (other than an illuminated sign in a residential zone) in any of the following cases:

- (a) The advertisement and any structure are not visible from outside the site on which they are displayed.
- (b) The advertisement is behind the glass line of a shop window.
- (c) The advertisement is a temporary advertisement for a social, cultural or recreational event that is displayed no more than 28 days before the event and is removed within 14 days after the event.
- (d) The advertisement is a public notice displayed by a public authority giving information about a service.
- (e) The advertisement is a real estate sign advertising that the premises on which it is displayed are for sale or lease, and the advertisement and any structure together have a maximum area of 2.5 square metres on residential or rural premises, or 4.5 square metres on commercial or industrial premises.
- (f) The advertisement replaces one lawfully displayed on the same structure.
- (g) The advertisement displays a message relating to the premises on which it is situated and the advertisement and any structure together have a maximum area of:
  - (i) 0.75 square metre in a residential or rural zone, or
  - (ii) 10 square metres in an industrial zone, or

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- (iii) 50% of the front elevation of a building on which it is displayed in a commercial business zone,

and a maximum height of either 4.6 metres above ground level or the height of a first floor window sill and, if suspended from an awning along a public road, the advertisement is not lower than 2.6 metres above ground level.

## 2 Ancillary development

Development (such as landscaping, gardening, paving or the erection of minor structures) that is ordinarily incidental or ancillary either to a use allowed by a development consent or to a lawful existing use (as defined in section 106 of the Act), but only if:

- (a) any ancillary structure is erected at least 1 metre from each boundary of the site and extends no more than 3 metres above natural ground level, and
- (b) any ancillary structure, paving or hard surface area covers not more than 25 square metres, and
- (c) the development does not involve excavation beyond 600 millimetres below natural ground level, and
- (d) it does not involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale (except on farms and at a distance of more than 25 metres from any habitable building), and does not release any hazardous chemicals or materials or any pollutants into the environment, and
- (e) it does not involve a display of an advertisement unless allowed by some other provision, and
- (f) any ancillary structure located in a fire protection zone or an asset protection zone identified in a bush fire risk management plan in force under the *Rural Fires Act 1997* is made of non-combustible materials.

### 3 Boundary adjustments

An adjustment to the boundary of an allotment that:

- (a) will not result in any building contravening the deemed-to-satisfy provisions of the *Building Code of Australia*, and
- (b) will not create any additional allotments.

**Note.** Boundary adjustments resulting from subdivisions allowed by this item require a subdivision certificate under the E P & A Act in order to be registered at the Land Titles Office.

### 4 Building alterations

Building alterations (other than the making of, or an alteration to the size of, any opening in a wall or roof of a building, such as a doorway, window or skylight) comprising:

- (a) non-structural alterations to the exterior of a building, such as painting, plastering, cement rendering, cladding, attaching fittings and decorative work, and
- (b) interior alterations to a building that do not affect the load-bearing capacity of any load-bearing component of the building.

### 5 Demolition

Demolition that is carried out in accordance with AS 2601–1991—*The demolition of structures*, of any structure:

- (a) the erection of which would be exempt development under this plan, or a temporary building the erection of which would be complying development under this plan, and
- (b) covering an area of not more than 25 square metres.

### 6 Different use of a building

A new use of an existing lawful building in any of the following cases:



- 
- (a) The new use is consistent with the classification of the building under the *Building Code of Australia* and replaces a former use being carried out in accordance with a development consent, and:
    - (i) it is not actually or potentially a hazardous or offensive industry, and
    - (ii) it does not involve the preparation of food for sale or consumption, and
    - (iii) it is not prohibited by any provision.
  - (b) The new use results from a change of building use from a shop to an office or from an office to a shop that is not in the business of preparing food for sale or consumption, where:
    - (i) the new use replaces a former use being carried out in accordance with a development consent, and
    - (ii) the use of not more than 200 square metres of floor space is changed, and
    - (iii) the new use is not prohibited by any provision.
  - (c) The new use is a temporary use of a building that does not exceed 25 metres in height for public entertainment over a period not exceeding 72 hours.  
*[Note: A separate approval may be required from the Council under the Local Government Act 1993 for a place of public entertainment.]*

**Note.** A different use of a building allowed by item 6 does not allow building alterations as exempt development. Some building alterations are allowed by other provisions of this Schedule.

## 7 Fences

Erection of boundary fences that comply with any relevant covenant or Council policy and:

- (a) are no more than 1.8 metres high if either in a rural zone or behind the building line in an urban zone, but do not include any masonry construction over 900 millimetres above ground level, or

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Schedule 3 Exempt development

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(b) are no more than 900 millimetres high if forward of the building line in an urban zone,

and are made of non-combustible materials if located in a fire protection zone or an asset protection zone identified in a bush fire risk management plan in force under the *Rural Fires Act 1997*.

### 8 Flagpoles

Erection of flagpoles not more than 6 metres high that are structurally adequate, but only one per site.

### 9 Home occupations

The use of premises for an occupation carried on only by the permanent residents of a dwelling that does not require registration of the premises under the *Factories, Shops and Industries Act 1962*.

### 10 Public meetings

The use of a building that is a class 9b building under the *Building Code of Australia* for the purpose of a public meeting.

## Schedule 4 Complying development

(Clause 60)

### Part 1 Instances of complying development

Use	Outcomes
<p><b>1 Bed and breakfast accommodation</b></p>	
<p>The use of an existing lawful dwelling by its permanent residents for the temporary accommodation of visitors for commercial purposes.</p>	<p>(a) A maximum of 3 guest bedrooms.</p> <p>(b) A minimum of 2 bathrooms.</p> <p>(c) A smoke detection system that complies with <i>AS 3786–1993—Smoke alarms</i> and <i>AS 3000–1991—Electrical installations—Buildings, structures and premises</i> (the SAA Wiring Rules) is in the dwelling.</p> <p>(d) A fire extinguisher and fire blanket are in the kitchen.</p> <p>(e) Approval has been obtained from the owners corporation, or the community, precinct or neighbourhood association, where the dwelling is subject to the <i>Strata Schemes Management Act 1996</i> or the <i>Community Land Management Act 1989</i>.</p>

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Schedule 4 Complying development

