



New South Wales

## **Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)**

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*.  
(S01/00657/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## **2001 No 567**

Clause 1                      Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)

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# **Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)**

## **1 Name of Plan**

This Plan is *Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)*.

## **2 Aims of Plan**

This Plan aims to:

- (a) provide detailed development controls for Precinct 2 under *Sydney Regional Environmental Plan No 28—Parramatta* (the Harris Park Precinct), and
- (b) incorporate additional heritage items and heritage conservation areas within the Harris Park Precinct, and
- (c) make a minor adjustment to the boundary of the Harris Park Precinct, and
- (d) make minor amendments to clarify the intent of certain provisions.

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

This Plan applies to land known as the Parramatta Primary Centre, as shown on the Primary Centre and Precincts Map, within the meaning of *Sydney Regional Environmental Plan No 28—Parramatta*. That land is predominantly within the City of Parramatta and partly within the City of Holroyd.

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

- (1) *Sydney Regional Environmental Plan No 28—Parramatta* is amended as set out in Schedule 1.
- (2) *Parramatta Planning Scheme Ordinance* and *Parramatta Local Environmental Plan 1989 (City Centre)* are amended as set out in Schedule 2.
- (3) *Parramatta Local Environmental Plan No 196* is repealed.

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## **Schedule 1 Amendment of Sydney Regional Environmental Plan No 28—Parramatta**

(Clause 4 (1))

**[1] Clause 3 Precincts created by this Plan**

Omit “six”. Insert instead “8”.

**[2] Clause 3**

Insert after “Precinct 6—Camellia”:

Precinct 7—Northern

Precinct 8—Southern

**[3] Clause 4 Objectives of this Plan**

Omit “, for each Precinct” from clause 4 (2).

**[4] Clause 4 (2) (a)**

Insert “Part 4 for Precinct 2—Harris Park,” after “Part 3 for Precinct 1—City Centre,”.

**[5] Clause 4 (2) (b)**

Omit “Part 4 for Precinct 2—Harris Park,”.

**[6] Clause 5 Relationship of this Plan to other environmental planning instruments**

Omit clause 5 (1)–(4). Insert instead:

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

*Parramatta Planning Scheme Ordinance*

*Parramatta Local Environmental Plan 1989 (City Centre)*

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

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### [7] Clause 10 Master plans

Insert at the end of clause 10 (2):

For the purposes of this clause, development of a minor nature is set out in Schedule 7.

### [8] Part 4, Division 2

Omit the matter relating to Division 2. Insert instead:

#### **Division 2 Zoning**

##### **29A Land use zones and explanation**

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

- (a) Residential 2 (a)—low density residential zone with predominantly detached dwellings and supporting community land uses,
- (b) Residential 2 (b)—medium density residential zone which provides for a variety of housing types (but not residential flat buildings) with supporting community and commercial land uses,
- (c) Residential 2 (c)—medium density residential zone which encourages a variety of housing types including residential flat buildings, with supporting community and commercial land uses,
- (d) Residential 2 (e)—applies to land which is flood-affected. Only low density residential development is allowed. This zone is considered an interim measure designed to manage flood risk until more detailed information is available about the level of risk,
- (e) Business—retail, commercial and support services for residents,
- (f) Light Industrial—light industrial uses that are compatible with surrounding residential development and provide local employment opportunities,

- (g) James Ruse Drive Mixed Use—land adjacent to James Ruse Drive and identified for higher density residential development and also serviced apartments and motels,
- (h) Special Uses—land identified for a range of special uses that are provided by public authorities or community organisations,
- (i) Open Space—land identified for public open space and community facilities,
- (j) Private Open Space—land identified for private open space and community facilities.

**29B Residential 2 (a) zone**

**(1) Objectives of the Residential 2 (a) zone**

The objectives of the Residential 2 (a) zone are as follows:

- (a) to preserve the amenity, scale and character of existing low-density houses in treed garden settings,
- (b) to ensure that new building forms, including alterations and additions, are in scale and character with surrounding original development,
- (c) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

**(2) Development within the Residential 2 (a) zone**

Development controls for the Residential 2 (a) zone are as follows:

- (a) Within the Residential 2 (a) zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - home activities.
- (b) Within the Residential 2 (a) zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:
  - alterations and additions to dwelling houses; bed and breakfasts; boarding houses containing not more than 5 bedrooms (including bedrooms in the manager's residence); child care centres; community facilities; dual occupancies (other than on the site of a heritage item or within a

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heritage conservation area); dwelling houses; educational establishments; medical consulting rooms; places of public worship; recreation facilities; stables on the land bounded by James Ruse Drive, Oak Street, Arthur Street and A'Becketts Creek.

