



New South Wales

Parramatta Local Environmental Plan 2001

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P98/00235/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2001 No 959

Parramatta Local Environmental Plan 2001

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Clause 1 Parramatta Local Environmental Plan 2001

Part 1 Preliminary information

Parramatta Local Environmental Plan 2001

Part 1 Preliminary information

1 Name of plan

This plan is *Parramatta Local Environmental Plan 2001*.

2 When this plan begins

This plan takes effect on and from the date of its publication in the Government Gazette.

3 What are the aims and objectives of this plan?

- (1) The aim of this plan is to introduce planning controls that will encourage ecologically sustainable development, being development which satisfies the principles of ecological (environmental, economic and social) sustainability set out in Schedule 1.
- (2) The objectives of this plan are as follows:
 - (a) to consolidate, simplify and update planning controls in the City of Parramatta,
 - (b) to outline planning controls which are clear and specific but also provide flexibility in their application,
 - (c) to encourage a range of development, including housing, employment and recreation, which accommodates the needs of the existing and future residents of the City of Parramatta,
 - (d) to provide opportunities for a range of housing types to accommodate the needs of the community,
 - (e) to foster environmental, economic, social and physical well-being so that the City of Parramatta develops as an integrated, balanced and sustainable city,
 - (f) to provide planning controls which contribute to, and facilitate economic growth and employment opportunities within, the City of Parramatta,
 - (g) to identify and conserve those localities which contribute to the natural, built and cultural heritage of the City of Parramatta,

- (h) to improve access to the city and facilitate the maximum use of improved public transport,
- (i) to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by restricting development in sensitive areas,
- (j) to protect and enhance the natural environment, including areas of remnant bushland in the City of Parramatta, by incorporating principles of ecologically sustainable development into land use controls,
- (k) to create one integrated planning framework for more detailed controls to be contained within development control plans.

4 Where does this plan apply?

This plan applies to such of the land within the local government area of the City of Parramatta as is shown on the zoning map.

5 How does this plan affect other plans?

- (1) This plan repeals the following environmental planning instruments:
 - (a) *Parramatta Planning Scheme Ordinance*,
 - (b) *Parramatta Local Environmental Plan 1990 (Toongabbie Ward)*,
 - (c) *Parramatta Local Environmental Plan 1989 (City Centre)*,
 - (d) *Parramatta Local Environmental Plan 1993 (Dundas Ward)*,
 - (e) all other local environmental plans and deemed environmental planning instruments which applied to the land to which this plan applies immediately before this plan took effect,

except as provided by subclause (2).
- (2) This plan does not affect the application of *Parramatta Planning Scheme Ordinance*, *Parramatta Local Environmental Plan 1990 (Toongabbie Ward)* and *Parramatta Local Environmental Plan 1993 (Dundas Ward)* (and any other environmental planning instrument amending those plans) to any land shown edged heavy red and marked “deferred area” on the zoning map.
- (3) *Parramatta Local Environmental Plan 1996 (Heritage and Conservation)* is not affected by this plan.

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Clause 5 Parramatta Local Environmental Plan 2001

Part 1 Preliminary information

(4) This plan amends:

(a) *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development* by inserting the following words in alphabetical order in Schedule 1:

Clause 34 of *Parramatta Local Environmental Plan 2001*

(b) *State Environmental Planning Policy No 60—Exempt and Complying Development* by inserting the words “or *Parramatta Local Environmental Plan 2001*” after the words “*Sydney Regional Environmental Plan No 28—Parramatta*” in subclause (1) of Part 1 of Schedule 1.

(5) Nothing in this plan affects the application of *Sydney Regional Environmental Plan No 28—Parramatta* to land within the City of Parramatta.

6 Notes in the text

Matter that appears in this plan under the heading “Introduction”, “Purpose” or “Note”, contained within boxes or in the text, is explanatory and does not form part of this plan. It is provided to assist in understanding this plan.

7 Does this plan affect covenants, agreements or other similar instruments?

- (1) If any agreement, covenant or other similar instrument prohibits or restricts development permitted under this plan, the agreement, covenant or instrument does not apply to that development to the extent necessary to allow that development to be carried out.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) In accordance with section 28 of the *Environmental Planning and Assessment Act 1979*, the Governor approved of subclauses (1) and (2) before this plan was made.

8 Who is the consent authority?

The Council is the consent authority for the purpose of development applications relating to land to which this plan applies, subject to the Act.

9 Savings

- (1) Nothing in this plan is to be construed as restricting or prohibiting, or enabling the consent authority or the Council to restrict or prohibit, the carrying out of development of any description specified in Schedule 1 to the *Environmental Planning and Assessment Model Provisions 1980* by a public authority or a corporation that was a public authority which has been privatised.
- (2) Local environmental plans and deemed environmental planning instruments as in force immediately before the commencement of this plan continue to apply to a development application if the application was made before 11 December 2000 and had not been finally disposed of before this plan commenced.

10 What definitions apply?

- (1) A term defined in the Dictionary at the end of this plan has the same meaning when used in this plan.
- (2) In this plan:
 - (a) a reference to a use of land includes a reference to a use of land of the same kind that is proposed, and
 - (b) a reference to a map is to a map kept in the office of the Council.

11 Adoption of Model Provisions

This plan adopts clauses 5, 9–14, 18, 22, 24, 27, 30, 31 and 35 (clause 35 (c) excepted) of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

12 Acquisition and development of reserved land

- (1) The owner of 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:

Table

Zone	Acquisition authority
Open Space (Proposed) 9 (a)	Parramatta City Council

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Part 1 Preliminary information

Zone	Acquisition authority
Transport (Proposed) 9 (b)	RTA
Local Road (Proposed) 9 (c)	Parramatta City Council
Environment Protection (Proposed) 9 (d)	Parramatta City Council

- (3) Subject to subclauses (4) and (6), on receipt of a notice referred to in subclause (1), the appropriate acquisition authority shall acquire the land.
- (4) The Council is not required to acquire land to which a notice under subclause (1) relates unless:
 - (a) the notice is served in accordance with the expenditure program included in the Council's section 94 contributions plan or a works program current at the time of the receipt of the notice, or
 - (b) the Council has decided not to grant consent to the carrying out of development on the land, or
 - (c) the Council is of the opinion that the owner of the land will suffer hardship if the land is not acquired.
- (5) The RTA 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, and
 - (ii) the RTA has refused to grant its concurrence, as referred to in subclause (8), to the proposed development, or
 - (b) unless the land is vacant land, or
 - (c) unless the RTA has publicly indicated that it proposes to carry out development on the land within the next 5 years, or
 - (d) unless the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired.
- (6) Development may, with development consent, be carried out on land the subject of a notice referred to in subclause (1) that is not required to be acquired if the development is permissible on land within an adjacent or adjoining zone.

- (7) Until:
- (a) land the subject of a notice referred to in subclause (1) that is required to be acquired is acquired by the appropriate acquisition authority, 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.
- (8) The consent authority must not grant consent to the development of land to be acquired by another public authority unless it obtains the concurrence of that other public authority.
- (9) In determining whether to grant concurrence required by subclause (8), 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.

13 Reservation and acquisition of public transport corridor land

- (1) This clause applies to land shown on the zoning map and 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.

14 Classification and reclassification of public land

- (1) The public land described in Part 1 or 2 of Schedule 2 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.

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Part 1 Preliminary information

- (2) Land described in Part 1 of Schedule 2:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of Part 2 of Schedule 2, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those (if any) specified for the land in Column 3 of Part 2 of Schedule 2.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 2, means this plan or, if the description of the land is inserted in that Part by another local environmental plan, that plan.
- (5) The public land described in Part 3 of Schedule 2 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (6) Before the relevant amending plan inserted a description of land into Part 2 of Schedule 2, the Governor approved of subclause (3) applying to the land.

Part 2 General controls for zoned land

15 What zones apply?

For the purposes of this plan, land to which this plan applies is within a zone specified below if the land is shown on the zoning map as specified below:

2A Residential Zone (Zone 2 (a))—Coloured pink, edged red and lettered “2 (a)”.

2B Residential Zone (Zone 2 (b))—Coloured pink, edged red and lettered “2 (b)”.

2C Residential Zone (Zone 2 (c))—Coloured pink, edged red and lettered “2 (c)”.

2D Residential Zone (Zone 2 (d))—Coloured pink, edged red and lettered “2 (d)”.

2E Residential Zone (Zone 2 (e))—Coloured pink, edged red and lettered “2 (e)”.

3A Centre Business Zone (Zone 3 (a))—Coloured light blue, edged red and lettered “3 (a)”.

3B Neighbourhood Business Zone (Zone 3 (b))—Coloured dark blue, edged red and lettered “3 (b)”.

4 Employment Zone (Zone 4)—Coloured purple, edged red and lettered “4”.

5 Special Uses Zone (Zone 5)—Coloured yellow, edged red and lettered “5”.

6A Public Open Space Zone (Zone 6 (a))—Coloured dark green, edged red and lettered “6 (a)”.

6B Private Open Space Zone (Zone 6 (b))—Coloured light green, edged red and lettered “6 (b)”.

7 Environment Protection (Bushland) Zone (Zone 7)—Coloured orange, edged red and lettered “7”.

9A Open Space (Proposed) Zone (Zone 9 (a))—Coloured bright green, edged yellow and lettered “9 (a)”.

9B Transport (Proposed) Zone (Zone 9 (b))—Coloured red and white striped and lettered “9 (b)”.

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Part 2 General controls for zoned land

9C Local Road (Proposed) Zone (Zone 9 (c))—Grey tone and lettered “9 (c)”.

9D Environment Protection (Proposed) (Zone 9 (d))—Coloured orange, edged red and lettered “9 (d)”.