Use	Outcomes
<b>2 Commercial uses and building alterations</b>	
<p>(1) A change of building use from a shop to an office, or from an office to a shop.</p> <p>(2) Internal alterations to a shop or an office that alter the load-bearing capacity of load-bearing components.</p>	<p>(a) No increase to the total floor area of the building.</p> <p>(b) No more than 2,000 square metres of floor area is changed from an office to a shop.</p> <p>(c) If a change of building use, the new use must replace a former use carried out in accordance with a development consent.</p> <p><b>Note.</b> A change to a food shop will need to comply with the <i>Food Act 1989</i> and associated regulations.</p>
<b>3 Houses and extensions</b>	
<p>Development on lots over 450 but less than 1,000 square metres in area consisting of:</p> <p>(a) erection of detached single-storey dwellings (including single-storey alterations and additions to detached single-storey dwellings), or</p> <p>(b) development ordinarily ancillary or incidental to detached single-storey dwellings (for example, erection of carports and garages).</p>	Group A in Part 2 below
<p>Development on land identified as suitable in an urban development strategy available at the office of the Council consisting of:</p> <p>(a) erection of detached two-storey dwellings (including single or two-storey alterations and additions to detached two-storey dwellings), or</p> <p>(b) development ordinarily ancillary or incidental to detached two-storey dwellings (for example, erection of carports and garages).</p>	Group B in Part 2 below

Use	Outcomes
Development on lots 1,000 square metres and over in area consisting of: (a) erection of detached dwellings (including alterations and additions to detached dwellings), or (b) development ordinarily ancillary or incidental to detached dwellings (for example, erection of carports and garages).	Group C in Part 2 below (for lots 1,000 square metres or more, but not larger than 2,500 square metres) Group D in Part 2 below (for lots larger than 2,500 square metres)
<b>4 Industrial and warehouse buildings</b>	
The erection of an industrial or warehouse building (including alterations and additions) and its use consistently with the classification of the building under the <i>Building Code of Australia</i> otherwise than for an actually or potentially hazardous or offensive industry.	Group E in Part 2 below
<b>5 Swimming pools</b>	
Development for the purpose of swimming pools on lots over 450 square metres in area if the pool will be ordinarily ancillary to a dwelling occupied for private use only.	Group F in Part 2 below

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Schedule 4 Complying development

Use	Outcomes
<b>6 Temporary buildings</b>	
<p>The erection of a building and its use for a period not exceeding 5 years specified in the application for a complying development certificate, being a building that is not used for residential purposes or for the storage or handling of inflammable materials.</p> <p><b>Note.</b> The building must be completely demolished or removed from the site no later than 60 days after the specified period ends or on or before the fifth anniversary of the date of issue of the complying development certificate, whichever occurs first.</p>	<p>(a) Maximum height of the building is 1 storey.</p> <p>(b) Building is set back from every boundary of the lot by a minimum of 3 metres.</p>

## Part 2 Outcomes

### Group A

#### 1 Streetscape

- (1) Each part of the structure:
  - (a) complies with any relevant building line fixed by or under an environmental planning instrument or development control plan applying to the land, or
  - (b) is set back at least 4 metres from the front boundary or at least to the average of the minimum setbacks of any like structures on land each side of the subject property, whichever is the greater.
- (2) Carports and garages facing a public street or accessway are not more than 6 metres or 50 percent of the frontage wide, whichever is the lesser.

**2 Energy efficiency**

The dwelling has at least a 3.5 star rating under the *House Energy Rating Scheme* (NatHERS).

**3 Bulk and scale**

- (1) The ground floor level of the structure at any point is not more than 500 millimetres above natural ground level.
- (2) The distance between the floor level and the underside of the eaves is not more than 2.7 metres.
- (3) The roof openings are flush with the roof pitch.
- (4) The next door property's main area of private open space, and any habitable rooms in that property, are not in shadow between 10 a.m. and 3 p.m. on 21 June, as a result of the development.
- (5) The external wall of each structure affected by the proposed development is at least 900 millimetres from the nearest side and the rear boundaries.

**4 Privacy and security**

Windows in a habitable room that are within 9 metres of, and allow an outlook to, a window of a habitable room in a neighbour's house:

- (a) are offset from the edge of one window to the nearest edge of the other by a distance of at least 0.5 metre, or
- (b) have sill heights of at least 1.7 metres above floor level, or
- (c) have fixed obscure glazing in any part of the window below 1.7 metres above floor level.

**5 Open space and landscaping**

- (1) A minimum of 20 percent of the site must be soft landscaped, that is, not a hard surface.
- (2) Not more than one-third of the front setback area is to be paved or sealed.

## Group B

### 1 Streetscape

- (1) Each part of the structure:
  - (a) complies with any relevant building line fixed by or under an environmental planning instrument or development control plan applying to the land, or
  - (b) is set back at least 4 metres from the front boundary or at least to the average of the minimum setbacks of any like structures on land each side of the subject property, whichever is the greater.
- (2) Carports and garages facing a public street or accessway are not more than 6 metres or 50 percent of the frontage wide, whichever is the lesser.

### 2 Energy efficiency

The dwelling has at least a 3.5 star rating under the *House Energy Rating Scheme* (NatHERS).

### 3 Bulk and scale

- (1) The ground floor level of the structure at any point is not more than 500 millimetres above natural ground level.
- (2) The distance between the floor level and the underside of the eaves is not more than 5.5 metres.
- (3) The roof openings are flush with the roof pitch.
- (4) The next door property's main area of private open space, and any habitable rooms in that property, are not in shadow between 10 a.m. and 3 p.m. on 21 June, as a result of the development.
- (5) The external wall of each structure affected by the proposed development is at least 1.5 metres from the nearest side and the rear boundaries.

### 4 Privacy and security

- (1) Windows in a habitable room that are within 9 metres of, and allow an outlook to, a window of a habitable room in the neighbour's house:



- 
- (a) are offset from the edge of one window to the nearest edge of the other by a distance of at least 0.5 metre, or
  - (b) have sill heights of at least 1.7 metres above floor level, or
  - (c) have fixed obscure glazing in any part of the window below 1.7 metres above floor level.
- (2) No balconies or decks are at the first floor level.

### **5 Open space and landscaping**

- (1) A minimum of 20 percent of the site must be soft landscaped, that is, not a hard surface.
- (2) Not more than one-third of the front setback areas is to be paved or sealed.

## **Group C**

### **1 Streetscape**

- (1) Each part of the structure:
  - (a) complies with any relevant building line fixed by or under an environmental planning instrument or development control plan applying to the land, or
  - (b) is set back at least 4 metres from the front boundary or at least to the average of the minimum setbacks of any like structures on land each side of the subject property, whichever is the greater.
- (2) Carports and garages facing a public street are not more than 6 metres or 50 percent of the frontage wide, whichever is the lesser.

### **2 Energy efficiency**

The dwelling has at least a 3.5 star rating under the *House Energy Rating Scheme* (NatHERS).

### **3 Bulk and scale**

- (1) The ground floor level of the structure at any point is not more than 500 millimetres above natural ground level.