In addition, within the Harris Park West Conservation Area:

professional office suites; refreshment rooms; shops.

- (c) Any other development is prohibited within the Residential 2 (a) zone.

### **29C Residential 2 (b) zone**

#### **(1) Objectives of the Residential 2 (b) zone**

The objectives of the Residential 2 (b) zone are as follows:

- (a) to provide for a variety of housing types, including multi-unit residential development (but not residential flat buildings),
- (b) to ensure that all new development is in scale and character with surrounding residential development and does not detract from the amenity enjoyed by nearby residents, or the existing quality of the surrounding environment,
- (c) to allow limited opportunities for non-residential development which provides support services for residents and is of a type and scale that is compatible with existing or planned residential development,
- (d) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

#### **(2) Development within the Residential 2 (b) zone**

- (a) Within the Residential 2 (b) zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - home activities.

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- (b) Within the Residential 2 (b) zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:
    - alterations and additions to dwelling houses; bed and breakfasts; boarding houses; child care centres; community facilities; dual occupancies; dwelling houses; educational establishments; hospitals; local shops; medical consulting rooms; multi-unit housing (but not residential flat buildings); nursing homes; places of public worship.
  - (c) Any other development is prohibited within the Residential 2 (b) zone.

**29D Residential 2 (c) zone**

**(1) Objectives of the Residential 2 (c) zone**

The objectives of the Residential 2 (c) zone are as follows:

- (a) to encourage a variety of housing types, including multi-unit residential development,
- (b) to ensure that all new development is in scale and character with surrounding residential development and does not detract from the amenity enjoyed by nearby residents, or the existing quality of the surrounding environment,
- (c) to allow limited opportunities for non-residential development which provides support services for residents and is of a type and scale that is compatible with existing or planned residential development,
- (d) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

**(2) Development within the Residential 2 (c) zone**

- (a) Within the Residential 2 (c) zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - home activities.

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- (b) Within the Residential 2 (c) zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:
  - alterations and additions to dwelling houses; bed and breakfasts; boarding houses; child care centres; community facilities; dual occupancies; dwelling houses; educational establishments; hospitals; local shops; medical consulting rooms; multi-unit housing; nursing homes; places of public worship; serviced apartments.
- (c) Any other development is prohibited within the Residential 2 (c) zone.

### 29E Residential 2 (e) zone

#### (1) Objectives of the Residential 2 (e) zone

The objectives of the Residential 2 (e) zone are as follows:

- (a) to limit the erection of structures on land subject to flood inundation,
- (b) to identify land that is subject to flood inundation and is considered to be unsuitable for intensification of development,
- (c) to ensure that the effect of inundation is not increased through development,
- (d) to ensure that all new development is in scale and character with surrounding residential development and does not detract from the amenity enjoyed by nearby residents, or the existing quality of the surrounding environment,
- (e) to allow limited opportunities for non-residential development which provides support services for residents and is of a type and scale that is compatible with existing residential development,
- (f) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.



**(2) Development within the Residential 2 (e) zone**

- (a) Within the Residential 2 (e) zone, exempt development and development for the purpose of the following may be carried out without development consent:  
home activities.
- (b) Within the Residential 2 (e) zone, subdivision (but only if no additional lots are created) and development for the purpose of the following may be carried out, but only with development consent:  
alterations and additions to dwelling houses;  
dwelling houses.
- (c) Any other development is prohibited within the Residential 2 (e) zone.

**29F Business zone**

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

The objectives of the Business zone are as follows:

- (a) to provide opportunities for low scale retail and commercial development which supports surrounding residential development,
- (b) to encourage the integration of commercial centres with public transport and pedestrian networks,
- (c) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

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

- (a) Within the Business zone, exempt development and development for the purpose of the following may be carried out without development consent:  
home activities.
- (b) Within the Business zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:  
advertisements; advertising structures;  
amusement centres; bed and breakfasts; boarding houses; brothels; child care centres; clubs;  
commercial premises; community facilities;  
dwellings used in conjunction with another land

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use allowed with consent in this zone; educational establishments; hotels; medical centres; motels; multi-unit housing; places of assembly; places of public worship; public buildings; recreation areas; recreation facilities; refreshment rooms; restricted premises; service stations; serviced apartments; shops; shop-top housing.