10 Mixed Use Zone (Zone 10)—Coloured orange, edged red and lettered “10”.

16 What development is allowed or prohibited by zoning?

- (1) For land within each zone, the Table to this clause identifies the development that:
 - (a) may be carried out without development consent, and
 - (b) may be carried out only with development consent, and
 - (c) is prohibited.
- (2) The Table to this clause also states the zone objectives for each zone.
- (3) Consent must not be granted to the carrying out of development on land to which this plan applies, unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone within which the development is proposed to be carried out.

Zoning table

Development in the 2A Residential Zone

1 Zone objectives

- (a) to enhance the amenity and characteristics of the established residential area, and
- (b) to encourage redevelopment of low density housing forms, including dual occupancy development, where such redevelopment does not compromise the amenity of the surrounding residential areas, or the natural and cultural heritage of the area, and
- (c) to ensure that building form, including that of alterations and additions, is in character with the surrounding built environment, and

- (d) to provide opportunities for people to carry out a reasonable range of activities from their homes where such activities will not adversely affect the amenity of the neighbourhood, and
- (e) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods.

2 Description on zoning map

Coloured pink, edged red and lettered “2 (a)”.

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

bed and breakfast establishments
boarding houses
car parking spaces
centre based child care services
community drop-off centres
community facilities
drainage (other than minor drainage works)
dual occupancies
dwelling houses
educational establishments
home based child care services
home businesses
hospitals
housing for older people or people with a disability
medical consulting rooms
places of public worship
portable recycling facilities
public buildings
public utility installations (other than gas holders and generating works)
public transport facilities
recreation areas

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Clause 16 Parramatta Local Environmental Plan 2001

Part 2 General controls for zoned land

recreation facilities
roads
telecommunications facilities

Demolition

Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 2B Residential Zone

1 Zone objectives

- (a) to enhance the amenity and characteristics of the established residential area, and
- (b) to encourage redevelopment of low density housing forms, including dual occupancies and multi unit housing, where such redevelopment does not compromise the amenity of the surrounding residential areas or the natural and cultural heritage of the area, and
- (c) to ensure that building form, including that of alterations and additions, is in character with the surrounding built environment, and
- (d) to provide opportunities for people to carry out a reasonable range of activities from their homes where such activities will not adversely affect the amenity of the neighbourhood, and
- (e) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods, and
- (f) to ensure the road network has the capacity to cater for increased development.

2 Description on zoning map

Coloured pink, edged red and lettered “2 (b)”.

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

bed and breakfast establishments
boarding houses
car parking spaces
centre based child care services
community drop-off centres
community facilities
drainage (other than minor drainage works)
dual occupancies
dwelling houses
educational establishments
home based child care services
home businesses
hospitals
housing for older people or people with a disability
medical consulting rooms
multi unit housing
places of public worship
portable recycling facilities
public buildings
public utility installations (other than gas holders and
generating works)
public transport facilities
recreation areas
recreation facilities
roads
telecommunications facilities
terrace housing

Demolition

Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

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Clause 16 Parramatta Local Environmental Plan 2001

Part 2 General controls for zoned land

Development in the 2C Residential Zone

1 Zone objectives

- (a) to encourage a variety of housing types, including residential flat buildings, where such development does not compromise the amenity of the surrounding residential areas or the natural and cultural heritage of the area, and
- (b) to provide opportunities for residential development close to major transport nodes, services and employment opportunities, and
- (c) to accommodate a range of housing needs by encouraging a mix of unit types, and
- (d) to provide opportunities for people to carry out a reasonable range of activities from their homes where such activities will not adversely affect the amenity of the neighbourhood, and
- (e) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods, and
- (f) to ensure the road network has the capacity to cater for increased development.

2 Description on zoning map

Coloured pink, edged red and lettered "2 (c)".

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

bed and breakfast establishments
boarding houses
car parking spaces
centre based child care services
community drop-off centres
community facilities
drainage (other than minor drainage works)

dual occupancies
dwelling houses
educational establishments
home based child care services
home businesses
hospitals
housing for older people or people with a disability
medical consulting rooms
multi unit housing
places of public worship
portable recycling facilities
public buildings
public utility installations (other than gas holders and
generating works)
public transport facilities
recreation areas
recreation facilities
residential flat buildings
roads
telecommunication facilities
terrace housing
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 2D Residential Zone

1 Zone objectives

- (a) to encourage higher density development in the form of residential flat buildings in areas located close to public transport facilities, local shops, open space and other services, and
- (b) to encourage a variety of housing types, including residential flat buildings, where such development does not compromise the amenity of the surrounding residential areas or the natural and cultural heritage of the area, and

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Clause 16 Parramatta Local Environmental Plan 2001

Part 2 General controls for zoned land

- (c) to ensure a high standard of residential development for the current and future residents of the locality, with particular regard to:
 - (i) the existing neighbourhood character and amenity, and
 - (ii) car parking and access arrangements, and
 - (iii) privacy, landscaping and solar access, and
- (d) to accommodate a range of housing needs by encouraging a mix of unit types, and
- (e) to provide opportunities for people to carry out a reasonable range of activities from their homes where such activities will not adversely affect the amenity of the neighbourhood, and
- (f) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods, and
- (g) to ensure the road network has the capacity to cater for increased development.

2 Description on zoning map

Coloured pink, edged red and lettered “2 (d)”.

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

bed and breakfast establishments
boarding houses
car parking spaces
centre based child care services
community drop-off centres
community facilities
drainage (other than minor drainage works)
dual occupancies
dwelling houses
educational establishments
high density housing

home based child care services
home businesses
hospitals
housing for older people or people with a disability
medical consulting rooms
multi unit housing
places of public worship
portable recycling facilities
public buildings
public utility installations (other than gas holders and
generating works)
public transport facilities
recreation areas
recreation facilities
residential flat buildings
roads
telecommunication facilities
terrace housing
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 2E Residential Zone

1 Zone objectives

- (a) to limit the erection of structures on land subject to flood inundation, and
- (b) to identify land that is subject to flood inundation and is considered to be unsuitable for intensification of development, and
- (c) to ensure that the adverse effect of inundation is not increased through development, and
- (d) to maintain the amenity and existing characteristics of areas predominantly characterised by dwelling houses, and

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Part 2 General controls for zoned land

- (e) to permit only low scale development which has regard to the residential amenity of the locality, and
- (f) to provide opportunities for people to carry out a limited range of activities from their homes where such activities will not adversely affect the amenity of the neighbourhood.

2 Description on zoning map

Coloured pink, edged red and lettered “2 (e)”.

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

community drop-off centres
drainage
dwelling houses
home based child care services
home businesses
portable recycling facilities
public buildings
public transport facilities
public utility installations (other than gas holders and generating works)
recreation areas
recreation facilities
roads
telecommunications facilities

Demolition

Subdivision, where there is no increase in the number of lots

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 3A Centre Business Zone

1 Zone objectives

- (a) to encourage appropriate business activities that contribute to sustainable economic growth and employment opportunities in the area and provide commercial services to the City of Parramatta, and
- (b) to promote the vitality of commercial centres by permitting a range of retail, commercial, professional and other appropriate land uses that support and promote the business centre, and
- (c) to promote urban consolidation by providing opportunities for appropriate residential development close to major transport nodes, services and employment activities, and
- (d) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in the residential neighbourhood, and
- (e) to promote a high standard of development within the zone, with particular regard to any development control plan adopted by the Council.

2 Description on zoning map

Coloured light blue, edged red and lettered “3 (a)”.

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

advertising structures
amusement centres
animal establishments
backpackers’ accommodation
bed and breakfast establishments
boarding houses

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Clause 16 Parramatta Local Environmental Plan 2001

Part 2 General controls for zoned land

brothels
car parking spaces
car parking stations
car repair stations
centre based child care centres
clubs
commercial premises
community drop-off centres
community facilities
drainage
educational establishments
entertainment facilities
home based child care services
home businesses
hospitals
hotels
kiosks
light industries
medical centres
mixed use developments
motels
motor showrooms
places of public worship
portable recycling facilities
public buildings
public transport facilities
public utility installations (other than gas holders and
generating works)
recreation areas
recreation facilities
restaurants
restricted premises
roads
service stations
serviced apartments
shops
telecommunications facilities
vehicle rental centres
veterinary establishments
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 3B Neighbourhood Business Zone

1 Zone objectives

- (a) to continue to provide small-scale retail, commercial, mixed retail/commercial and residential development which does not adversely affect the adjoining residential amenity, and
- (b) to encourage the provision of a range of retail and commercial activities which serve the surrounding neighbourhood, and
- (c) to encourage alterations, additions or redevelopment which acknowledges the scale, form and character of existing buildings, and
- (d) to ensure that development within the local centres does not detract from the economic viability of major commercial centres, and
- (e) to allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in the residential neighbourhood.

2 Description on zoning map

Coloured dark blue, edged red and lettered “3 (b)”.

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

advertising structures
backpackers' accommodation
bed and breakfast establishments
boarding houses
car parking spaces
car parking stations

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Part 2 General controls for zoned land

centre based child care centres
clubs
commercial premises
community drop-off centres
community facilities
drainage
educational establishments
entertainment facilities
home based child care services
home businesses
hospitals
hotels
kiosks
medical centres
mixed use developments
motels
places of public worship
portable recycling facilities
public buildings
public transport facilities
public utility installations (other than gas holders and
generating works)
recreation areas
recreation facilities
restaurants
roads
service stations
serviced apartments
shops
telecommunications facilities
vehicle rental centres
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 4 Employment Zone

1 Zone objectives

- (a) to encourage a range of employment enterprises that are compatible with existing land uses within both this zone and surrounding areas, and
- (b) to limit the extent of commercial development in the employment zone so as to ensure the viability of nearby business centres, and
- (c) to retain the predominant role of the City of Parramatta's industrial areas, and
- (d) to facilitate a range of non-industrial land uses that serve the needs of workers and visitors to land within this zone, and
- (e) to enable limited development for commercial premises to enhance the viability of land uses within this zone, and
- (f) to encourage high technology and contemporary industrial development opportunities in Rydalmere and Camellia, recognising the size, centrality and transportation linkages of land holdings in this area in accordance with *Sydney Regional Environmental Plan No 28—Parramatta*, and
- (g) to ensure that development improves the environmental quality of the City of Parramatta and that industries conform to best practice, environmental and hazard reduction standards, and
- (h) to ensure that development is carried out in a manner which does not detract from the amenity enjoyed by residents in adjoining localities or from the operation of local or regional road systems.