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Schedule 4 Complying development

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- (2) The distance between the floor level and the underside of the eaves is not more than 2.7 metres for a single-storey house and 5.5 metres for a two-storey house.
- (3) The roof openings are flush with the roof pitch.
- (4) The next door property's principal area of ground level private open space, and any habitable rooms in that property, are not in shadow between 10 a.m. and 3 p.m. on 21 June as a result of the development.
- (5) The external wall of each structure affected by the proposed development is at least 900 millimetres from the nearest side and the rear boundaries.

### 4 Privacy and security

Windows in a habitable room that are within 9 metres of and allow an outlook to a window of a habitable room in the neighbour's house:

- (a) are offset from the edge of one window to the nearest edge of the other by a distance of at least 0.5 metre, or
- (b) have sill heights of at least 1.7 metres above floor level, or
- (c) have fixed obscure glazing in any part of the window below 1.7 metres above floor level.

### 5 Open space and landscaping

A minimum of 50 percent of the site must be soft landscaped, that is, not a hard surface.

## Group D

### 1 Streetscape

Each part of the structure:

- (a) complies with any relevant building line fixed by or under an environmental planning instrument or development control plan applying to the land, or

- (b) is set back at least 20 metres from the front boundary or at least to the average of the minimum setbacks of any like structures on land each side of the subject property, whichever is the greater.

**2 Energy efficiency**

The dwelling has at least a 3.5 star rating under the *House Energy Rating Scheme* (NatHERS).

**3 Bulk and scale**

- (1) All structures are within a building envelope of not more than 500 square metres. The building envelope can be made up of a number of smaller envelopes that in total are not more than 500 square metres.
- (2) The ground floor level of the structure at any point is not more than 500 millimetres above natural ground level.
- (3) The distance between the floor level and the underside of the eaves is not more than 2.7 metres for a single-storey house and 5.5 metres for a two-storey house.
- (4) The roof openings are flush with the roof pitch.
- (5) The external wall of each structure affected by the proposed development is at least 20 metres from the nearest side and the rear boundaries.

**4 Open space and landscaping**

A minimum of 50 percent of the site must be soft landscaped, that is, not a hard surface.

**Group E**

**1 Setbacks**

Each part of the structure is set back at least 5 metres from the nearest road boundary.

**2 Floor space ratio**

The floor space ratio (ratio of the total floor space in all buildings to the site area) is not more than 1:1.

**3 Building height**

- (1) The height of any wall is not greater than 7.2 metres, excluding any parapet.
- (2) Parapets may extend a maximum of 1.2 metres above the intersection of any wall and the roof.
- (3) Each roof pitch is no more than 10 degrees.
- (4) The site is not cut or filled so as to alter a level by more than by 500 millimetres.

**4 Drainage**

- (1) All roof and surface water is drained to the street and discharged into the Council's nearest stormwater drainage system in the street.
- (2) The drainage system is designed for a 1 in 10 year storm event, and so that any excess will flow overland to the street.

**5 Garbage and storage areas**

Garbage and storage areas are on-site and behind the building line for the property.

**6 Landscaping**

- (1) A landscaped strip of at least 3 metres to each street frontage is planted with a canopy of trees and shrubs.
- (2) The driveway has a maximum width of 7 metres.

**7 Parking, loading and unloading**

- (1) Car parking on-site is provided at the rate of at least one space for each 70 square metres of gross floor area, or one space for every 2 employees, whichever is the greater.
- (2) There is space for loading and unloading of vehicles within the site.
- (3) Driveway widths and turning circles on-site comply with Roads and Traffic Authority standards.

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**Group F****1 Streetscape**

The pool will not be between the dwelling and front boundary.

**2 Bulk and scale**

- (1) All coping or decking around the pool is not more than 500 millimetres above the natural ground level.
- (2) The pool is at least 1.5 metres from the nearest side and the rear boundaries.

**3 Privacy and security**

The noise level of any filtration equipment or pumps does not exceed 5 dBA above the ambient background level measured at the property boundary.

**4 Open space and landscaping**

A minimum of 20 percent of the site must be soft landscaped, that is, not a hard surface.

**5 Installation and construction**

The installation and construction of the pool complies, where relevant, with:

- (a) *AS/NZS 1838:1994—Swimming pools—Premoulded fibre-reinforced plastics—Design and fabrication, and AS/NZS 1839:1994—Swimming pools—Premoulded fibre-reinforced plastics—Installation, or*
- (b) *AS 2783-1992—Use of reinforced concrete for small swimming pools.*

**6 The pool and surrounding structures**

The pool and surrounding structures comply with *AS 1926.2-1995—Swimming pool safety—Location of fencing for private swimming pools.*

## Part 3 Complying development certificate conditions

### Before you begin work

- 1 Two days before any site works, building or demolition begins, the applicant must:
  - forward *Notice of Commencement of Work and Appointment of Principal Certifying Authority* (Form 7 of the Regulation) to the Council, and
  - notify the adjoining owners that work will commence.
- 2 Before any site works, building or demolition begins, the applicant must:
  - notify the Council of the name, address, phone number and licence number of the builder, and
  - erect a sign at the front of the property with the builder's name, licence number, site address and consent number, and
  - provide a temporary on-site toilet, and
  - protect and support any neighbouring buildings, and
  - protect any public place from obstruction or inconvenience due to the carrying out of the development, and
  - prevent any substance from falling onto a public place, and
  - follow any other conditions prescribed by the Regulation.

This item does not impose a requirement on an applicant if it is complied with by the builder.

### Site management

- 3 Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
  - divert uncontaminated run-off around cleared or disturbed areas, and

- erect a silt fence to prevent debris escaping into drainage systems or waterways, and
  - prevent tracking of sediment by vehicles onto roads, and
  - stockpile top soil, excavated material, construction and landscaping supplies and debris within the site.
- 4 Removal or disturbance of vegetation and top soil must be confined to within 3 metres of the proposed building.

**Drainage**

- 5 The land surrounding any structure must be graded to divert surface water to the street, and must be clear of existing and proposed structures and adjoining premises.
- 6 Where the water falls to the rear of the property, it must be collected and drained via a gravity system to a Council stormwater line or disposed of in a manner consistent with the Council's Soil and Water Management Policy.

**Inspections during construction**

- 7 The applicant must notify either the Council or an accredited certifier in advance (at least 48 hours in writing or 24 hours by phone) to inspect the following:
- erosion controls, site works and site set out, before building starts, and
  - placement of piers or foundation before placing footings, and
  - steel reinforcing before pouring concrete, and
  - framework of structure before lining or cladding is fixed, and
  - stormwater drainage and on-site detention before backfilling, and
  - wet areas treated before lining or tiling.