- (c) Any other development is prohibited within the Business zone.

### **29G Light industrial zone**

#### **(1) Objectives of the Light Industrial zone**

The objectives of the Light Industrial zone are as follows:

- (a) to provide for appropriate forms of industrial development, including the display and sale of bulky goods and motor-oriented activities, which will contribute to the economic and employment growth of the area,
- (b) to ensure that development is carried out in a manner which does not detract from the amenity enjoyed by residents in neighbouring localities, from the commercial viability of commercial zones in the Harris Park Precinct and the Parramatta City Centre or from the efficient operation of the road system,
- (c) to ensure that the scale, design and materials of construction, and the nature of development, contribute positively to the visual quality of the locality,
- (d) to allow for and improve public access along the foreshore of the Parramatta River,
- (e) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

#### **(2) Development within the Light Industrial zone**

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

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- (b) Within the Light Industrial zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:
    - advertisements; advertising structures; brothels; bulky goods retailing; car repair stations; child care centres; commercial signs; depots; dwellings used in conjunction with another land use which is permissible in the zone; equipment hire centres; light industries; local shops; motor showrooms; places of assembly; places of public worship; public buildings; recreation areas; recreation facilities; service stations; warehouses or distribution centres.
  - (c) Any other development is prohibited within the Light Industrial zone.

**29H James Ruse Drive Mixed Use zone**

**(1) Objectives of the James Ruse Drive Mixed Use zone**

The objectives of the James Ruse Drive Mixed Use zone are as follows:

- (a) to recognise the problems associated with the location of existing dwelling houses directly adjacent to James Ruse Drive, and to encourage land use activities which are more compatible to the location,
- (b) to ensure that new development does not detract from the character and visual quality of surrounding residential development or of nearby historic places, including Elizabeth Farm, or from the amenity enjoyed by nearby residents,
- (c) to provide for land uses which support the activities of the nearby Rosehill Racecourse,
- (d) to enhance James Ruse Drive as an important gateway to Parramatta,
- (e) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part,
- (f) to ensure that development does not detract from the efficient operation of the road system.

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### **(2) Development within the James Ruse Drive Mixed Use zone**

- (a) Within the James Ruse Drive Mixed Use zone, exempt development and development for the purpose of the following may be carried out without development consent:
  - home activities.
- (b) Within the James Ruse Drive Mixed Use zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:
  - dwellings; home activities; motels; multi-unit dwellings; professional office suites; serviced apartments; stables.
- (c) Any other development is prohibited within the James Ruse Drive Mixed Use zone.

### **29I Special Uses zone**

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

The objectives of the Special Uses zone are as follows:

- (a) to facilitate certain development on land which is used by public authorities, institutions or organisations to provide community facilities, services, utilities or transport facilities, being the primary use for the land specified on the Harris Park Precinct Zoning Map,
- (b) to allow other ancillary development which is incidental to the primary use for the land,
- (c) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

#### **(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, subdivision and 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 Harris Park Precinct Zoning Map.

- (c) Any other development is prohibited within the Special Uses zone.

**29J 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 facilities, utilised by the community,
- (b) to enable other low-scale ancillary, incidental or related uses which will encourage the enjoyment of land zoned for open space, whilst not significantly restricting public access,
- (c) to encourage the retention and enhancement of open space links along the Parramatta River foreshore,
- (d) to encourage the retention and enhancement of open space links between Elizabeth Farm House, Experiment Farm Cottage, Hambledon Cottage and the Parramatta River foreshore, and facilitate or enhance the views and public access between the historic places in the precinct,
- (e) to facilitate public access to land and buildings within this zone,
- (f) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

**(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 bushfire 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:

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amenity buildings; artworks; bicycle hire; boat hire and boat launching; 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; water based entertainment facilities.

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

**(3) Open Space reservation**

Land within this zone shown reserved for open space on the Harris Park Precinct 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.

### **29K 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,
- (c) to meet the urban design objectives set out in this Part and (where applicable) to comply with the controls for Special Areas as set out in this Part.

**(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 bushfire hazard reduction;  
landscaping; maintenance works.

- (b) Within the Private Open Space zone, subdivision and development for the purpose of the following may be carried out, but only with development consent:
  - advertisements; car parking; child care centres; clubs; community facilities; entertainment facilities; kiosks; recreation areas; recreation facilities; refreshment rooms.
- (c) Any other development is prohibited within the Private Open Space zone.