2 Description on zoning map

Coloured purple, edged red and lettered "4".

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Part 2 General controls for zoned land

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

- advertising structures
- animal establishments
- brothels
- car parking spaces
- car parking stations
- car repair stations
- centre based child care centres (which serve the needs of the workforce)
- commercial premises (which are ancillary to a purpose permissible on the land or which serve the needs of the workforce)
- depots
- drainage
- equipment hire centres
- high technology industries
- home based child care services
- hotels
- industries (other than offensive, hazardous or extractive industries)
- kiosks
- light industries
- liquid fuel depots
- local shops
- materials recycling depots
- medical centres
- panel beating workshops
- places of public worship
- portable recycling facilities
- public buildings
- public transport facilities
- public utility installations (other than gas holders and generating works)
- recreation areas
- recreation facilities
- remote distribution centres

resource recovery facilities
restaurants
restricted premises
roads
road transport terminals
service stations
telecommunications facilities
transfer stations
vehicle rental centres
veterinary establishments
warehouses or distribution centres
waste facilities
waste processing facilities
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 5 Special Uses Zone

1 Zone objectives

- (a) to facilitate certain development on land which is, or is proposed to be, used by public authorities, institutions or organisations, including the Council, to provide community facilities, services, utilities and transport facilities, and
- (b) to allow other ancillary land uses that are incidental to that primary use of land within the zone, and
- (c) to provide flexibility in the development of sites identified for special uses by allowing development which is permissible in an adjacent zone.

2 Description on zoning map

Coloured yellow, edged red and lettered “5”.

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Part 2 General controls for zoned land

3 Development that does not require consent

Exempt development

4 Development allowed only with consent

Development for the purpose of:

car parking spaces
centre based child care services
community facilities
depots
drainage
educational establishments
hospitals
housing for older people or people with a disability
places of public worship
public utility installations (other than gas holders and
generating works)
roads
the particular land use indicated by black lettering on
the zoning map

Demolition

Development that may be carried out on adjoining or
adjacent land in the same zone or in a different zone

Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 6A Public Open Space Zone

1 Zone objectives

- (a) to identify public land owned or managed by the Council or other public authorities and used for open space and public recreational purposes, and
- (b) to enable development of land for open space and recreational purposes, and
- (c) to enable ancillary development or related uses which will encourage the enjoyment of land zoned for recreational purposes, and

- (d) to enhance, restore and protect the natural environment.

2 Description on zoning map

Coloured dark green, edged red and lettered “6 (a)”.

3 Development that does not require consent

Development for the purpose of:
gardening and landscaping works
Exempt development

4 Development allowed only with consent

Development in accordance with a plan of management adopted under the *Local Government Act 1993*

Development for the purpose of the following:

centre based child care services
clubs
drainage
entertainment facilities
kiosks
markets
public utility installations (other than gas holders and generating works)
recreation areas
recreation facilities
restaurants
roads
tourist facilities
Demolition

5 Prohibited development

Any development not included in Item 3 or 4.

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Part 2 General controls for zoned land

Development in the 6B Private Open Space Zone

1 Zone objectives

- (a) to identify privately owned land used for the purpose of providing private recreation, or used for major sporting and entertainment facilities which serve the needs of the local population and of the wider Sydney region, and
- (b) to ensure appropriate development that enhances the recreational purpose of the zone, and
- (c) to ensure that development does not unreasonably detract from the amenity enjoyed by nearby residents or the quality of the environment.

2 Description on zoning map

Coloured light green, edged red and lettered “6 (b)”.

3 Development that does not require consent

Development for the purpose of:

bushfire hazard reduction
gardening and landscaping works

Exempt development

4 Development allowed only with consent

Development for the purpose of:

buildings associated with landscaping, gardening or bushfire hazard reduction and vehicular access to these buildings
bushland restoration
car parking spaces
centre based child care services
clubs
community facilities
drainage
entertainment facilities
kiosks
markets

public utility installations (other than gas holders and generating works)
recreation areas
recreation facilities
restaurants
tourist facilities
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 7 Environment Protection (Bushland) Zone

1 Zone objectives

- (a) to conserve, manage and enhance biodiversity, rare and threatened species, remnant habitat and the ecological viability of the land, and
- (b) to protect environmentally sensitive remnant habitats and communities, and
- (c) to increase the community's awareness and appreciation of remnant habitats and biodiversity, and
- (d) to protect the aesthetic, heritage, recreational, educational and scientific value of the bushland, and
- (e) to allow uses for scientific and educational purposes.

2 Description on zoning map

Coloured orange, edged red and lettered "7".

3 Development that does not require consent

Development for the purpose of:

Nil

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Part 2 General controls for zoned land

4 Development allowed only with consent

Development in accordance with a plan of management adopted under the *Local Government Act 1993*

Development for the purpose of:

accessways for emergency vehicles

drainage

public utility installations (other than gas holders and generating works)

Demolition

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 9A Open Space (Proposed) Zone

1 Zone objectives

The purpose of this zone is to identify and protect land intended to be acquired for open space.

2 Description on zoning map

Coloured bright green, edged yellow and lettered "9 (a)".

3 Development that does not require consent

Development for the purpose of:

gardening and landscaping works

4 Development allowed only with consent

Development for the purpose of:

buildings used for gardening, landscaping and bushfire hazard reduction

bushland restoration

car parking spaces

centre based child care services

community facilities

drainage

public utility installations (other than gas holders and generating works)
recreation areas
recreation facilities

Demolition

Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 9B Transport (Proposed) Zone

1 Zone objectives

- (a) to identify land to be acquired for the provision of future roads or the widening of existing roads, and
- (b) to provide flexibility in the development of sites identified for the provision of future roads by allowing development which is permissible in an adjacent zone and consistent with the objectives for that zone, and
- (c) to facilitate the future growth of the transport network.

2 Description on zoning map

Coloured red and white striped and lettered "9 (b)".

3 Development that does not require consent

Development for the purpose of:

arterial roads
arterial road widening
Exempt development

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Part 2 General controls for zoned land

4 Development allowed only with consent

Development for the purpose of:

any land use which may be carried out (with or without consent) on land in (and is consistent with the objectives of) an adjoining zone

drainage

public transport facilities

public utility installations (other than gas holders and generating works)

roads

workshops, associated with the construction of a transport corridor

Demolition

Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 9C Local Road (Proposed) Zone

1 Zone objectives

- (a) to identify and protect land intended to be acquired for the provision of future local roads or the widening of existing local roads, and
- (b) to provide flexibility in the development of sites identified for the provision of future roads by allowing development which is permissible in an adjacent zone and consistent with the objectives for that zone.

2 Description on zoning map

Grey tone and lettered "9 (c)".

3 Development that does not require consent

Development for the purpose of:

- local roads
- local road widening
- Exempt development

4 Development allowed only with consent

Development for the purpose of:

- any land use which may be carried out (with or without consent) on land in (and is consistent with the objectives of) an adjoining zone
- drainage
- public utility installations (other than gas holders and generating works)
- roads
- workshops, associated with the widening of roads
- Demolition
- Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 9D Environment Protection (Proposed) Zone

1 Zone objectives

To identify and protect land intended to be acquired for environment protection and conservation.

2 Description on zoning map

Coloured orange, edged red and lettered “9 (d)”.

3 Development that does not require consent

Development for the purpose of:

- Nil

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Clause 16 Parramatta Local Environmental Plan 2001

Part 2 General controls for zoned land

4 Development allowed only with consent

Development for the purpose of:

accessways for emergency vehicles
bushland restoration
public utility installations (other than gas holders and
generating works)

Demolition

Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Development in the 10 Mixed Use Zone

1 Zone objectives

- (a) to encourage a mix of compatible land uses, such as office and commercial, retail, residential, tourist, service, recreational, community and light industrial development, but only where adjacent uses will not have an adverse impact on each other, and
- (b) to promote the development of the area to its maximum potential, while minimising environmental impacts of development by facilitating the use of public transport, bicycle and pedestrian facilities and services, and
- (c) to ensure that development is energy and water efficient in design, minimises pollution and conserves the natural and built landscape, and
- (d) to establish a highly attractive area to live and work in, and for recreational and tourist uses.

2 Description on zoning map

Coloured orange, edged red and lettered "10".

3 Development that does not require consent

Development for the purpose of:
home based child care services
Exempt development

4 Development allowed only with consent

Development for the purpose of:
advertising structures
amusement centres
animal establishments
backpackers' accommodation
bed and breakfast establishments
boarding houses
car parking stations
car repair stations
centre based child care services
clubs
commercial premises
community facilities
dual occupancies
dwelling houses
educational establishments
entertainment facilities
hospitals
hotels
kiosks
light industries
medical centres
medical consulting rooms
mixed use developments
motels
motor showrooms
multi unit housing
places of public worship
portable recycling facilities
public buildings
public transport facilities
public utility installations (other than gas holders and
generating works)
recreation areas

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Part 2 General controls for zoned land

recreation facilities
residential flat buildings
restaurants
roads
service stations
serviced apartments
shops
telecommunications facilities
tourist facilities
vehicle rental centres
veterinary establishments
Demolition
Subdivision

5 Prohibited development

Any development not included in Item 3 or 4.