**Hours of works**

- 8 Any building work must be carried out between 7.00 a.m. and 6.00 p.m. Monday to Friday and 8.00 a.m. to 5.00 p.m. Saturdays, but not on public holidays.

**Survey certificate**

- 9 The following survey certificate must be given to the principal certifying authority, at the following stages:
- on completion of floor slab framework before concrete is poured, detailing the location of the structure to the boundaries, and
  - at completion of the lowest floor, confirming that levels are in accordance with the certificate (which levels must relate to the datum shown on the certificate).

**Safety**

- 10 Fire safety measures must be included.

**Site access**

- 11 Where kerb and gutter is provided:  
driveways are to be a minimum of 500 millimetres clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including Council drainage structures, unless prior approval is obtained from the relevant authority.
- 12 Where kerb and gutter is not provided:  
a gravel vehicular entrance incorporating a 375 millimetre diameter stormwater pipe and concrete headwalls or a 6 metre by 6 metre concrete slab dish drain shall be constructed to provide access to the lot.
- 13 Driveways are to be a minimum of 6 metres from a road intersection.
- 14 Driveways are to be constructed in accordance with any relevant requirements of *AS 2890.1-1993—Parking facilities—Off-street car parking*, with appropriate transition zones.

**Removal of temporary building**

- 15 Any building erected for use for a specified period of not more than 5 years pursuant to Part 1 of this Schedule must be completely demolished or removed from the site no later than 60 days after the specified period ends.



**Schedule 5 Land classified or reclassified as  
operational land**

(Clause 71)

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Schedule 6 Heritage items

**Schedule 6 Heritage items**

(Schedule 1)

**Part 1**

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
—	Alfred Street (adj 45 Weston Street)	Harris Park	Boundary Stone	—
—	Alfred Street (alongside Clay Cliff Creek)	Harris Park	Boundary Stone	—
16, 18, 20	Alice Street	Harris Park	Experiment Farm environs	Lots 37–39 DP 10853
61, 63, 65	Alice Street	Harris Park	Elizabeth Farm archaeological site	Lots 15–17 Sec 2 DP 4630
70	Alice Street	Harris Park	Elizabeth Farm House and associated public reserve	Lot B, Pt Lot C, Lot D DP 26507 Lot D DP 411727
1	Barrack Lane (100 (rear) Macquarie Street)	City Centre	Convict Barracks wall	Lot 6 Sec 17 DP 80784

Street No	Street Name	Precinct	Name or Description of items	Property Description
1	Barrack Lane (100 (rear) Macquarie Street)	City Centre	Cottages	Lot 6 Sec 17 DP 80784
39	Campbell Street	City Centre	David Lennox's House	Lot 1 DP 83294
47	Campbell Street	City Centre	Masonic Centre	Lot 7 DP 67534
182	Church Street	City Centre	Bicentennial Square and adjoining buildings	Pt Lot 1 DP 791300
182	Church Street	City Centre	Parramatta Town Hall and potential archaeological site	Pt Lot 1 DP 791300
188	Church Street (south east cnr)	City Centre	Murrays' Building and potential archaeological site	Pt Lot 23 DP 55292
195	Church Street	City Centre	St John's Pro-Cathedral	DP 88548
195 (rear)	Church Street (47 Hunter Street)	City Centre	Warden's Cottage (Verger's Cottage)	DP 88548
196 (opposite)	Church Street, Bicentennial Square	City Centre	Centennial Memorial Clock	—

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## Schedule 6 Heritage items

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
197	Church Street	City Centre	Shop and potential archaeological site	Lot 1 DP 710335
198, 200, 202, 204, 206, 208, 210, 212, 214, 216	Church Street (40–46 Macquarie Street)	City Centre	Horse Parapet Facade and potential archaeological site	Lot 1 DP 89790 Lot 1 DP 89558 Lot 1 DP 72798 Lot 1 DP 650150
213	Church Street (93–93a Marsden Street)	City Centre	Telstra House (former Post Office) and potential archaeological site)	Lots 1 and 2 DP 578322
215, 217	Church Street	City Centre	HMV (former Commonwealth Bank) and potential archaeological site	Lot E DP 15013
235, 237	Church Street	City Centre	Former Court House wall and sandstone cellblock and potential archeological site	Lots 1 and 2 DP 205570
263, 265	Church Street	City Centre	Shops and offices	Pt Lot A DP 151565
264	Church Street (cnr George Street)	City Centre	Westpac Bank	Lot 1 DP 952497

Street No	Street Name	Precinct	Name or Description of items	Property Description
286 (rear), 288, 290	Church Street	City Centre	Sandstone and brick wall	Lot 1 DP 210616 Lot 1 DP 128501 Lot 5 DP 516126 Lot 2 DP 216665
306	Church Street (cnr Phillip Street)	City Centre	Former ANZ Bank and potential archaeological site	DP 65743
349 (adj), 351	Church Street	City Centre	Lennox Bridge	—
353c	Church Street	City Centre	Alfred Square and potential archaeological site	Lot 1 DP 724837
356	Church Street	City Centre	St. Peter's Uniting Church and potential archaeological site	Lot B DP 154618
366, 368	Church Street	City Centre	Anthony Malouf & Co	Lot A DP 90292
387	Church Street	City Centre	Royal Oak Hotel and Stables and potential archaeological site	DP 85794
448, 450	Church Street	City Centre	Commercial Building	DP 70506

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## Schedule 6 Heritage items

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
476	Church Street	City Centre	Former bakery and potential archaeological site	Lot 3 DP 741890
1	Cowper Street	City Centre	Llonells	Lot 1 DP 935059
3	Cowper Street	City Centre	Jeshyron	Lot 1 DP 935060
3	Darcy Street (also Argyle Street)	City Centre	Parramatta Station	DP 733457
31	Fennell Street (423 Church Street)	City Centre	Stable and potential archaeological site	Lot 101 DP 612005
1a, b, c	Fleet Street	Govt Precinct	Parramatta Girls' Training School	Pt MS 2486SY Pt 22665SY
5a	Fleet Street	Govt Precinct	Cumberland Hospital including Wisteria Gardens	Lot 3 DP 808447
4	George Street	City Centre	Parramatta Hospital archaeological site	Lot 51 DP 859100
10	George Street (cnr Marsden Street)	City Centre	Brislington property, Moreton Bay fig tree and potential archaeological site	Lot 2 DP 827963