**29L Land reserved for road widening**

Land shown reserved for road widening on the Harris Park Precinct 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**

**29M 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) generally:
  - (i) the main entries of buildings are to address the street, and multi-unit residential buildings are to maximise the number of pedestrian entrances to the street,
  - (ii) any facade of a building which is clearly visible from a major public place such as a street, a park, or the river shall be designed to address that place,
  - (iii) buildings are to be designed with regard to the features of adjoining buildings and works with transitions of height, massing and scale where appropriate,
  - (iv) new buildings shall sit parallel to the street,

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- (v) space allocated for vehicular entrances is to be minimised, with those entrances provided, if possible, from laneways,
  - (vi) the width and surface area of driveways and other hard surfaces associated with the movement and parking of vehicles shall be minimised,
  - (vii) the visual impact of car parking is to be minimised. Except in the Residential 2 (a) and Residential 2 (b) zones, this shall be achieved by the use of underground carparking, and by screening above-ground parking from the street by locating the parking behind other active uses on street, park or river frontages,
  - (viii) building bulk created by large unbroken expanses of wall is to be reduced by articulation and modulation, particularly where facing a public place such as a street, a park, or the river,
  - (ix) the retention (and widening where possible) of existing laneways and public accessways is to be encouraged,
- (b) in low-density residential zones:
- (i) the predominant pattern of individual houses on individual blocks of land within treed garden settings is to be maintained,
  - (ii) new buildings shall have front and side setbacks similar to the majority of existing buildings in the street,
  - (iii) new buildings or extensions to existing buildings shall have roofs which are similar to those in the vicinity in terms of their pitch and form, with recognition being given to the predominance of roofs in many areas which are pitched between 25 and 45 degrees,
  - (iv) garages and other structures designed to accommodate vehicles shall not dominate in their scale and siting and shall be located behind the building line,



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- (c) in heritage conservation areas:
    - (i) new buildings shall be designed to minimise the impact on the existing pattern and character of development, and should be no higher than the majority of existing buildings in the vicinity,
    - (ii) alterations and additions shall be designed to minimise the impact on the existing building and on the existing pattern and character of development, shall generally be to the rear of the existing building, and should have a ridge no higher than the existing building,
    - (iii) new buildings or alterations and additions shall use materials which are sympathetic to the existing materials. Regard is to be had to the type of material, its colour, texture and reflectivity, and finishes,
    - (iv) garages and other structures designed to accommodate vehicles shall be located to the rear of the property,
    - (v) views between buildings, where they exist, should be maintained,
  - (d) special recognition is to be given to the need to create a strong, unified and visually attractive character for James Ruse Drive, enhancing its role as an important gateway to Parramatta,
  - (e) for land south of Clay Cliff Creek between Parkes Street and Alfred Street:
    - (i) the height of any buildings shall be limited, such that there is no greater visual impact than that provided by existing buildings, as seen from the grounds of Hambleton Cottage and from Gregory Place, and
    - (ii) landscaping shall be used to reduce the visual impact of development as seen from the grounds of Hambleton Cottage and from Gregory Place.

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### 29N Special Areas

**Note.** The Special Areas are identified on the Harris Park 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 each of the Special Areas,
- (c) to conserve the heritage significance of the Area of National Significance, as defined for the purposes of this Plan, including its heritage items and their settings, historic subdivision pattern and identified views, by ensuring that new building forms, including alterations and additions, have due regard to the scale, siting, bulk and materials of nearby original development,

**Note.** Refer to the Statement of Significance in Appendix 4 of the *Parramatta Regional Planning Strategy 1999*.

- (d) to ensure that the Area of National Significance retains its predominant character of dwelling houses within a treed garden setting,
- (e) to enhance and re-establish Parramatta River as a major natural asset to Harris Park,
- (f) to retain and enhance links between historic places,
- (g) to enhance James Ruse Drive as an important gateway to Parramatta.

