



New South Wales

Parramatta Local Environmental Plan 2001 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(11/02745-1)

TOM GELLIBRAND

As delegate for the Minister for Planning and Infrastructure

2011 No 209

Clause 1 Parramatta Local Environmental Plan 2001 (Amendment No 15)

Parramatta Local Environmental Plan 2001 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Parramatta Local Environmental Plan 2001 (Amendment No 15)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land at 2 Morton Street, Parramatta, being Lot 1, DP 817709, as shown distinctively coloured on Sheet 1 of the map marked "Parramatta Local Environmental Plan 2001 (Amendment No 15)" deposited in the office of Parramatta City Council.

Schedule 1 Amendment of Parramatta Local Environmental Plan 2001

[1] Clause 15 What zones apply?

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

Insert instead “10 Mixed Use Zone (Zone 10)—Coloured olive, edged red and lettered ‘10’”.

[2] Clause 15

Insert at the end of the clause:

11 Waterways Zone (Zone 11)—Coloured purple, edged red and lettered “11”.

[3] Clause 16 What development is allowed or prohibited by zoning?

Insert at the end of the Zoning table to the clause:

Development in the 11 Waterways Zone

1 Zone objectives

- (a) to protect the ecological and scenic values of natural waterways, and
- (b) to prevent development that would have an adverse effect on the natural values of waterways, and
- (c) to provide for sustainable fishing industries and recreational fishing, and
- (d) to provide for cultural and scientific study of natural waterways, and
- (e) to enable works associated with the rehabilitation of land towards its natural state.

2 Description on zoning map

Coloured purple, edged red and lettered “11”.

3 Development that does not require consent

Development for the purpose of:
environmental protection works
flood mitigation works

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Schedule 1 Amendment of Parramatta Local Environmental Plan 2001

4 Development allowed only with consent

Development for the purpose of:
environmental facilities
roads

5 Prohibited development

Any development not included in Item 3 or 4.

[4] Clause 34A

Insert after clause 34:

34A Environmental protection

- (1) The objective of this clause is to manage and maintain the integrity of identified riparian land and waterways, and areas of terrestrial and aquatic biodiversity significance, including protecting the following:
 - (a) water quality,
 - (b) natural water flows,
 - (c) the stability of the bed and banks of waterways,
 - (d) the hydrological and ecological functions of riparian land and wetlands,
 - (e) biological diversity, native fauna and flora and their habitats.
- (2) This clause applies to land identified as “Sensitive Land” on Sheet 2 of the map marked “Parramatta Local Environmental Plan 2001 (Amendment No 15)”.
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact of the proposed development on the following:
 - (a) the water quality of receiving waters,
 - (b) the natural flow regime,
 - (c) the stability of the bed, shore and banks of waterways,
 - (d) native ecological communities,
 - (e) the habitat of any threatened species, populations or ecological community,
 - (f) regionally significant species of fauna and flora or habitat,
 - (g) habitat elements providing connectivity.

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- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
- (a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or
 - (b) if that impact cannot be avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

[5] Clause 50A

Insert after clause 50:

50A Development on land at 2 Morton Street

- (1) This clause applies to land at 2 Morton Street, Parramatta, being Lot 1, DP 817709.
- (2) Despite any other provision of this Plan:
 - (a) the floor space ratio of a building on land to which this clause applies must not exceed 1.3:1, and
 - (b) the height of a building on land to which this clause applies must not exceed 40 metres.

[6] Dictionary

Insert in alphabetical order:

environmental facility has the same meaning as in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

environmental protection works has the same meaning as in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

flood mitigation work has the same meaning as in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

road has the same meaning as in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

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[7] Dictionary, definition of “zoning map”

Insert in appropriate order in the definition:

Parramatta Local Environmental Plan 2001 (Amendment
No 15)—Sheet 1