Part 3 Special controls for all land

17 What is exempt development?

- (1) Exempt development is development that is listed in Section 6.1 of *Parramatta Development Control Plan 2001* and complies with the development standards and other requirements applying to the development as listed in *Parramatta Development Control Plan 2001* adopted by the Council on 17 September 2001.
- (2) Despite subclause (1), development is not exempt development if it is carried out on a site:
 - (a) of a heritage item identified in an environmental planning instrument or that is subject to an interim heritage order under the *Heritage Act 1977*, or that is listed on the State Heritage Register under that Act, or
 - (b) identified as an Aboriginal place or known Aboriginal relic, or dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
 - (c) within Zone 7 or within 6 metres of land within Zone 7 or 9 (d), or
 - (d) reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or for other environmental protection purposes.
- (3) Development is not exempt development unless it is of minimal environmental impact.

Note. Under section 76 (3) (a) of the *Environmental Planning and Assessment Act 1979*, exempt development cannot be carried out on land that:

- (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*) or
- (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*).

18 What is complying development?

- (1) Complying development is development listed in Section 6.2 of *Parramatta Development Control Plan 2001*, as adopted by the Council on 17 September 2001, but only if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed to be carried out, and

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Part 3 Special controls for all land

- (b) it is not an existing use (within the meaning of section 106 of the Act), and
 - (c) it complies with such of the deemed-to-satisfy provisions of the *Building Code of Australia* (if any) as are relevant to the form of development, and
 - (d) it complies with such of the development standards and other requirements applying to the form of development as are listed in *Parramatta Development Control Plan 2001*, as adopted by the Council on 17 September 2001, and
 - (e) it will achieve the outcomes listed for the development in Section 6 of *Parramatta Development Control Plan 2001*, as adopted by the Council on 17 September 2001.
- (2) Despite subclause (1), development is not complying development if it is carried out on land that:
- (a) is identified by the Council or in any other environmental planning instrument or a development control plan as a heritage item or within a heritage conservation area, bushfire prone, flood liable or contaminated land, or is subject to subsidence, slip or erosion, or
 - (b) is a site that has been previously 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 identified as an Aboriginal place or known Aboriginal relic, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
 - (d) is within Zone 7 or is within 6 metres of land within Zone 7 or 9 (d), or
 - (e) is within 40 metres of a watercourse under the provisions of the *Rivers and Foreshores Improvement Act 1948*, or
 - (f) 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, or

- (g) is unsewered land within a special area or hydrological catchment within the meaning of *State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply*.
- (3) A complying development certificate issued for any complying development is to be subject to the conditions for that complying development as specified in *Parramatta Development Control Plan 2001* adopted by the Council, as in force when the certificate is issued.

Note. Under section 76A (6) of the *Environmental Planning and Assessment Act 1979* complying development cannot be carried out on land:

- (a) that is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
- (b) that is within a wilderness area (within the meaning of the *Wilderness Act 1987*), or
- (c) that comprises, or on which there is, an item of the environmental heritage that is subject to an interim heritage order under the *Heritage Act 1977* or that is listed on the State Heritage Register under that Act, or that is identified as such an item in an environmental planning instrument, or
- (d) is identified as an environmentally sensitive area in an environmental planning instrument providing for the complying development.

19 Subdivision of land

- (1) Subdivision of land, including subdivision which creates separate allotments for each of the two dwellings resulting from a dual occupancy and 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.

20 Noise and vibration

Development consent shall not be granted to any proposed development:

- (a) that, in the opinion of the consent authority, may be adversely affected by rail-related noise and vibration, or

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- (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 noise control guidelines as specified by the Environment Protection Authority.

21 Flood liable land

- (1) A person must not erect a building or carry out a work on flood liable land except with development consent.
- (2) The consent authority must not grant consent to the erection of a building or the carrying out of works on land to which this plan applies, if the carrying out of the proposed development would:
 - (a) be inconsistent with any interim flood policy, floodplain management policy and development control plan or floodplain management plan adopted by the Council in accordance with the principles contained in the *Floodplain Development Manual*, available from the office of the Council, or
 - (b) detrimentally increase the potential flood affectation on other development or property, or
 - (c) result in, to a substantial degree, an increased risk to human life, or
 - (d) be likely to result in additional economic and social cost which could not reasonably be managed by potentially affected persons and the general community, or
 - (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.
- (3) In assessing an application for consent to development on flood liable land, the consent authority may consult with and take into consideration any advice of the Department of Land and Water Conservation, the Upper Parramatta River Catchment Trust (if the land is within that catchment) and the State Emergency Service in relation to the nature of the flood hazard, the necessity and capacity to evacuate persons, and the consequences and suitability of the development.

22 Contaminated land

- (1) Where the consent authority has information which indicates that a site has been used previously or is being used for any activity which is likely to have contaminated the site, the consent authority shall not consent to development of that site until it has made an assessment of whether remediation is to be carried out.
- (2) In determining whether or not to grant consent to an application, the consent authority must take into consideration any guidelines, protocols or standards known to it which are relevant to remediation procedures and the type of contamination on the land which have been published by the Environment Protection Authority or the Department of Urban Affairs and Planning (or both).
- (3) When granting such a consent, the consent authority may impose, but is not limited to, conditions which:
 - (a) require the investigation, sampling and testing of the land, and
 - (b) require preparation of a remedial action plan for the land, being a detailed plan for the remediation and validation of the remediation in relation to any part of the land affected by contamination, and
 - (c) require remediation of the land or any part of it to an appropriate standard, and
 - (d) prohibit the carrying out of development on any part of the land pursuant to consent until the Council accepts in writing an independent review verifying the remediation of the land to an appropriate standard.
- (4) Nothing in this clause affects the application of *State Environmental Planning Policy No 55—Remediation of Land* to land to which this plan applies.

23 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, drainage and flooding patterns, flood storage and soil stability in the locality, and

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- (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 works 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.

24 Brothels

- (1) Regardless of any other provision of this plan, premises shall not be erected or used for the purpose of a brothel where they are located:
- (a) on any land zoned residential or within 100 metres of any land zoned residential, or
 - (b) near or within view from any church, hospital, school, community facility or public open space or from any other place regularly frequented by children for recreational or cultural activities, or
 - (c) within 50 metres of a public transport facility, being a railway station entrance, bus stop, taxi rank, ferry terminal or the like.
- (2) In determining an application to carry out development for the purpose of a brothel, the consent authority must consider the following matters:
- (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, clients or the number of employees and other people working in it,
 - (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.

25 Restricted premises

The consent authority may consent to the carrying out of development for the purpose of restricted premises only if, in addition to any other conditions which may be imposed by the consent authority, conditions are imposed on the consent providing as follows:

- (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,
- (b) no part of the restricted premises, other than an access corridor to the restricted premises, is to be visible from a public place or shopping arcade,
- (c) 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,
- (d) any signage related to the premises will be of a size, shape and content that does not interfere with the amenity of the locality,
- (e) no other objects, products or goods related to the restricted premises will be visible from outside the premises.

26 Telecommunications facilities

- (1) In this clause an *area of environmental significance* has the same meaning as given by section 2.5 of the *Telecommunications (Low Impact Facilities) Determination 1997* of the Commonwealth.
- (2) A person must not erect a structure or work to be used for the purpose of a telecommunications facility except with development consent.
- (3) Consent must not be granted for the erection of a structure or the 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,

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- (b) the potential for co-location with existing facilities,
- (c) the impact of the facility on visual amenity,
- (d) the impact of the facility on the heritage significance of the area and heritage items,
- (e) the impact of the facility on vegetation and street infrastructure,
- (f) the impact of the facility on the community's use and enjoyment of land owned and managed by the Council.

27 Development of land for certain additional purposes

- (1) Nothing in this plan prevents a person, with development consent, from carrying out development on land described in Schedule 3 that is specified in that Schedule in relation to that land, subject to such conditions (if any) as are so specified.
- (2) Subclause (1) does not affect the application, to or in respect of development to which that subclause applies, of such of the provisions of this plan as are not inconsistent with that subclause or with a consent granted in respect of the development.

28 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.

29 Minor council works and maintenance

- (1) Despite any other provision of this plan, development may be carried out by, or on behalf of the Council, without development consent, on land within Zone 7 or 9 (d) for the purpose of the following:
 - (a) walkways, observation platforms, boardwalks and interpretative signage,
 - (b) minor bushland restoration and conservation activities,
 - (c) minor works for recreational, scientific or educational purposes.
- (2) Development carried out by or on behalf of the Council for the purpose of the following may be carried out on any land without development consent:

-
- (a) provision of roads, stormwater drainage, flood mitigation, erosion control and stabilisation of watercourses, recreation areas, landscaping, gardening, public amenities, parking areas or cycle ways,
 - (b) provision of street furniture, such as benches, bollards, Council information signs, public artwork installations, street lights, bus and light rail stop shelters, telephone booths and the like, but not fixed outdoor vending machines,
 - (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,
 - (d) street resurfacing, reconstruction of kerbs, footpaths, gutters and the like,
 - (e) walkways, observation platforms, boardwalks and interpretative signage,
 - (f) minor bushland restoration and conservation activities,
 - (g) minor works for recreational, scientific or educational purposes.
- (3) Subclause (2) does not apply to any land within Zone 7 or 9 (d).

30 Sites which require the preparation of a master plan

- (1) This clause applies to all land described in Schedule 4.
- (2) Development for the purpose of multi unit housing and terrace housing that the consent authority is satisfied is consistent with:
 - (a) the objectives of Zone 2 (a), and
 - (b) the predominant character of the immediate locality,
 may be carried out in Zone 2 (a) with development consent if an adopted master plan applies to the land and the consent authority has taken the master plan into consideration.
- (3) Development for the purpose of residential flat buildings that the consent authority is satisfied are consistent with:
 - (a) the objectives of Zone 2 (b), and
 - (b) the predominant character of the immediate locality,
 may be carried out in Zone 2 (b) with development consent if an adopted master plan applies to the land and the consent authority has taken the master plan into consideration.