#### (2) Development within the Area of National Significance

- (a) Before granting consent for development within the Special Area referred to in this Plan as the Area of National Significance, the consent authority must be satisfied that:
  - (i) the scale, form, siting, materials and use of new development will not adversely affect the heritage significance of the Area of National Significance, and

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- (ii) the existing allotment and development pattern, and the natural landform of the Area of National Significance will be maintained, and
  - (iii) the original course of Clay Cliff Creek (as shown on the Harris Park Precinct Zoning Map) will be re-established or, if that is not reasonably practicable, permanent evidence of its original course will be provided by way of signs or other interpretative aids.
- (b) When determining the effect of proposed development on the heritage significance of the Area of National Significance, as required by paragraph (a), the consent authority must take into consideration the following:
- (i) the impact that the proposed development will have on the heritage significance of the Area of National Significance, including consideration of the size, shape, height, siting, setbacks and materials of the proposed buildings or works, and the pitch and form of the roof,
  - (ii) the impact that the proposed development will have on the settings of Elizabeth Farm House, Experiment Farm Cottage and Hambleton Cottage,
  - (iii) whether the proposed development will adversely affect the existing views into and out of the sites of Elizabeth Farm House, Experiment Farm Cottage and Hambleton Cottage, the Female Orphan School (University of Western Sydney Rydalmere Campus), the Parramatta River corridor and the Pennant Hills open space ridge line,
  - (iv) the advice of the consent authority's heritage adviser or of another person with appropriate skills and experience about the impact of the proposed development on the heritage significance of the Area of National Significance and whether any variation of the proposed development could be made to minimise that impact,

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- (v) if, in the opinion of that heritage adviser or other person, the proposed development should be referred to the National Trust or the Historic Houses Trust, any comments received from either of these bodies within 21 days of notice of the proposed development being given to it,
  - (vi) the impact of the proposed development on the known or potential archaeological significance of the site.
- (3) Development within the Harris Park River Special Area**  
Before granting consent for development within the Harris Park River Special Area, the consent authority must have regard to the following:
- (a) whether all reasonable opportunities to re-establish foreshore public land are taken up,
  - (b) whether the development retains and enhances open space links along the Parramatta River foreshore,
  - (c) whether the development retains and enhances open space links between Elizabeth Farm House, Experiment Farm Cottage, Hambledon Cottage and the Parramatta River foreshore, and facilitates or enhances the views and public access between the historic places in the Harris Park Precinct,
  - (d) whether buildings adjacent to the River address the River with high quality facades and entrances,
  - (e) whether the scale of buildings along the River will not dominate the topographical features of the River landscape,
  - (f) whether the proposal maintains and re-establishes building setbacks along the River,
  - (g) whether the development improves foreshore landscaping and makes apparent the settings of the important historic places and views along the river, such as the Queens Wharf.

**(4) Development within the Football Estate Special Area**

- (a) Before granting consent for development within the Football Estate Special Area, the consent authority must be satisfied that the existing character and heritage significance of the area (as described in the Statement of Significance in Appendix 3 of the *Parramatta Regional Planning Strategy 1999*) is retained, including consideration of the following:
- (i) the scale, form, siting, materials and use of new development,
  - (ii) the existing allotment and development pattern, and the natural landform of the area,
  - (iii) the retention of the landscaped open space area identified on the Harris Park Precinct Design Control Map as a “no build area”,
  - (iv) whether any new buildings in the Residential 2 (b) zone are stepped down with the slope of the site.
- (b) Despite any other provision of this Plan, no part of any building may be constructed to intrude into the area identified by stipple on the Harris Park Precinct Design Control Map.

**(5) Development within the James Ruse Drive Special Area**

Before granting consent for development within the James Ruse Drive Special Area, the consent authority must be satisfied that the development:

- (a) contributes to a strong, unified and visually attractive character for James Ruse Drive, enhancing its role as an important gateway to Parramatta, and
- (b) allows for a 5 metre wide landscaped buffer along James Ruse Drive, and
- (c) utilises construction materials and design techniques which address the impacts arising from James Ruse Drive, and
- (d) does not detract from the character and visual quality of surrounding residential development or of nearby historic places, or from the amenity enjoyed by nearby residents, and

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- (e) does not detract from the efficient operation of the road system, and
- (f) has vehicular access via local roads and not directly off James Ruse Drive.

### 290 Height of buildings

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

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

- (a) to maintain (and reinstate, where possible) the identified views of the Area of National Significance, into and out of the sites of Elizabeth Farm House, Experiment Farm Cottage and Hambleton Cottage, the Female Orphan School (University of Western Sydney Rydalmere Campus), the Parramatta River corridor and the Pennant Hills open space ridge line,
- (b) to reinforce the existing character and scale of residential areas.