Street No	Street Name	Precinct	Name or Description of items	Property Description
12	George Street	City Centre	Court House Tower	Sec 20 TOWNMAP
16	George Street	City Centre	Former Rural Bank	Lot 1 DP 68450
17	George Street	City Centre	Marsdens Building and potential archaeological site	Lot 1 DP 598663
19	George Street	City Centre	Woolpack Hotel and potential archaeological site	Lot 1 DP 74937
45	George Street	City Centre	Shops and potential archaeological site	Lot 1 DP 701456 Lot L DP 400566
69	George Street	City Centre	Roxy Cinema	DP 76080
85	George Street	City Centre	Perth House Property, Moreton Bay fig tree and potential archaeological site	Lot 10 DP 814413
90	George Street	City Centre	Shop and Office and potential archaeological site	Lot 101 DP 634495
153	George Street	Harris Park	Tara (also known as Ellengowan)	Lot 1 DP 182726

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

Street No	Street Name	Precinct	Name or Description of items	Property Description
182	George Street	City Centre	Harrisford and potential archaeological site	Lot 1 DP 59495
198	George Street (Queen's Park)	Harris Park	Queen's Wharf Reserve and stone wall and potential archaeological site	Lot 60 Sec 23 DP 939368 Lot A DP 959111 Lot 1 DP 128847 Lot A DP 444716 Lot 1 DP 126881
198	George Street (Queen's Park)	Harris Park	HMAS Parramatta memorial	Lot unnumbered
198 adj	George Street	Harris Park	Gasworks Bridge	—
101	Harris Street	Harris Park	Experiment Farm environs	Pt Lots 12, 13, 16 and Y DP 401280
2a	Hassall Street (cnr Station Street East)	City Centre	Commercial Hotel	Lot 23 DP 746354
45 (part)	Hassall Street	Harris Park	Experiment Farm environs	Pt Lot X, DP 401280 Pt Lots 12 and 13, DP 8430
47	Hassall Street	Harris Park	Hambledon Cottage and Fig Tree	Lots 2 and 3 DP 391496



Street No	Street Name	Precinct	Name or Description of items	Property Description
2	Horwood Place (48–50 George Street)	City Centre	Redcoats' Mess House and potential archaeological site	Lot 2 DP 702154
100 (rear)	Macquarie Street (1 Barrack Lane)	City Centre	Convict Barracks wall and potential archaeological site	Lot 6 Sec 17 DP 80784
100 (rear)	Macquarie Street (1 Barrack Lane)	City Centre	Cottages and potential archaeological site	Lot 6 Sec 17 DP 80784
119	Macquarie Street	City Centre	Leigh Memorial Uniting Church	Lot 1 DP 628809
175	Macquarie Street	City Centre	Arthur Phillip High School and potential archaeological site	Lots 1–3 DP 115296 Lot 414 DP 820542 Lot 23 DP 7809
1	Marist Place	City Centre	St. Patrick's Cathedral, Presbytery and precinct and potential archaeological site	Lots 1, 2 and 11 Sec 1 DP 758829
	Marsden Street	City Centre	Parramatta Dam archaeological site	Weir
1	O'Connell Street	City Centre	St. John's Cemetery	Sec 5 TOWNMAP

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## Schedule 6 Heritage items

Street No	Street Name	Precinct	Name or Description of items	Property Description
12, 14	O'Connell Street (16 Hunter Street)	City Centre	Travellers' Rest Inn Group and potential archaeological site	Pt Lots 11 and 33 Sec 12 DP 939368 Pt Lot 2 DP 127028 Pt Lot 1 DP 234243
24	O'Connell Street (Marist Place)	City Centre	Marsden Rehabilitation Centre and potential archaeological site	Lot 1 70a DP 60568 Lots 7 and 8 Sec 1 DP 126895
73	O'Connell Street	Govt Precinct	Parramatta Gaol	Lot 1 DP 734689 Lot 2 DP 734689
—	O'Connell Street	Govt Precinct	Parramatta Regional Park	C6982 C9290 MS 80SY
2	Palmer Street	City Centre	Studio Theatre and potential archaeological site	Lot 1 DP 609963
2	Phillip Street (corner Marsden Street)	City Centre	Former St. Andrew's Uniting Church, Hall and potential archaeological site	Lot 54 Sec 24 TOWNMAP
34	Phillip Street	City Centre	Willow Grove and potential archaeological site	Lot 1 DP 569139

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
44, 46, 48, 50, 52, 54, 56	Phillip Street	City Centre	St. George's Terrace and potential archaeological site	Lot 1 DP 742271 Lot 1 DP 770901
66, 68	Phillip Street	City Centre	Barnaby's Restaurant and potential archaeological site	Lots 1 and 2 DP 128452
70, 74	Phillip Street	City Centre	Office and potential archaeological site	Lots 1 and 2 DP 621858
60	Prospect Street	Harris Park	Two-storey residence	Lot C DP 337810
62	Prospect Street	Harris Park	Two-storey residence	Lot C DP 330938
11c	Ross Street	City Centre	Electricity Substation and potential archaeological site	Lot 2 DP 234466
7, 13	Ruse Street	Harris Park	Experiment Farm Archaeological site (part)	Lot 29 DP 10853 Lot 27 DP 10853
8, 10, 12	Ruse Street	Harris Park	Experiment Farm environs	Lots 14–16 DP 10853
9	Ruse Street	Harris Park	Experiment Farm and potential archaeological site	Lot 28 DP 10853 Lot 1 DP 256428

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Schedule 6 Heritage items

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<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
2	Smith Street	City Centre	Lancer Barracks Group	Lot 396 DP 39627
11	Victoria Road (cnr Sorrell Street)	City Centre	Rose & Crown Hotel and potential archaeological site	Lot 1 DP 67120

**Part 2**

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
1, 3	Ada Street	Harris Park	Single-storey residence	Lots A and B DP 382156
2, 4	Ada Street	Harris Park	Two timber cottages	Lots 6 and 7 Sec 2 DP 395
5, 7, 9, 11, 13	Ada Street	Harris Park	Group of timber houses	Lot 1 DP 102221 Lots 1 and 2 DP 128488 Lot 1 DP 914300 Lots 47A and 46A DP 443448
6, 8, 10, 12	Ada Street	Harris Park	Terrace houses	Lots 1–4 DP 545737

Street No	Street Name	Precinct	Name or Description of items	Property Description
3, 5, 9, 11, 13, 15, 17, 19, 21	Albion Street	Harris Park	Group of cottages	Lots 36, 37, 39–42 and 46 Sec 1 DP 415 Lot 1 DP 980531 Lot 1 DP 940350 Lot 45 DP 128721
4, 6, 12, 14, 16, 18, 20	Albion Street	Harris Park	Group of cottages	Lot 1 DP 448228 Lots 20, 23 and 27 Sec 2 DP 415 Lot 24 DP 792204 Lot 1 DP 809580 Lot 22 DP 951380
24, 26, 28, 30, 32	Albion Street	Harris Park	Group of cottages	Lots 15–18 Sec 2 DP 415 Lots A and B DP 908056
25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51	Albion Street	Harris Park	Group of cottages	Lot 48A DP 372015 Lots 49, 50, Pt Lot 51, Lots 53–59 and Pt Lot 60 Sec 1 DP 415 Lot 1 DP 974664 DP 448297