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- (4) A master plan for the purpose of this plan is a document consisting of written information, maps and diagrams which:
 - (a) outlines detailed provisions relating to the development of land to which the master plan applies, including a recommended pattern for development of the whole land concerned, and
 - (b) explains how the recommended pattern of development would implement the planning aims and objectives in this plan.
- (5) A draft master plan is to be prepared following consultation with the consent authority and is to illustrate and explain, where the consent authority so requires, the following:
 - (a) a proposal for phasing of development,
 - (b) urban design proposals, including proposals about density, height controls, building envelopes, identified views, privacy and security, and other design elements, with an explanation of how they relate to an analysis of the site and its context,
 - (c) proposals for the distribution of major land uses, including public access, design elements and open space,
 - (d) proposals relating to mitigation of environmental impacts, including proposals about 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) proposals about access, covering public transport, pedestrian, cycle and road access and circulation networks, including proposals about local traffic impact and parking,
 - (f) proposals about contribution to, and interface with, the existing public domain,
 - (g) proposed patterns of subdivision and site amalgamation,
 - (h) proposals about infrastructure provision and funding,
 - (i) proposals for site landscaping,
 - (j) proposals about heritage conservation, including proposals for the conservation and protection of heritage items, heritage conservation areas, identified historic views and archaeological relics (and including proposals about the preparation of conservation plans),
 - (k) likely social and cultural impacts from the effect of implementing its proposals,

-
- (l) how carrying out the proposal will have an impact on public facilities,
 - (m) any other matter required by the consent authority.
- (6) A draft master plan must be publicly exhibited by the consent authority for not less than 21 days during which period the consent authority must consider any submissions made about it.
 - (7) A draft master plan becomes a master plan if it is adopted by the consent authority with or without alterations made in response to submissions.
 - (8) When a master plan is adopted, the consent authority must:
 - (a) notify the owner or lessee of any land to which the master plan relates, and any person who made a submission, and
 - (b) advertise the adoption of the master plan in a newspaper circulating in the locality.
 - (9) A master plan may be amended or revoked by a master plan prepared, exhibited and adopted in accordance with this clause.
 - (10) A copy of each master plan adopted by the consent authority must be available for inspection at the office of the Council.
 - (11) The consent authority may grant consent for development of land described in Schedule 4 which is not included in subclause (2) or (3) without a master plan but only if a site analysis study that is satisfactory to the consent authority accompanies the development application.
 - (12) This clause does not prevent consent from being granted without a master plan if, in the opinion of the consent authority, the development is of a minor nature and, in the opinion of the consent authority, other provisions of this plan or development control plans with respect to assessment of the proposed development are adequate.

31 Foreshore development

Before granting consent for development which includes works adjacent to any tidal foreshore, including 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

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- (c) the stability of the river, creek or stream bank, and
- (d) the historic and cultural significance of the foreshore, and
- (e) all opportunities to increase public access to the foreshore through acquisition, dedication or right-of-way, and
- (f) the visual impact, including the impact of the development when viewed from open space, roads, railway lines and pedestrian and bicycle pathways.

32 Foreshore building line

- (1) A foreshore building line applies for the purposes of this plan and is located on land to which this plan applies at a distance of 30 metres from the mean high water mark for land fronting the Parramatta River and the Duck River as shown by a broken black line marked “FBL” on the zoning map.
- (2) The consent authority may grant consent for a building despite any foreshore building line where the levels, depth or other exceptional features of the site make it expedient to do so.
- (3) With the consent of the consent authority, an existing building that has been erected wholly or partly on land affected by a foreshore building line may be extended, altered or rebuilt. The building as extended, altered or rebuilt shall not, in the opinion of the consent authority, have an adverse impact on the amenity or aesthetic appearance of the foreshore.
- (4) A person may, with the consent of the consent authority, erect:
 - (a) boat sheds, or
 - (b) sea retaining walls, or
 - (c) wharves, slipways, jetties, or
 - (d) waterway access stairs, or
 - (e) swimming pools, or
 - (f) fences, or
 - (g) provide picnic facilities, cycleways or walking trails.
- (5) Except as provided by subclauses (2)–(4), a building shall not be erected on any land to which this plan applies between a foreshore building line and mean high watermark of the nearest bay or river.

- (6) Before granting consent to development referred to in subclauses (2)–(4), the consent authority shall take into consideration the following matters:
- (a) the appearance of the development from both the waterway and adjacent foreshore areas,
 - (b) whether the development will cause pollution or siltation of the waterway,
 - (c) whether the development will have any adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats,
 - (d) whether the development will have an adverse effect on drainage patterns,
 - (e) whether the development will cause congestion of or generate conflicts between people using open space areas or the waterway,
 - (f) the desirability of ensuring continuous public access along the foreshore and to the waterway,
 - (g) any effects on the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and on surrounding land,
 - (h) whether the development will cause disturbance of any acid sulfate soil,
 - (i) whether any required permission or approval has been granted by the Department of Land and Water Conservation,
 - (j) whether adequate consultation has occurred with NSW Fisheries, if the development will have an impact on seagrass, mangroves or other marine habitat,
 - (k) the suitability of any environmental monitoring or environmental rehabilitation, or both, that may be required with regard to the proposed development.

33 Tree preservation

A person must not ringbark, cut down, top, lop, remove, injure, poison, or willfully destroy any tree or indigenous vegetation, or add soil or carry out drainage works around the base of a tree or in bushland, unless authorised to do so by:

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Clause 33 Parramatta Local Environmental Plan 2001

Part 3 Special controls for all land

- (a) a development consent, or
- (b) a permit issued by the Council, or
- (c) a provision of a tree preservation order made by the Council that does not require consent or such a permit for the activity concerned.

34 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).

Class of land as shown on Acid Sulfate Soils Planning Maps	Works
1	Any works
2	Works below natural ground surface Works by which the watertable is likely to be lowered
3	Works beyond 1 metre below natural ground surface Works by which the watertable 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 watertable 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 watertable below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land

-
- (2) For the purposes of the Table to subclause (1), *works* includes:
- (a) any disturbance of more than one 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 foundations, or flood mitigation works), or
 - (b) any other works that are likely to lower the watertable.
- (3) This clause does not require consent for the carrying out of 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 consent authority, and
 - (b) the consent authority has provided written advice to the person proposing to carry out 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 soils 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

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Clause 34 Parramatta Local Environmental Plan 2001

Part 3 Special controls for all land

- (b) clause 10 of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development*.

Part 4 Special provisions applying to certain land

35 Restrictions on development of certain land

- (1) This clause applies to land within Zone 2 (a) and shown hatched on the zoning map.
- (2) The consent authority shall not grant consent to any development on land to which this clause applies unless it is satisfied that:
 - (a) in the case of a proposed development involving the erection of a building on the basis of geotechnical and structural engineering information submitted by the applicant, any risk to the building through ground movement will be avoided, and
 - (b) the development is unlikely to create or worsen any ground movement hazard to other land, and
 - (c) appropriate measures have been taken or are to be taken to ensure that future works on the land (including construction of driveways, clothes drying facilities, boundary fences, garden sheds, retaining walls, garden beds and the like) will not increase the risk of ground movement on the land or other land, and
 - (d) appropriate measures have been taken or are to be taken to ensure that future occupants or successors in title are aware of the condition of the land and the constraints on its use.

36 Areas where dual occupancy development is prohibited

- (1) This clause applies to certain land within Zone 2 (a) and shown by diagonal cross-hatching on the zoning map.
- (2) Despite any other provisions of this plan, development for the purpose of dual occupancies is prohibited on land to which this clause applies.

37 Terrace development

- (1) This clause applies to certain land within Zone 2 (a) and shown by vertical and horizontal cross-hatching on the zoning map.
- (2) Notwithstanding any other provisions of this plan, development in the form of terrace housing is permissible with development consent.

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Clause 38 Parramatta Local Environmental Plan 2001

Part 4 Special provisions applying to certain land

38 Minimum allotment sizes

- (1) A dwelling house shall not be erected in any residential zone on an allotment of land, unless:
 - (a) where the lot is a battleaxe allotment, it has a minimum area of 670 square metres, or
 - (b) where the lot is not a battleaxe allotment, it has a minimum area of 550 square metres and a minimum width of 15 metres at the front alignment of the building.
- (2) A dual occupancy shall not be erected in any residential zone on land which has an area of less than 600 square metres.
- (3) Notwithstanding the provisions of subclause (2), a dual occupancy may be erected, with development consent, on a parcel of land shown hatched in blue within Insert A on the zoning map, which has a minimum allotment size of 500 square metres.
- (4) Nothing in subclause (1) 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.
- (5) For the purposes of this plan:
 - (a) any access corridor shall not be included in the calculation of site area, and
 - (b) the area of the access corridor for a battleaxe allotment is not to be included in the calculation of a floor space ratio.

39 Height limits in residential zones

- (1) Consent shall not be granted to the erection of a building, if the height exceeds:
 - (a) two storeys above ground level for dwellings, dual occupancies and multi unit housing, or
 - (b) three storeys above ground level for residential flat buildings, or
 - (c) six storeys above ground level for high density housing.
- (2) Despite any other provisions of this clause, development within the areas shown hatched in blue within Inserts B and C on the zoning map shall not exceed a height of three storeys above ground level for the first six metres from the façade of the building.

40 Floor space ratios for residential development

- (1) A building must not exceed the floor space ratio indicated in the Table to this subclause.

Building type	Maximum floor space ratio
Dwelling house	0.5:1
Dual occupancy	0.6:1
Terrace housing	0.6:1
Multi unit housing	0.6:1
Residential flat building	0.8:1
High density housing	1.5:1

- (2) Notwithstanding the provisions of subclause (1), a building in the form of terrace housing may have, with the approval of the consent authority, a maximum floor space ratio of 0.8:1 in the area within Zone 2 (b) and shown hatched in blue within Insert D on the zoning map.