#### (2) Height of buildings

- (a) The height of a building or structure on any land in the Harris Park Precinct is not to exceed the height shown for the land on the Harris Park Precinct Height Map.
- (b) Notwithstanding paragraph (a), any building on land zoned Open Space or Special Uses—Historic Building on the Harris Park Precinct Zoning Map shall not be more than a single storey high.
- (c) Notwithstanding paragraph (a), the maximum height of buildings or structures on land south of Clay Cliff Creek between Parkes Street and Alfred Street shall only be achieved where it can be demonstrated that the building or structure will not dominate the topographical features of the River landscape.

**29P Floor space ratios****(1) Objectives for floor space ratio controls**

The objectives for maximum floor space ratios in the Harris Park Precinct are as follows:

- (a) to control the scale, bulk and intensity of new buildings within the Residential 2 (c) zone,
- (b) to ensure a degree of equity in relation to building potential for sites of different sizes and for sites located in different parts of the Harris Park Precinct,
- (c) to regulate the density of development and generation of vehicular and pedestrian traffic.

**(2) Floor space ratios**

The floor space ratio of buildings on land in the Harris Park Precinct is not to exceed the maximum floor space ratio shown on the Harris Park Precinct Design Control Map. The achievement of any floor space ratio is subject to compliance with the height controls and all other provisions of this Plan.

**29Q Minimum frontage****(1) Objectives for minimum frontage controls**

The objective for minimum frontage controls in the Harris Park Precinct is to achieve new development in the form of multi-unit housing which:

- (a) provides sufficient block width to facilitate good building design, and
- (b) addresses the street.

**(2) Minimum frontage**

No land can be developed for the purposes of multi-unit housing unless the land on which the development takes place has a street frontage with a minimum width of 18 metres.

**29R Minimum allotment size****(1) Objectives for minimum allotment size controls**

The objectives for minimum allotment size controls in the Harris Park Precinct are as follows:

- (a) to retain the character and amenity of residential areas,
- (b) to retain historic subdivision patterns,

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- (c) to maintain residential development within the environmental capacity of the land.

### (2) Minimum allotment sizes

The controls for minimum allotment size are as follows:

- (a) a dwelling house shall not be erected in any residential zone on an allotment of land which has an area of less than 550 square metres or a width of less than 12 metres at the street alignment,
- (b) a dual occupancy development shall not be erected in any residential zone on land which has an area of less than 600 square metres,
- (c) nothing in paragraph (a) prevents the consent authority from consenting to the erection of a dwelling house on a parcel of land if such a parcel existed as a separate parcel on 9 March 1979,
- (d) for the purpose of calculating the area of a lot created by a subdivision, the access corridor shall not be included in the calculation of site area.

## 29S Roof design

### (1) Objectives for roof design controls

The objectives for roof design controls are as follows:

- (a) to maximise opportunities for solar access in residential areas,
- (b) to retain space and views between buildings in residential areas,
- (c) to ensure that the roofs of new buildings in residential areas are compatible with existing roofs in the area in terms of their pitch, form and design detail,
- (d) to allow for existing and new buildings to accommodate attics within the roof space,
- (e) to ensure that, where attics are proposed to be accommodated within existing roofs, the existing appearance of the roof is altered as little as possible.



**(2) Roof design**

The controls for roof design are as follows:

- (a) within the Area of National Significance, as defined for the purposes of this Plan, the predominant roof form of all new single dwellings, and all new multi-unit dwellings (except residential flat buildings), shall have a pitch of between 25 degrees and 45 degrees,
- (b) where windows and skylights are used to allow ventilation and natural light into an attic, these must be flat and sit parallel to the roof where they are located on the front and side elevations of the building. Consent may be granted for dormer windows and the like located to the rear of the building only,
- (c) where attics are created within an existing roof shape, the shape of the roof must not be altered, except in accordance with paragraph (b),
- (d) for new buildings or extensions to existing buildings which include an attic, the roof in which the attic is contained must be pitched from the top of the external wall at a maximum pitch of 45 degrees.