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

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<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
36, 38, 42, 44, 46, 48, 50, 52	Albion Street	Harris Park	Group of cottages	Lot 9 Sec 2 DP 415 Lot 2 DP 316665 Lots A–C DP 388161 Pt Lots 1A and 2A DP 333608
3, 5	Alice Street	Harris Park	Cottage	Lot 101 DP 805828 Lot 9 Sec 1 DP 981167
6, 10	Alice Street	Harris Park	Cottages	Lots 3 and 34 DP 10853
22, 24, 28	Alice Street	Harris Park	Group of cottages	Lots 40, 41 and 43 DP 10853
33	Allen Street	Harris Park	Convent of Mercy	Lots 6–8 DP 13579
83	Argyle Street	City Centre	Shop	Lot B DP 80421
87	Argyle Street	City Centre	Shop (former terrace)	Lot 2 DP 202699
89, 91	Argyle Street	City Centre	Shop (former terrace)	Lot B DP 74592 Lots 11 and 12 DP 871688
93, 95	Argyle Street	City Centre	Shops	Lot B DP 331034 Lot C DP 413622

Street No	Street Name	Precinct	Name or Description of items	Property Description
7	Brisbane Street	Harris Park	Two-storey residence	Lot 14 Sec 3 DP 981167
14	Brisbane Street	Harris Park	Single-storey residence	Lot A DP 81680
1	Cambridge Street	Harris Park	Single-storey residence	Lot 18 DP 874
3	Cambridge Street	Harris Park	Single-storey residence	Lot 17 DP 874
5	Cambridge Street	Harris Park	Single-storey residence	Lot 16 DP 874
138	Church Street	City Centre	Shop (former Fire Station)	Lot 409 DP 729616
243, 245, 247	Church Street	City Centre	Parramatta House and potential archaeological site	Lot 1 DP 74622
253	Church Street	City Centre	Shop	Lot B DP 380265
255	Church Street	City Centre	Shop	Lot 1 DP 587804
257, 259, 261	Church Street	City Centre	Shop and potential archaeological site	Lots 4–9 DP 239534 Lot 2 DP 527452
267	Church Street	City Centre	Shop and potential archaeological site	Lots 1 and 2 DP 400078
269	Church Street	City Centre	Shop and potential archaeological site	Lot C DP 185864

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

Street No	Street Name	Precinct	Name or Description of items	Property Description
273	Church Street	City Centre	Shop and potential archaeological site	Lot B DP 324965
275, 277	Church Street	City Centre	Shops and potential archaeological site	Lot 2 DP 709743, Lot 2 DP 331350, Lot E DP 340000
279	Church Street	City Centre	Shop/office and potential archaeological site	Lot 10 DP 733123
300	Church Street	City Centre	Shop and potential archaeological site	Lot 1 DP 211499
330	Church Street	City Centre	former David Jones Department Store	Lots 2 and 3 DP 788637
353a (adj)	Church Street	City Centre	Horse trough	—
446	Church Street	City Centre	Shop	Lot 1 DP 204902
458	Church Street	City Centre	Bicycle Shop	Pt Lot 7 DP 840294
9	Cowper Street	City Centre	Cowper Cottage	Lot 61 DP 633712
2	Crown Street	Harris Park	Single-storey residence	Lot 6 Sec 2 DP 981167
4	Crown Street	Harris Park	Single-storey residence	Lot 1 DP 996846



Street No	Street Name	Precinct	Name or Description of items	Property Description
5	Crown Street	Harris Park	Single-storey residence	Lot C DP 326493
6	Crown Street	Harris Park	Esperanto	Lot 10 Sec 2 DP 981167
7	Crown Street	Harris Park	Single-storey residence	Lot 1 DP 91466 Lot 1 DP 90506
8	Crown Street	Harris Park	Single-storey residence	Pt Lots 12 and 14 Sec 2 DP 981167
10	Crown Street	Harris Park	Single-storey residence	Lot 6 DP 37348
11	Crown Street	Harris Park	St Paul's Anglican Church	Lots 15 and 17 Sec 3 DP 981167
16, 18	Crown Street	Harris Park	Single-storey residence and electricity substation	Lots A and B DP 328215
22	Crown Street (cnr Good Street)	Harris Park	Single-storey residence	Lot 1 DP 998205 Lot 2 DP 948286
	Dunlop Street	Govt Precinct	Stone kerb and gutter	West Arm
45	Eleanor Street	Harris Park	Victorian cottage	Lot 10 DP 11195

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

Street No	Street Name	Precinct	Name or Description of items	Property Description
57, 59, 61, 63, 71, 73, 75, 77, 79	Eleanor Street	Harris Park	Eleanor Street Group	Lot 1 DP 970441 Lot 19 Sec E DP 1249 Lot 1 DP 982772 Lot 1 DP 936955 Lots X and Y DP 399671 Lots 1 and 2 DP 115056 Lots 20A and 20B DP 380534 Lot 21 Sec E DP 1249
61–79 (both sides)	Fleet Street	Govt Precinct	Stone kerbing and tree planting	—
48	George Street	City Centre	Civic Arcade (former theatre) and potential archaeological site	Lot 1 DP 209142
167 (opp)	George Street	Harris Park	Trees in median strip	—
169	George Street	Harris Park	Bulimba	Lot 2 Sec S DP 1249
173	George Street	Harris Park	Cottage	Lot 4 Sec S DP 1249
123	Good Street	Harris Park	Former Store	Lot 1 DP 5009
139	Good Street	Harris Park	Brick house	Lot 1 DP 981538

Street No	Street Name	Precinct	Name or Description of items	Property Description
144	Good Street	Harris Park	Two-storey residence	Lot B DP 324294
148	Good Street	Harris Park	Cottage	Lot 3 DP 84621
32	Grose Street	City Centre	Single-storey residence	Pt Lot 12 and Lot 13 Sec 17 TOWNMAP
59	Harris Street	Harris Park	Cottage	Lot A DP 105869
64, 66, 68, 70, 72, 76, 78	Harris Street	Harris Park	Group of cottages	Lot 35 Sec 2 DP 415 Lot 1 DP 934806 Pt Lot 37 and Lots 38, 39 and 42 Sec 2 DP 415 Lot 2 DP 738287
65	Harris Street	Harris Park	Cottage	Lot 1 DP 816802
67, 69	Harris Street	Harris Park	Cottages	Lots 1 and 2 DP 531819
82, 84, 86, 88	Harris Street	Harris Park	Group of cottages	Lots 44–46 Sec 2 DP 415 Lot 47 DP 178143