41 Boarding houses

- (1) A person must not:
- alter or demolish a boarding house, or
 - use a boarding house for any purpose other than that of a boarding house,
- except with development consent.
- (2) The consent authority must not consent to the carrying out of a development referred to in subclause (1) on land on which a boarding house is situated, or to strata subdivision of a boarding house on any land, unless it has taken into consideration the following matters:
- whether the development will result in a reduction of the existing number of households or units of accommodation on that land,
 - the effect of any such reduction on the preservation or improvement of the stock of boarding house accommodation within the local government area of the City of Parramatta,

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Part 4 Special provisions applying to certain land

- (c) whether any loss of such boarding house accommodation may cause adverse social and economic effects on the community, individuals or social groupings,
- (d) whether arrangements satisfactory to it have been made for the provision of that supply and those facilities.

42 Places of public worship

Despite any other provisions of this plan, development for the purpose of a place of public worship is prohibited in Zone 2 (a), 2 (b), 2 (c) or 2 (d) if the number of seats provided at the place exceeds 250.

43 Commercial premises in residential zones

- (1) This clause applies to all land within Zone 2 (a), 2 (b), 2 (c), 2 (d) or 2 (e).
- (2) Where an existing building was lawfully constructed for use as a shop, a person may, with development consent:
 - (a) use that building as a shop or commercial premises, or
 - (b) alter, extend or rebuild that building for use as a shop or commercial premises.
- (3) The consent authority must not grant such a development consent unless it is satisfied that the development will not:
 - (a) adversely impact on the amenity of the locality, or
 - (b) cause traffic or vehicular congestion on any street in the vicinity of the development, or
 - (c) interfere with the flow of traffic.
- (4) In assessing any application, the consent authority must also consider:
 - (a) whether the existing building or the land on which it is situated is physically and economically capable of being converted to or redeveloped for residential use in conformity with the zoning of the land, and
 - (b) whether it would be appropriate or desirable to convert the building or use the land for such a residential purpose, and
 - (c) the merits, if any, of retaining the existing building, and
 - (d) the benefits, if any, of encouraging the economic recycling of the existing building.

- (5) The consent authority must not grant consent to the alteration, extension or rebuilding of a building to which this clause applies where:
- (a) the floor space area of the existing shop or commercial component of the building is 60 square metres or less, and the floor space area of this component of the building, as altered, extended or rebuilt, will exceed 60 square metres, or
 - (b) the floor space area of the existing shop or commercial component of the building is greater than 60 square metres, and the floor space area of this component of the building, as altered, extended or rebuilt, will be increased.

44 Office development in Zone 4

The consent authority shall not consent to development for the purpose of commercial premises or an office on land within Zone 4 unless use of the premises or office will be ancillary to another use that is permissible in the zone.

45 Retailing of bulky goods

- (1) This clause applies to land within Zone 4, marked with black cross-hatching on the zoning map.
- (2) Despite any other provisions of this plan, the consent authority shall not grant consent to development for the purpose of bulky goods retailing unless:
 - (a) the only goods sold are of a kind referred to in Column 1 of the Table to this clause, and
 - (b) the building from which they are sold has a minimum floor space area as referred to in Column 2 of that Table.

Column 1	Column 2
Goods	Floor space area
Furniture	1,000m ²
Electrical goods	1,000m ²
Toys/sporting equipment	1,000m ²
Outdoor products	1,000m ²

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Clause 45 Parramatta Local Environmental Plan 2001

Part 4 Special provisions applying to certain land

Column 1	Column 2
Goods	Floor space area
Office supplies	1,000m ²
Hardware	1,000m ²
Floor coverings	500m ²
Automotive parts/accessories	500m ²
Lighting	500m ²
Video hire	500m ²
Antiques/secondhand goods	500m ²
Kitchen/bathroom fixtures and fittings	250m ²
Tiles (floor, ceiling, wall)	250m ²
Plant nursery	No minimum
Take away food	No minimum

46 Development in open space zones

- (1) The consent authority must not grant consent to development on land within Zone 6 (a) unless it has taken into consideration whether the proposed development is consistent with any plan of management adopted by the Council.
- (2) The consent authority must not grant consent to development within Zone 6 (a) or 6 (b) unless it 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 secondary and complementary to the use of the land for 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 proposal 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,
 - (g) whether the proposed development will impact on bushland and remnant bushland.

47 Development on land abutting an environmental protection zone

- (1) The consent authority must not grant consent to development on land abutting land within Zone 7 or 9 (d) unless it has taken into consideration all of the following:
 - (a) the need to retain any bushland on the land,
 - (b) the effect of the proposed development on bushland, including the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland, overshadowing, overland flows and stormwater runoff, removal or degradation of existing vegetation,
 - (c) the requirement for provision of a buffer zone on the abutting land to protect the bushland area,
 - (d) any other matters which are relevant to the protection and preservation of the bushland area.
- (2) Despite any other provisions of this plan, no building or other structure shall be erected within 6 metres of the boundary of Zone 7.

48 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 the Council.
- (2) Despite any other provisions of this plan:
 - (a) a person must not carry out development on land within a public transport corridor, and

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Clause 48 Parramatta Local Environmental Plan 2001

Part 4 Special provisions applying to certain land

- (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*.

49 Development of unzoned land

- (1) Despite any other provisions of this plan, development must not be carried out on any land that is unzoned without development consent.
- (2) Notwithstanding subclause (1), development consent is not required for development of unzoned land for the purpose of constructing, installing or maintaining roads or utility installations (other than railways, water or air transport, wharf or river undertakings, gas holders and generating works), and the carrying out of ordinarily incidental or ancillary development.

50 Temporary use of land

- (1) Despite 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 52 days, whether consecutive or not, in any one calendar year.
- (2) Before granting a consent referred to in subclause (1), 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 does 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.

Schedule 1 Principles of ecological sustainability

(Clause 3 (1))

The following are principles of ecological sustainability:

1 The precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
- (b) an assessment of the risk-weighted consequences of various options.

The principle requires decision-making to give the environment the benefit of the doubt.

2 Intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations (that is, regard should be had to the effect of development on all of the generations which may use or expect to benefit from the nation's resources).

3 Conservation of biological diversity and ecological integrity

Conservation of biological diversity and ecological integrity should be a fundamental consideration.

4 Improved valuation pricing and incentive mechanisms

The following environmental factors should be considered in the valuation of assets and services:

- (a) the polluter pays principal (that is, those who generate pollution and waste should bear the cost of its containment, avoidance or abatement),

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Schedule 1

Principles of ecological sustainability

- (b) the users of goods and services should pay prices based on the full cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any wastes,
- (c) environmental goals that have been identified should be pursued in the most cost effective way by establishing incentive structures, including market mechanisms which enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

Schedule 2 Classification and reclassification of public land

(Clause 14)

Part 1 Land classified, or reclassified, as operational land—no interests changed

Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Carlingford	10 Inala Place, excluding the pathway Part Lot 10, DP 209930	
Dundas	14 King Street, excluding the pathway Part Lot 36, DP 233076	
East Parramatta	Rear of 14 Tennyson Street Part Lot 2, DP 556619	
Ermington	38 Atkins Road Lot 756, DP 16184	
	94A and rear of 100 Spurway Street Lot E, DP 405353, Lot 22, DP 31884 and Lot B, DP 355747	

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Schedule 2

Classification and reclassification of public land

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
	12 Dean Crescent Lot 13, DP 30758 and Lot 2, DP 204338	
	Land between Primrose Avenue and Fallon Street Lot H, DP 36567	
Granville		
	13 Thomas Street Lot 9, Section 4, DP 1788	
Guildford		
	46 Eve Street Lots 1 and 2, DP 626900	
Northmead		
	12A Whitehaven Road Part Lot 75, DP 18071	
Rydalmere		
	72 Dudley Street Lot 19, DP 203008	
Toongabbie		
	21A Barangaroo Road Lot 1, DP 204749	
	359 Old Windsor Road Lot 4, DP 551352	
Wentworthville		
	9 Cardillo Street Lot 8, DP 219547	
	2B Darcy Road Lot 34, DP 206886	

Part 3 Land classified, or reclassified, as community land

Column 1

Column 2

Locality

Description

North Parramatta

6–10 Byrnes Street
Lots 1 and 2, DP 501959 and Lot 24, DP 882

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Schedule 3 Development of land for certain additional purposes

Schedule 3 Development of land for certain additional purposes

(Clause 27)

Address	Property description	Development allowed
52–56 Boundary Road, Chester Hill	Lots A, B and C, DP 412636	Development for the purpose of townhouses
15A Cowells Lane, Ermington	Lot 1, DP 702536	Development for the purpose of townhouses
14 Alfred Street, Granville	Lot 10, Sec 2, DP 1250	Development for the purpose of a car repair station and vehicular storage
90–94 Good Street, Granville	Lot 15, DP 743560 and Lot 1, DP 78920	Development for the purpose of commercial premises
53–57 Woodville Road and 31 Hewlett Street, Granville	Lots A, B and C, DP 388102	Development for the purpose of a motor showroom
332 Woodville Road, Guildford	Lot B, DP 366981	Development for the purpose of a restaurant
98–104 Windsor Road, Northmead	Lot 1, DP 817394	Development for the purpose of a service station and shops
25 Isabella Street, North Parramatta	Lot 20, DP 539101	Development for the purpose of townhouses, use of the refurbished worker's cottage and 1 on-site car parking space to be used for the purpose of commercial premises
67 O'Connell Street, North Parramatta	Lot 1, DP 90736	Use of existing cottage on the site for the purpose of commercial premises