**29T Landscape controls**

**(1) Objectives for landscape controls**

The objectives for landscape controls in the Harris Park Precinct are as follows:

- (a) to retain and enhance the character of the area as one of predominantly low density residential development within treed garden settings, and with views between buildings and to significant historic places,
- (b) to help conserve the heritage significance of heritage conservation areas and of the Area of National Significance (as described in the Statements of Significance in Appendix 3 and Appendix 4, respectively, of the *Parramatta Regional Planning Strategy 1999*),
- (c) to provide high-quality private open space for residents for recreational purposes,

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- (d) to contribute to effective management of stormwater, biodiversity and energy efficiency, and
- (e) to improve visual amenity.

### **(2) Landscape controls**

- (a) The consent authority must not consent to development on land shown hatched on the Harris Park Precinct Design Control Map which will result in a landscaped area (as defined in this Plan) of less than 45% of the site area, or 30% of the site area, whichever minimum is shown for the land on the Harris Park Precinct Design Control Map.
- (b) The consent authority must not consent to development on land elsewhere in the Harris Park Precinct without consideration being given to landscape controls within any relevant development control plan.

## **29U Advertisements and advertising structures**

### **(1) Objectives for advertisements and advertising structures**

The objectives for controls for advertisements and advertising structures in the Harris Park Precinct are as follows:

- (a) to ensure that advertisements and advertising structures do not adversely affect visual amenity within the Area of National Significance, as defined for the purposes of this Plan,
- (b) to ensure that advertisements and advertising structures do not adversely affect the heritage significance of that Area of National Significance, including views into and out of historic places.

### **(2) Controls for advertisements and advertising structures**

Despite clause 59 (What is exempt development?), advertisements and advertising structures within the Area of National Significance:

- (a) may only display a message relating to the premises on which they are situated, and
- (b) shall be no higher than the building to which they relate, and

- (c) may be free-standing only if within the light industrial zone and, if not, must be attached to the building to which they relate.

**[9] Clause 58 Application of Part 11**

Omit “the City Centre Precinct or the Government Precinct”.

Insert instead “the City Centre, Harris Park or Government Precinct”.

**[10] Clause 60 What is complying development?**

Insert at the end of clause 60 (3) (e):

, or

- (f) is identified as a heritage item by this or any other environmental planning instrument, or
- (g) is within the Area of National Significance (as defined for the purposes of this Plan) in the Harris Park Precinct.

**[11] Clause 72 Acquisition and development of reserved land**

Insert at the end of the Table to the clause:

Harris Park	local road widening	PCC	Parramatta City Council
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**[12] Clause 84**

Insert after clause 83:

**84 Savings and transitional provisions**

Schedule 8 has effect.

**[13] Schedule 1 Dictionary**

Insert in appropriate order:

*Area of National Significance* means the area shown edged with a broken blue line on the Harris Park Precinct Special Areas Map.

*Attic* means a room contained within a pitched roof.

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*A.H.D.* means Australian Height Datum.

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

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

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

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

*Professional office suite* means a building or a place used for the purpose of accommodating professional offices, occupied by no more than six people, but does not include a building or place elsewhere specifically defined, or a building or place used for a land use elsewhere specifically defined, in this Schedule.

*Shop-top housing* means a dwelling or dwellings located over a shop.

**[14] Schedule 1, definition of “City Centre Height Map”**

Omit the definition. Insert instead:

*City Centre Height Map* means the map marked “Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)—City Centre Height Map”.

**[15] Schedule 1, definition of “Harris Park Heritage Map”**

Omit the definition. Insert instead:

*Harris Park Heritage Map* means the map marked “Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)—Harris Park Precinct—Heritage Map”.

**[16] Schedule 1, definition of “Primary Centre and Precincts Map”**

Omit the definition. Insert instead:

*Primary Centre and Precincts Map* means the map marked “Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)—Parramatta Primary Centre and Precincts Map”.

**[17] Schedule 1, definition of “Special Area”**

Insert “, ‘Harris Park Precinct Special Areas Map’” after “‘City Centre Special Areas Map’”.

**[18] Schedule 2 Master plan sites**

Insert at the end of Part 1:

- The “Wyeth Site”, 2A Gregory Place, Parramatta.
- The block bounded by Hope Street, Weston Street, James Ruse Drive and Arthur Street, Rosehill.
- The block bounded by Oak Street, Hope Street, James Ruse Drive and Arthur Street, Rosehill.
- Rosehill Bowling Club, 110A Hassall Street, Rosehill.
- Masonic Club, corner of George Street and Purchase Street, comprising 163–165 George Street, 46 Hassall Street and 1 Purchase Street, Parramatta.

**[19] Schedule 6 Heritage items**

Insert “65, 67, 69,” after “63,” in the matter relating to the Eleanor Street Group in Column 1 of Part 2 of the Schedule.

**[20] Schedule 6, Part 2**

Insert in appropriate order:

200–220	George Street	Harris Park	Residential flats and houses	Lot 25 DP 35969 Lots 18, 19, 20, 22, 23 and 24 DP 35895 Lots 28 and 29 DP 504954
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109	Harris Street	Harris Park	Robin Thomas Reserve (archaeological site)	Lots 1, 2, 6, 7 and 8 DP 192710
1–19	Noller Parade	Harris Park	Residential flats and houses	Lot 12 DP 35969 Lots 13, 14 and 17 DP 35895 Lots 30 and 31 DP 521965 Lots 26 and 27 DP 214403
22–42	Prospect Street	Harris Park	Rosehill Public School	Lot 20 Sec 1 DP 1775 Lots 1 and 2 Sec X DP 1249 Lots 6, 7 and 8 Sec 1 DP 1249 Lots 4 and 8 DP 6355
33–35	Wigram Street	Harris Park	St Oliver’s Catholic Church, School and Presbytery	Lots 2, 3 and 4 DP 13579 Lot 1 DP 128932
37	Wigram Street	Harris Park	Single storey residence	Lot 1 DP 13579

### [21] Schedule 6, Part 3

Omit “Harris Park Heritage Conservation Area”. Insert instead:

Elizabeth Farm Heritage Conservation Area

Experiment Farm Heritage Conservation Area

Harris Park West Heritage Conservation Area

### [22] Schedules 7 and 8

Omit Schedule 7. Insert instead:

## Schedule 7 Minor development

(Clause 10 (2))

Development is minor development for the purposes of clause 10 if it comprises any one or more of the following:

- (a) a change of use of a building if the change of use does not involve any increase in the total floor space of the building,
- (b) the provision and use of outdoor seating or tables or any item of street furniture (including benches, bollards, council information signs, public artwork installations, street lights, and telephone kiosks) on a footpath, in a plaza, or other public place,
- (c) the erection of a sign on a building, if the sign does not exceed 2.5 square metres in area and is located so that no part of the sign extends above the ridge line of the building,
- (d) a temporary use for 2 years or less (not being a temporary use described in paragraph (f)) if the temporary use will have only minimal environmental impact,
- (e) the enclosure of a balcony,
- (f) the use of public domain for any temporary structure or event, including the exhibition of an art work, a performance, a festival or special promotion, if the proposed structure or event is to be installed for, or to take place over, a period of not more than 30 days, whether consecutive or not, in any period of 12 months,
- (g) any strata or stratum subdivision of land for the purpose of other development for which development consent has been granted and is in force,
- (h) the demolition of any building or other structure, other than a building or structure that is identified as a heritage item or an item of the environmental heritage in an environmental planning instrument or in a heritage study prepared by or on behalf of a consent authority,
- (i) the carrying out of any internal commercial or retail fitout,
- (j) any extension or other variation of a use due only to a change in operating or trading hours,
- (k) any exempt development not otherwise included in this Schedule.

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**Schedule 8   Savings and transitional provisions**  
(Clause 84)

**Saving of effect of certain amendments**

The repeal of clause 5 (1)–(4) and Schedule 7 by *Sydney Regional Environmental Plan No 28—Parramatta (Amendment No 2)* does not affect any repeal or amendment made by those provisions before the commencement of that plan.



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## **Schedule 2 Amendment of other environmental planning instruments**

(Clause 4 (2))

### **2.1 Parramatta Planning Scheme Ordinance**

**[1] Clause 6 Land to which this Scheme applies**

Insert “, Harris Park” after “City Centre” in clause 6 (3).

**[2] Clause 6 (5)**

Omit “4,”.

**[3] Clause 6 (5)**

Omit “Harris Park,”.

### **2.2 Parramatta Local Environmental Plan 1989 (City Centre)**

**[1] Clause 3 Land to which Plan applies**

Omit “, other than the land excluded from the application of this plan by the Minister under section 70 (4) of the Act and shown on the map by the word ‘deferred’” from clause 3 (1).

**[2] Clause 3 (2)**

Insert “, Harris Park” after “City Centre”.

**[3] Clause 4 Relationship to other environmental planning instruments**

Omit clause 4 (2A).