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
90, 92, 94, 96, 98	Harris Street	Harris Park	Group of cottages	Lots 48 and 49 Sec 2 DP 415 Lots 1 and 2 DP 511375 Lot 52 Sec 2 DP 415
100, 102, 104, 106, 108, 110	Harris Street	Harris Park	Group of cottages	Lots 53–55 and Pt Lot 56 Sec 2 DP 415 Lot 20 DP 851684 Lot 1 DP 333070 Lot 60 DP 735064
23, 25	Hassall Street	City Centre	Semi-detached cottages	Lot 2 DP 218476 Lot 1 DP 218476
30	Hassall Street	City Centre	Timber cottage	Lot 22 Sec 1 DP 241
42	High Street	City Centre	Two-storey residence	Pt Lot 23 Sec 11 DP 241 Lot 1 DP 81523 Lot 1 DP 81603
49, 51	High Street	City Centre	Attached houses	Lot 2 DP 530845 Lot B DP 388388
65	High Street	City Centre	Single-storey residence	Lot 48 Sec 1 DP 976 Lot 1 DP 576223

Street No	Street Name	Precinct	Name or Description of items	Property Description
67	High Street	City Centre	Single-storey residence	Lot B DP 421597
40	Hunter Street (195 Church Street)	City Centre	St. John's Parish Hall	DP 88548
41	Hunter Street	City Centre	Two-storey residence	Lot 1 DP 27310
102	James Ruse Drive	Harris Park	Victorian cottage	Lot 1 DP 128275
41, 43	Lansdowne Street	City Centre	Semi-detached cottages	Lot 21 DP 12623
49, 51	Lansdowne Street	City Centre	Semi-detached cottages	Lot 19 DP 12623
64	Macquarie Street	City Centre	Kia Ora and potential archaeological site	Lot AY DP 400258
78	Macquarie Street	City Centre	Apartment Block/ Flats	Part Lot 1 DP 232067
9, 11, 13, 17, 20, 23, 26, 28, 29, 31, 37, 38 and 1, 3	Marion Street  Cowper Street	City Centre  City Centre	Cowper/Marion Street Group  Cowper/Marion Street Group	see individual items below  see individual items within Part 1
9	Marion Street	City Centre	House/ Industrial	Lot 1 DP 794747

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
11	Marion Street	City Centre	Single-storey residence	Lot 1 DP 574174
13	Marion Street	City Centre	Residence—Mona	Lot 1 DP 528361
17	Marion Street	City Centre	Attached House/Office	Lot 1 DP 600258
20	Marion Street	City Centre	Single-storey residence	Lot 2 DP 524232
23	Marion Street	City Centre	Attached House/Office	Lot 5 Sec 1 DP 976
26	Marion Street	City Centre	Single-storey residence	Lot 2 DP 909383
28	Marion Street	City Centre	Single-storey residence	Lot 1 DP 966322
29	Marion Street	City Centre	Single-storey residence	Lot 8 Sec 1 DP 976, Lot 1 DP 345868
31	Marion Street	City Centre	Single-storey residence	Lot 9 DP 128787
37	Marion Street	City Centre	Single-storey residence	Lot 12 Sec 1 DP 976
38	Marion Street	City Centre	Two-storey residence	Lot 9 DP 906071
42, 44, 46, 48	Marion Street	Harris Park	Group of cottages	Lots X and Y DP 394228 Lot 24 Sec 1 DP 395 Lot A DP 377229

Street No	Street Name	Precinct	Name or Description of items	Property Description
65, 69, 71, 73, 75, 77, 79	Marion Street	Harris Park	Group of cottages	Lot 12 DP 2114 Lots 5–10 DP 2114
4, 6, 8, 10, 12	Oak Street	Harris Park	Oak Street cottage group	Lot 17 Sec 4 DP 4630 Lots 161 and 162 DP 229139 Lots A and B DP 412714
12	Prospect Street	Harris Park	Single-storey residence	Lot 25 Sec 1 DP 1775
23	Prospect Street	Harris Park	Single-storey residence	Lot 9 DP 6518
25	Prospect Street	Harris Park	Single-storey residence	Lot 10 DP 6518
2, 4, 6, 8, 10	Purchase Street	Harris Park	Timber cottages	Lots 1 and 2 DP 170909 Lots 1 and 2 DP 115224 DP 172693
14	Ross Street	City Centre	Single-storey residence	Lot B DP 439568
16	Ross Street	City Centre	Wine Bar Bistro	Lot 1 DP 834630
24, 26	Station Street East	Harris Park	Attached houses	Lot 1 DP 102660 Lot 1 DP 110145
32, 34	Station Street East	Harris Park	Attached houses	Lots 101 and 102 DP 819487

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

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<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
36, 38, 40	Station Street East	Harris Park	Terrace	Lot B DP 430267
42, 44	Station Street East	Harris Park	Attached houses	Pt Lot A DP 430267
48	Station Street East	Harris Park	Single-storey residence	Lots 3 and 4 Sec 1 DP 395
1	Station Street West	City Centre	Two-storey residence	Lot 34 Sec 1 DP 976
7	Station Street West	City Centre	Single-storey residence	Lot 31 Sec 1 DP 976
—	Victoria Road (adj 353a Church Street)	City Centre	Horse trough	—
19, 21	Wentworth Street	City Centre	Attached houses	Lot 7 DP 555797 Lot 5 DP 531926
34	Weston Street	Harris Park	Single-storey bungalow	Lot 17 Sec 1 DP 4630
37	Weston Street	Harris Park	Iona	Lot 6 Sec 2 DP 4630
41	Weston Street	Harris Park	St Mons	Lot 8 Sec 2 DP 4630
69	Weston Street	Harris Park	Elderslie	Lot 24 DP 744307 Lot 2 DP 975867
77	Weston Street	Harris Park	Single-storey residence	Lot 1 DP 112790



Street No	Street Name	Precinct	Name or Description of items	Property Description
79	Weston Street	Harris Park	Single-storey residence	Lot 1 DP 626736
80	Weston Street	Harris Park	Neryda	Lot 11 and Pt Lot 13 Sec 2 DP 981167
85	Weston Street	Harris Park	Single-storey residence	Lot 1 DP 745744
87	Weston Street	Harris Park	Single-storey residence	Lot 6 Sec 1 DP 981167 Lots 1 and 2 DP 199790
48	Wigram Street	Harris Park	Single-storey residence	Lot 13 DP 239088
59, 61, 63, 65	Wigram Street	Harris Park	Group of cottages	Lots 24, 27 and 28 Sec 1 DP 415 Lot 101 DP 717736 Lot B DP 348320
62, 64, 66, 68, 70, 72, 74, 76, 78, 80	Wigram Street	Harris Park	Group of cottages	Lots 27 and 28 DP 320465 Lots C and D DP 395244 Lots 32–35 Sec 1 DP 395 Lots 1 and 2 DP 776184

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## Sydney Regional Environmental Plan No 28—Parramatta

## Schedule 6 Heritage items

<b>Street No</b>	<b>Street Name</b>	<b>Precinct</b>	<b>Name or Description of items</b>	<b>Property Description</b>
73, 75, 77, 79	Wigram Street	Harris Park	Group of cottages	Lots 18–20 Sec 1 DP 415 Lot 1 DP 906109 Lot 1 DP 905430 Lot 17 DP 128556
83, 85, 87, 89	Wigram Street	Harris Park	Single-storey residence	Lots 10–13 Sec 1 DP 415
84, 88, 90, 92, 94, 102	Wigram Street	Harris Park	Group of dwellings	Lot 37 DP 177351 Lot 45 Sec 1 DP 395 Pt Lot 1 DP 905616 Lot B DP 384444
93, 95, 97, 99, 101, 103	Wigram Street	Harris Park	Single-storey residence	Lot A DP 927881 Lots 1 and 2 DP 501502 Lots 1–4 Sec 1 DP 415
105 (part)	Wigram Street	Harris Park	Single-storey shop	Lots 27 and 28 Sec 2 DP 2371 Lot 101 DP 789695
113, 115	Wigram Street	City Centre	Attached Houses	Lot Y DP 403345 Lot X DP 403345

### **Part 3**

#### Harris Park Heritage Conservation Area

**1999 No 444**

Sydney Regional Environmental Plan No 28—Parramatta

Schedule 7 Amendment of other instruments

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**Schedule 7 Amendment of other instruments**

(Clause 5 (4))

**[1] Holroyd Local Environmental Plan 1991**

**Clause 4 Relationship to other environmental planning instruments**

Insert at the end of the clause:

- (2) Parts 1 (Preliminary), 2 (Primary Centre controls) and 10 (Transport) of *Sydney Regional Environmental Plan No 28—Parramatta* apply to land to which this plan applies if it is within the Parramatta Primary Centre, within the meaning of that plan.

**[2] Parramatta Planning Scheme Ordinance**

**Clause 6 Land to which this Scheme applies**

Insert after clause 6 (2):

- (3) This Ordinance does not apply to land within the City Centre or Government Precinct within the meaning of *Sydney Regional Environmental Plan No 28—Parramatta*.
- (4) Parts 1 (Preliminary), 2 (Primary Centre controls) and 10 (Transport) of *Sydney Regional Environmental Plan No 28—Parramatta* apply to land to which this Ordinance applies if it is within the Parramatta Primary Centre, within the meaning of that plan.
- (5) Part 4, 7 or 8 of *Sydney Regional Environmental Plan No 28—Parramatta* applies to land to which this Ordinance applies if it is within the Harris Park, Rydalmere or Camellia Precinct, within the meaning of that plan.

**[3] Parramatta Local Environmental Plan 1989 (City Centre)**

**3.1 Clause 3 Land to which plan applies**

Insert at the end of the clause:

- (2) However, this plan does not apply to land within the City Centre or Government Precinct within the meaning of *Sydney Regional Environmental Plan No 28—Parramatta*.

**3.2 Clause 4 Relationship to other environmental planning instruments**

Omit clause 4 (2). Insert instead:

- (2) Parts 1 (Preliminary), 2 (Primary Centre controls) and 10 (Transport) of *Sydney Regional Environmental Plan No 28—Parramatta* apply to land to which this plan applies if it is within the Parramatta Primary Centre, within the meaning of that plan.
- (2A) Part 4 of *Sydney Regional Environmental Plan No 28—Parramatta* applies to land to which this plan applies if it is within the Harris Park Precinct, within the meaning of that plan.

**[4] Parramatta Local Environmental Plan 1990 (Toongabbie Ward)**

**4.1 Clause 3 Land to which plan applies**

Insert at the end of the clause:

- (2) However, this plan does not apply to land within the Government Precinct within the meaning of *Sydney Regional Environmental Plan No 28—Parramatta*.

**4.2 Clause 4 Relationship to other environmental planning instruments**

Insert after clause 4 (1):

- (1A) Parts 1 (Preliminary), 2 (Primary Centre controls) and 10 (Transport) of *Sydney Regional Environmental Plan No 28—Parramatta* apply to land to which this plan applies if it is within the Parramatta Primary Centre, within the meaning of that plan.
- (1B) Part 6 of *Sydney Regional Environmental Plan No 28—Parramatta* applies to land to which this plan applies if it is within the Westmead Precinct, within the meaning of that plan.

**[5] Parramatta Local Environmental Plan No 196**

**Clause 4 Relationship to other environmental planning instruments**

Insert at the end of the clause:

- (2) Parts 1 (Preliminary), 2 (Primary Centre controls) and 10 (Transport) of *Sydney Regional Environmental Plan No 28—Parramatta* apply to land to which this plan applies if it is within the Parramatta Primary Centre, within the meaning of that plan.
- (3) Part 4 of *Sydney Regional Environmental Plan No 28—Parramatta* applies to land to which this plan applies if it is within the Harris Park Precinct, within the meaning of that plan.

**[6] Parramatta Local Environmental Plan 1996 (Heritage and Conservation)**

**6.1 Clause 3 Land to which plan applies**

Insert at the end of the clause:

- (2) However, this plan does not apply to land within the City Centre, Harris Park or Government Precinct within the meaning of *Sydney Regional Environmental Plan No 28—Parramatta*.

**6.2 Clause 4 Relationship to other environmental planning instruments**

Insert at the end of the clause:

- (2) Parts 1 (Preliminary) and 2 (Primary Centre controls) of *Sydney Regional Environmental Plan No 28—Parramatta* apply to land to which this plan applies if it is within the Parramatta Primary Centre, within the meaning of that plan.

**[7] State Environmental Planning Policy No 4—Development Without Consent**

Insert in Schedule 1 before the list of local environmental plans:

Clause 83 of *Sydney Regional Environmental Plan No 28—Parramatta*.

BY AUTHORITY

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