Address	Property description	Development allowed
84–86 O’Connell Street, North Parramatta	Lot 1, DP 712804	Use of existing cottage on the site for the purpose of commercial premises
148–150 Woodville Road, Merrylands	Lot 1, DP 629352	Development for the purpose of a service station
84–86 Macarthur Street, Parramatta East	Lots 101 and 102, DP 859635	Development for the purpose of offices, storage depots or the like associated with the activities of any public authority or instrumentality
2A–2B Buller Street, Parramatta East	Lots 982 and 983, DP 823996	Development for the purpose of a service station
37 Midson Road, Epping	Lots 46 and 53, DP 8453, Lot 1, DP 984965, Lot 1, DP 947317, DP 955678, FP 55380 Vol 4782, Fol 232 Lot 1, DP 55379	Development for the purpose of extractive industry, industry directly associated with or dependent on extractive industry and rehabilitation of the land for another use
29 William Street, Granville	Lot 11, DP 814794	Development for the purpose of commercial premises and a call centre
Area bounded by Ross Street, Villiers Street, Albert Street and O’Connell Street, North Parramatta	So much of the land as is within Zone 2 (a)	Development for the purpose of restaurants and professional suites

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Schedule 4 Sites which require the preparation of a master plan

Schedule 4 Sites which require the preparation of a master plan

(Clause 30)

Part 1 General

All development sites comprising 5,000 square metres or more

Part 2 Specific sites

Address	Property description
12 Buckleys Road, Winston Hills	Lot 1B, DP 378829
14 Buckleys Road, Winston Hills	Lot 1, DP 543364
16 Buckleys Road, Winston Hills	Lot 12, DP 518824
32 Rebecca Parade, Winston Hills	Lot 19, DP 270075
2A Oakes Road, Winston Hills	Part Lot 19, DP 2784
2A Spurway Street, Ermington	Lot 1, DP 213158
334 Kissing Point Road, Dundas	Lot 2, DP 215622
37 Midson Road, Epping	Lot 53, DP 8453, Lot A, DP 333558, Lot B, DP 333558, DP 55379, Lot 1, DP 128925
59Z–61 Mobbs Lane and 7A Grimes Lane, Eastwood	Lot 1, DP 732070, Lot 1, DP 570891, Lots 1 and 2, DP 129023, Lot 2, DP 732070, Lot 2, DP 582172
86 Chelmsford Avenue, Epping	Lot 1, DP 582172
736 Victoria Road, Ermington	Lots 11 and 12, DP 7863, Lot 6, DP 18662, Lot 1, DP 301993
84 and 86 Macarthur Street, North Parramatta	Lots 101 and 102, DP 859635

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Sites which require the preparation of a master plan

Schedule 4

Address	Property description
1A and 1B Morton Street, Parramatta	Lot B, DP 162815, Lot X, DP 164380
46 Stewart Street, Dundas	Lot 1, DP 837251
16 Dorahy Street, Dundas	Lot 11, DP 867610
260 Victoria Road, Rydalmere	Lot 1, DP 879918, Lot 20, DP 226903, Lot 1, DP 33370

Dictionary

(Clause 10)

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* forming part of the *Acid Sulfate Soil Manual* as published by the NSW Acid Sulfate Soils Management Advisory Committee and as adopted for the time being by the Director-General.

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

advertisement means a display by the use of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of work.

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 a pub) used principally for playing:

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

animal establishment means a building or place used for the breeding, boarding, training or keeping of, or caring for, animals whether or not for a commercial purpose, but does not include a veterinary establishment or a building or place used (in conjunction with a dwelling) for the keeping of pets.

appointed day means the day on which this plan takes effect.

area of an advertisement in the form of a sign means:

- (a) for a sign with only one side occupied by the matter displayed, the area within the outline of that sign, or
- (b) for a sign with two sides occupied by the matter displayed, the area within the outline of that sign or, where one side is larger than the other, the area within the outline of the larger side, or
- (c) for any other sign, one third of the total surface area of the sign.

attic room means a room within the roof space of a one or two storey building, having a roof slope of not less than 35 degrees and not more than 45 degrees pitched from the ceiling level of the uppermost floor.

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 communal kitchen, living areas and laundry facilities.

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

biological diversity means the variety of life forms, the different plants, animals and micro-organisms, the genes they contain and the ecosystem of which they form a part.

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 apartment, or (in the Table to clause 16) any other building defined in this Dictionary.

boatshed means a building or other structure used for the storage and routine maintenance of a boat or boats, is associated with a private residence and includes any skid used in connection with the building or other structure.

brothel means premises habitually used for the purpose 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.

buffer means that part of the development site that is a transition area between the bushland and the building.

bulky goods retailing means the sale by retail of goods of the following kind:

- (a) furniture,
- (b) electrical goods,
- (c) toys/sporting equipment,
- (d) outdoor products,
- (e) office supplies,
- (f) hardware,

- (g) floor coverings,
- (h) automotive parts/accessories,
- (i) lighting,
- (j) video hire,
- (k) antiques/secondhand goods,
- (l) kitchen/bathroom showrooms,
- (m) tiles (floor, ceiling, wall),
- (n) plant nursery,
- (o) take away food.

bushfire hazard reduction means a reduction or modification (by controlled burning or mechanical or manual means) of material that constitutes a bushfire hazard.

bushland and remnant bushland means land (private or public) on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is in the process of regrowth or is still representative of the structure and floristics of the natural vegetation.

car parking space means a defined and unobstructed area accessible to and, in the opinion of the Council, suitable for the parking of motor vehicles.

car parking station means a building or a 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) bodybuilding, or
- (b) panel beating involving dismantling, or
- (c) spray painting, except for touching up.

centre based child care service means a building or place (other than the home of the licensee of the service) 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, that is provided for 6 or more children (not including any children who are related to the person providing the service) and which does not include overnight accommodation.

church means any place of public worship, whether in the Christian faith or not.

club means a building or place used for the gathering of persons 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 (in the Table to clause 16) does not include a building or place elsewhere specifically defined in this Dictionary.

community drop-off centre means a facility characterised by its community visibility and accessibility used for the temporary storage of reusable, non-putrescible materials.

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

community land has the same meaning as in the *Local Government Act 1993*.

contaminated land has the same meaning as in section 145A of the *Environmental Planning and Assessment Act 1979*.

Council means the Parramatta City Council.

demolish a heritage item or a relic, tree or place within a heritage conservation area or any other building or structure, means to damage, deface, destroy, pull down, dismantle or remove it in whole or part.

depot means a building or place used for the servicing, repair and garaging of vehicles and other equipment and for the storage of materials used by a public authority.

designated flood means:

- (a) the flood planning level adopted by the Council in accordance with the principles contained in the *Floodplain Development Manual* and contained within a development control plan approved by the Council, or
- (b) the 100 year average recurrent interval (ARI) flood event where no development control plan referred to in paragraph (a) has been prepared.

development has the meaning ascribed to it in section 4 of the Act.

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 containing one, but not more than one, dwelling.

dual occupancy means two separate self-contained dwellings on a single allotment of land.

ecologically sustainable development means development which is based on the philosophy of conserving and recycling resources to contribute to the restoration of underlying ecological processes and involves the integration of ecological processes such as on-site stormwater absorption, soil conservation, grey water recycling, renewable energy harvesting, natural habitat and air quality.

educational establishment means a building or place used for education (including teaching) and includes:

- (a) a school, and
- (b) a tertiary institution, being a university, TAFE establishment, teacher's college or other tertiary college providing formal education which is constituted by or under an Act, and
- (c) an art gallery, library or museum, not being an art gallery, library or museum in which any items on display are for sale,

whether or not accommodation for staff and students is provided and whether or not used for the purpose of gain.

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 an educational establishment.

equipment hire centre means a building or place used to hire out and store a range of tools and equipment and to repair and service that equipment.

extractive industry means:

- (a) the winning of extractive material, or
- (b) an undertaking, not being a mine, which depends for its operation on the winning of extractive material from the land on which it is carried on, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, turf, soil, rock or similar substances.

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

flood liable land means land which may be inundated by the designated flood and that is indicated as flood liable land on a map marked "Flood Liable Land Map" deposited in the office of the Council.

Floodplain Development Manual means the manual prepared by the NSW Government and entitled *Floodplain Development Manual* dated December 1986 (Reference No PWD 86010) or the *Floodplain Management Manual*, when released by the Council and deposited in the office of the Council.

floor means a space within a building which is situated between one floor level and the 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, 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
- (b) any space permanently set aside within the building for underground parking, other than spaces used for public car parking which is more than 1 metre above natural ground level, 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, or
- (e) attic rooms.

floor space ratio, in relation to a building, means the ratio of the floor space area of the building to the area of the allotment on which the building is or is proposed to be erected.

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 does not project more than 300mm 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.

habitat means an area or areas occupied, whether or not only periodically or occasionally, by a species, population or ecological community and includes any biotic or abiotic component.

hazardous industry means an industry which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate it from existing or likely future development on other land in the locality), would pose a significant risk, in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment,

but (in the Table to clause 16) does not include any other form of industry defined elsewhere in this Dictionary.

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 between natural ground level at any point above which any part of the building is sited, and the ceiling of the topmost floor of the building directly above that point.

heritage conservation area has the same meaning as in *Parramatta Local Environmental Plan 1996 (Heritage and Conservation)*.

heritage item has the same meaning as in *Parramatta Local Environmental Plan 1996 (Heritage and Conservation)*.

high density housing means a building containing three or more dwellings which are three or more storeys in height.

high technology industry means an enterprise which has as its primary function the manufacture, development, production, processing or assembly of, or researching into, any of the following:

- (a) electronic and microelectronic systems and goods and components,
- (b) information technology, computer software and hardware,
- (c) instrumentation and instruments,
- (d) biological, pharmaceutical, medical or paramedical systems goods and components,
- (e) other goods, systems and components intended for use in science and technology.

home based child care service means a child care service:

- (a) that is provided at the home of the licensee of the service for the purpose of educating, minding or caring for (but without providing residential care for) not more than 7 children under the age of 12 years (including any children who are related to the person providing the service) at least 5 of whom have not started school, and
- (b) that is required to be licensed under the *Children (Care and Protection) Act 1987*.

home business means any business carried out, in a dwelling house or within the site area of a dwelling house, by the permanent residents of the dwelling house, but only if:

- (a) the use does not employ more than 2 additional employees other than permanent residents, and
- (b) only goods made or produced, or services offered, as a result of the activity or pursuit are displayed, sold or provided, and
- (c) the primary use of the dwelling is for residential purposes, and
- (d) the use does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and

- (e) the use does not interfere with the amenity of the neighbourhood due to:
 - (i) the generation of excess vehicular traffic, or
 - (ii) attraction of an excessive number of customers or clients, or
 - (iii) reduction of car parking in the vicinity of the site, and
- (f) the use does not involve the display of goods, whether in a window or otherwise, and
- (g) the use does not involve the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on the dwelling house or dwelling to indicate the name and occupation of the resident), and
- (h) the use does not involve prostitution.

home occupation means an occupation carried on in a dwelling house or in a dwelling in a residential building, by the permanent residents of the dwelling house or dwelling which does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on the dwelling house or dwelling to indicate the name and occupation of the resident), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, or
- (f) prostitution.

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,
- (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 licensed under the *Liquor Act 1982* to sell liquor, which provide accommodation consisting of more than 20 rooms or self-contained suites for guests that are rented or hired on a short-term basis without a residential tenancy agreement within the meaning of the *Residential Tenancies Act 1987*.

industry means an activity involving manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting any goods or articles for commercial purposes, but does not include offensive, hazardous or extractive industry, and (in the Table to clause 16) does not involve any other form of industry separately defined in this Dictionary.

jetty means a horizontal decked walkway on a piered or piled foundation, providing access from the shore to the waterway.

kiosk means a shop with a floor space area not exceeding 50 square metres which is intended to provide food or refreshment to the users of a recreation area, recreation facility or land in public ownership, but does not include a restaurant.

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 (in the Table to clause 16) does not include any form of industry separately defined in this Dictionary.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

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

map means a map kept in the office of Parramatta City Council.

market means land used on a temporary basis for the purpose of selling goods or providing services, but (in the Table to clause 16) does not include a building or place elsewhere defined in this plan.

master plan means a written document supported by diagrams, architectural drawings or maps including an outline of a development proposal detailing:

- (a) options for redevelopment of the land to which it applies, and
- (b) an analysis of the characteristics and local context of the area within which the site is located, and
- (c) the proposed site layout and planning proposals for the development of the land, including the proposed conceptual distribution of activities, mix and types of buildings, heritage and conservation arrangements, pedestrian, bicycle and vehicular access movements, parking and open space and visual impact, and ways by which the development proposed maximises ecological sustainability and contributes to public domain enhancement, and
- (d) illustrates a number of options for redevelopment of the land to which it applies.

A master plan must be, and declare that it is, consistent with all regional environmental plans and local environmental plans that apply to the land to which it applies.

materials recycling depot means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or for the collection or collecting, dismantling, storage, salvaging or abandonment of vehicles or machinery or the sale of their parts.

medical centre means a building or place used for providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) where overnight accommodation for patients is not provided.

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.

mixed use development means one or more dwellings attached to or on the same parcel of land as a building used or intended to be used for a non-residential purpose permissible on the land, whether or not the dwelling or dwellings will be used in conjunction with that non-residential use.

motel means a building (other than a boarding house, residential building or serviced apartments) primarily used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building is 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 sold or displayed at the building or place.

multi unit housing means three or more dwellings on the same parcel of land where each dwelling has an individual entrance and direct private access to private open space at natural ground level for the exclusive use of the occupants of the dwelling, but (in the Table to clause 16) does not include any other form of dwellings elsewhere specifically defined in this plan.

offensive industry means an industry which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate it from existing or likely future development on land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

operational land has the same meaning as in the *Local Government Act 1993*.

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) bodybuilding, 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.

plan of management means:

- (a) a plan of management for community land adopted under the *Local Government Act 1993*, or
- (b) a plan of management relating to a Crown reserve adopted under the *Crown Lands Act 1989*, or
- (c) a plan of management relating to a wildlife refuge adopted under the *National Parks and Wildlife Act 1974*, or
- (d) a plan of management relating to a conservation agreement entered into under the *National Parks and Wildlife Act 1974*, or
- (e) a bush fire management plan adopted under the *Rural Fires Act 1997*, or
- (f) a management statement relating to land under community title registered under the *Community Land Management Act 1989*, or
- (g) a plan of management prepared as a condition of development consent, or
- (h) any other plan of management prepared by or on behalf of a landowner.

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

portable recycling facility means a facility used for the collection of reusable and recyclable materials such as clothing and telephone books, but does not include registered vehicles.

prostitution means engagement in sexual acts or sexual services in return for payment or other reward.

public building means a building or place used as a business or office by a public authority or an organisation established for public purposes.

public transport facility means the use of a building or place for the purpose of providing passenger transport facilities to the general public, whether or not those facilities are provided by a public authority.

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:

- (a) railway, light railway, road, water or air transport, or wharf or river undertakings, or
- (b) the provision of sewerage or drainage services, or
- (c) the supply of 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 Council to provide recreational facilities for the physical, cultural or intellectual welfare of the community, or
- (d) an area used by a body of persons associated for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those purposes,

but does not include a racecourse, speedway or showground.

recreation facility means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, and may include:

- (a) swimming pools, bowling greens, tennis courts and playing fields, and
- (b) bowling alleys, squash courts, table tennis courts, gymnasiums and health studios, and
- (c) cycle paths, skating rinks, and skateboard and roller blade ramps, and
- (d) racecourses and showgrounds.

remote distribution centre means a building or place for the distribution of goods, merchandise or material that:

- (a) does not involve the direct sale or collection of the goods, merchandise or material by the customer, and

- (b) is distributed to the customer only by the employees of that building or place,

but does not include a warehouse or distribution centre.

residential flat building means a building containing three or more dwellings, but (in the Table to clause 16) does not include a building elsewhere specifically defined in this Dictionary.

resource recovery facility means a facility which collects, sorts, dismantles, salvages and/or temporarily stores non-putrescible materials capable of re-use and resale.

restaurant means a building or place, the principal purpose of which is the provision of food to people for consumption on the premises in exchange for payment.

restricted premises means a building or place:

- (a) used or intended for use as a shop or entertainment facility in which publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are exposed, exhibited, displayed or sold or otherwise rendered accessible or available to the public, or
- (b) in or on which a business to which section 578E of the *Crimes Act 1900* applies is conducted, or
- (c) in or on which a business is conducted, an object of which is the display or exhibition of any article that is primarily concerned with or is used or intended to be used in connection with sexual behaviour, but which is not printed matter,

but does not include a newsagency or pharmacy.

road transport terminal means a building or place used for the principal purpose of the bulk handling of goods for transport by road, and includes facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.

RTA means the Roads and Traffic Authority constituted under the *Transport Administration Act 1988*.

sea retaining wall means a structure placed partially or wholly along the land water interface to protect the land from the sea or to stop accelerated erosion of the shoreline, but does not include a breakwater.

serviced apartment means a building containing two or more self-contained dwellings:

- (a) which are used to provide short-term accommodation, but are 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 dwellings or the owner's or manager's agents.

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 or auction), goods, merchandise or materials.

site area, in relation to development, means the area of land to which an application for consent to carry out development relates, but does not include any part of the land on which the development is not permitted by or under this plan.

slipway means a structure, usually in the form of two supported parallel rails on which a wheeled cradle is run, to draw a vessel out of the water for maintenance and repair.

storey means the space within a building between one floor level and the floor level next above or, if there is no floor level above, the ceiling or roof above, but does not include:

- (a) space used for car parking, laundries or storerooms, if the ceiling above the space is not more than 1,000mm (measured from the lowest point on the site) above natural ground level, and

- (b) attic space which is part of the dwelling unit immediately below and is incapable of being used as a separate dwelling unit.

swimming pool means a structure (sometimes referred to as an in-ground pool) designed to contain water for swimming which is impermeable and capable of holding water at a constant level regardless of the fluctuations in the level of ground water or contiguous tidal waters outside it.

telecommunications facility means any facility, not being a low impact facility, within the meaning of the *Telecommunications Act 1997* of the Commonwealth.

television station means a building or place used for television production, broadcasting and associated media and technology activities.

terrace housing means the same as multi unit housing, except that there must be:

- (a) a minimum front setback for buildings of 1.5 metres from the property boundary, and
- (b) vehicular access only to the rear.

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

tourist facility means an establishment providing holiday accommodation or recreational facilities, or both, on a short-term basis, and may include:

- (a) hotels, motels, bed and breakfast accommodation, serviced apartments, holiday cabins, caravan parks, camping grounds and houseboat facilities, and associated swimming pools, golf courses, tennis courts and marinas, and
- (b) restaurants, and
- (c) souvenir shops, art and craft galleries and exhibition centres.

transfer station means a facility used to transfer waste, including putrescible waste, from collection vehicles to bulk haul vehicles in order to achieve long distance transportation efficiency.

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

vehicle rental centre means a building or premises used to rent out vehicles and service those vehicles.

veterinary establishment means a building or place used for the medical or surgical treatment of animals, whether or not animals are kept or boarded on the premises.

warehouse or distribution centre means a building or place used mainly for storing, handling or displaying items (whether goods or materials) which have been produced or manufactured for sale, but not for the retail sale of items to the public from the building or place.

waste facility means any premises used for the storage, treatment, reprocessing, sorting or disposal of waste, other than landfill.

waste processing facility means a facility which treats waste by physical, chemical or biological processes to transform it into raw materials used to make a product or as inert landfill.

zoning map means the map marked “Parramatta Local Environmental Plan 2001”, as amended by the maps (or specified sheets of maps) marked as follows: