EXPLANATION OF INTENDED EFFECT

STATE ENVIRONMENTAL PLANNING POLICY TO AMEND

STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES)
2006 – TO INSERT DEVELOPMENT CONTROLS FOR THE RIVERSTONE EAST PRECINCT
INTO THE BLACKTOWN GROWTH CENTRES PRECINCT PLAN, AND AMEND THE AREA
20 PRECINCT PLAN, AND ALEX AVENUE AND RIVERSTONE PRECINCT PLAN.

Introduction

The proposed instrument (proposed SEPP) will amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) by

1. amending Appendix 12 Blacktown Growth Centres Precinct Plan to insert planning controls for land in the Riverstone East Precinct (the ‘Precinct’);
2. making consequential amendments to the operative provisions of the Growth Centres SEPP, to reflect the adoption of the Precinct Plan;
3. amending Appendix 6 Area 20 Precinct Plan to alter the development controls applying to a number of properties; and
4. amending Appendix 4 Alex Avenue and Riverstone Precinct Plan to amend riparian protection mapping of land along First Ponds Creek.

The Riverstone East Precinct Plan will identify the land to which the planning controls apply, establish objectives for the development of that land, and specify development that may be carried out without consent (including exempt development), with consent (including complying development) and development that is prohibited. The Precinct Plan will also establish new development control provisions, including principal development standards for future development within the Precinct, such as building height controls, minimum subdivision lot sizes and minimum residential density controls.

Blacktown Local Environmental Plan 1988 (Blacktown LEP) currently applies to development within the Riverstone East Precinct. Under the proposed SEPP, the Blacktown LEP will no longer apply to land in the Riverstone East Precinct.

The Riverstone East Precinct Plan is accompanied by a Development Control Plan (DCP) Schedule as an appendix to the Blacktown City Council Growth Centre Precincts DCP which makes more detailed provision with respect to development. The DCP includes a draft Indicative Layout Plan (ILP) which provides an indication of how the first two stages of the Riverstone East Precinct will develop over time.

Amendments proposed to the Area 20 Precinct Plan apply to a number of properties within the Area 20 Precinct between Cudgegong Road and the Riverstone East / Area 20 Precinct boundary. Changes are proposed to Schedule 4 Area 20 Precinct of the Blacktown City Council Growth Centre Precincts DCP to be consistent with the proposed changes to the SEPP.

An amendment to the Alex Avenue and Riverstone Precinct Plan is proposed to map the extent of the riparian corridor along First Ponds Creek. Schedule 2 Riverstone Precinct of the Blacktown City Council Growth Centre Precincts DCP will ultimately be updated to be consistent with the riparian corridor as mapped in the SEPP.
Blacktown Growth Centres Precinct Plan Explanation of provisions

1. The Precinct Plan

1.1 Preliminary

Aims of Precinct Plan
The aims of the Precinct Plan are to:

- rezone land to allow for development to occur in the manner envisaged by the North West Growth Centre Structure Plan and the draft Stage 1 and Stage 2 ILP for the Riverstone East Precinct;
- deliver housing choice and affordability by accommodating a wide range of residential dwelling types that cater for housing diversity;
- guide the bulk and scale of future development within the Stage 1 and Stage 2 areas;
- rezone land to allow for retail and employment uses to meet the needs of future residents of the Riverstone East Precinct and surrounding areas;
- identify a transport corridor investigation area within the Riverstone East Precinct;
- protect and enhance riparian corridors and areas of significant native vegetation by establishing development controls that prevent the clearing of existing native vegetation within the Precinct; and
- protect and enhance areas of local heritage significance by establishing development controls in order to maintain and respect the relationships between heritage sites, and their adjacent uses.

Land to which the Precinct Plan applies
The land to which the Blacktown Growth Centres Precinct Plan applies will be defined in the Precinct Plan by reference to a Land Application Map.

Definitions
The Dictionary at the end of the Growth Centres SEPP will define the words and expressions for the purposes of the Precinct Plan, including the relevant maps.

Consent authority
Subject to the Environmental Planning and Assessment Act 1979 (EP&A Act), the consent authority for development carried out under the Precinct Plan will be Blacktown City Council.

Savings provision relating to pending development applications
A savings provision will ensure that any development applications made but not determined before the commencement of the Precinct Plan will be assessed and determined as if the Precinct Plan had not commenced.

Repeal of other local planning instruments applying to land
All environmental planning instruments currently applying to land within the Precinct will be repealed and cease to apply to land within the Precinct.

Application of SEPPs
The Precinct Plan is subject to all State environmental planning policies, other than State Environmental Planning Policy No 1-Development Standards, State Environmental Planning Policy No 4- Development Without Consent and Miscellaneous Exempt and Complying Development, and State Environmental Planning Policy No 60-Exempt and Complying Development.

Suspension of covenants
A provision is included in the Precinct Plan that suspends any agreement, covenant or other similar instrument that restricts the carrying out of development to allow development to be carried out under the Precinct Plan or a consent granted under the EP&A Act. There are a number of exceptions to this provision, including:
(a) a covenant imposed by the Council or that the Council requires to be imposed,
(b) any prescribed instrument under section 183A of the Crown Lands Act 1989,
(c) any conservation agreement under the National Parks and Wildlife Act 1974,
(d) any Trust agreement under the Nature Conservation Trust Act 2001,
(e) any property vegetation plan under the Native Vegetation Act 2003,
(f) any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995,
(g) any planning agreement under Division 6 of Part 4 of the EP&A Act.

This provision will not affect the rights or interests of any public authority under any registered instrument. The provision is proposed through this amendment to apply to land in the Riverstone East Precinct.

1.2 Permitted or prohibited development

Land use table and zones

The Precinct Plan will rezone land within the Precinct to one of the following zones, as shown on the Land Zoning Map:

- **R2 Low Density Residential**, intended to provide for low density residential housing supported by local facilities and services to meet the needs of the local community;
- **R3 Medium Density Residential**, intended to provide a variety of housing types within a medium density residential environment, supported by facilities and services to meet the needs of the local community;
- **B2 Local Centre**, intended to provide a range of retail, business, entertainment and community uses that meet the needs of the local community, as well as local employment opportunities and access to public transport;
- **B4 Mixed Use**, intended to support a range of business and retail uses, as well as residential; it is directly adjacent to land within the Area 20 Precinct;
- **B6 Enterprise Corridor**, intended to promote businesses along main roads, and provide a range of employment uses including business, office, retail and light industrial uses.
- **IN1 General Industrial**, intended to provide for a range of uses associated with the rapid transit rail facility for the North West Rail Link;
- **SP2 Infrastructure**, intended to provide land required for infrastructure and similar uses, such as drainage, major roads and rail;
- **RE1 Public Recreation**, intended to provide land for public open space or recreational purposes;
- **E3 Environmental Management**, intended to provide ongoing protection of vegetated land on 26 Oak Street, Schofields, consistent with a voluntary covenant undertaken pursuant to the Nature Conservation Trust Act 2001; and
- **E4 Environmental Living**, intended to provide for low-impact residential development in areas with special aesthetic values and to ensure that such development does not adversely affect those values.
Land Use Table
In each zone, the Precinct Plan specifies, or will specify for new zones proposed to be inserted into the Precinct, land uses that are permissible without consent, with consent or are prohibited development, as follows:

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2 Permitted without consent</th>
<th>Column 3 Permitted with consent</th>
<th>Column 4 Prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone R2 Low Density Residential</td>
<td>Home occupations</td>
<td>Attached dwellings; bed and breakfast accommodation; boarding houses; business identification signs, child care centres; community facilities; drainage; dual occupancies; dwelling houses; earthworks; educational establishments; environmental protection works; exhibition homes; exhibition villages; group homes; health consulting rooms; home-based child care; home businesses; home industries; information and education facilities; neighbourhood shops; places of public worship; secondary dwellings; semi-detached dwellings; seniors housing; sewerage systems; shop top housing; veterinary hospitals.</td>
<td>Any other development not specified in Column 2 or 3.</td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2 Permitted without consent</td>
<td>Column 3 Permitted with consent</td>
<td>Column 4 Prohibited</td>
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<tr>
<td>Zone R3 Medium Density Residential</td>
<td>Home occupations</td>
<td>Attached dwellings; bed and breakfast accommodation; boarding houses; child care centres; community facilities; dual occupancies; dwelling houses; group homes; multi dwelling housing; neighbourhood shops; places of public worship; residential flat buildings; semi-detached dwellings; seniors housing; sewerage systems; shop top housing; any other development not specified in Column 2 or 4.</td>
<td>Agriculture; air transport facilities; air strips; amusement centres; boat repair facilities; boat sheds; business premises; caravan parks; cemeteries; charter and tourism boating facilities; correction centres; crematoria; depots; entertainment facilities; extractive industries; freight transport facilities; function centres; helipads; highway service centres; home occupations (sex services); industrial retail outlets; industries; information and education facilities; marinas; mortuaries; office premises; passenger transport facilities; public administration buildings; recreation facilities (indoor); recreation facilities (major); recreation facilities (outdoor); registered clubs; restriction facilities; retail premises; rural supplies; rural workers’ dwellings; service stations; sex services premises; signage; storage premises; tourist and visitor accommodation; transport depots; truck depots; vehicle body repair workshops; vehicle repair stations; vehicle sales or hire premises; waste management facilities; waste or resource management facilities; wholesale supplies.</td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2 Permitted without consent</td>
<td>Column 3 Permitted with consent</td>
<td>Column 4 Prohibited</td>
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</tr>
<tr>
<td>Zone B2 Local Centre</td>
<td>Home occupations</td>
<td>Boarding houses; business premises; child care centres; commercial premises; community facilities; educational establishments; entertainment facilities; function centres; information and education facilities; medical centres; office premises; passenger transport facilities; recreation facilities (indoor); registered clubs; respite day care centres; retail premises; service stations; sewerage systems; shop top housing; tourist and visitor accommodation; vehicle repair stations; any other development not specified in Column 2 or 4.</td>
<td>Agriculture; air transport facilities; airstrips; biosolids treatment facilities; boat repair facilities; boat sheds; caravan parks; cemeteries; correctional centres; crematoria; depots; electricity generating works; exhibition homes; exhibition villages; extractive industries; farm buildings; freight transport facilities; funeral chapels; funeral homes; helipads; highway service centres; home occupations (sex services); industrial retail outlets; industries; mortuaries; residential accommodation; restricted premises; restricted premises; roadside stalls; rural industries; rural supplies; rural workers’ dwellings; sex services premises; storage premises; transport depots; vehicle body repair workshops; warehouse or distribution centres; waste management facilities; waste or resource management facilities.</td>
</tr>
<tr>
<td>Column 1 Zone</td>
<td>Column 2 Permitted without consent</td>
<td>Column 3 Permitted with consent</td>
<td>Column 4 Prohibited</td>
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<tr>
<td>Zone B4 Mixed Use</td>
<td>Home Occupations</td>
<td>Boarding houses; Business premises; Car parks; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Retail premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4</td>
<td>Agriculture; Air transport facilities; Airstrips; Biosolids treatment facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Exhibition villages; Extractive industries; Farm buildings; Freight transport facilities; Funeral chapels; Funeral homes; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Mortuaries; Port facilities; Public administration buildings; Recreation facilities (major); Residential accommodation; Restricted premises; Rural industries; Rural supplies; Rural workers’ dwellings; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste management facilities; Waste or resource management facilities; Wholesale supplies</td>
</tr>
<tr>
<td>Zone B6 Enterprise Corridor</td>
<td>Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Passenger transport facilities; Plant nurseries; Service Stations; Warehouse or distribution centres.</td>
<td>Any other development not specified in Column 2 or 3.</td>
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<tr>
<td>Zone</td>
<td>Column 1</td>
<td>Column 2 Permitted without consent</td>
<td>Column 3 Permitted with consent</td>
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<tr>
<td>Zone IN1 General</td>
<td></td>
<td>Building identification signs;</td>
<td>Agriculture; Air transport</td>
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<tr>
<td>Industrial</td>
<td></td>
<td>Business identification signs;</td>
<td>facilities; Air strips;</td>
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<td></td>
<td></td>
<td>Depots; Food and drink</td>
<td>Amusement centres;</td>
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<td></td>
<td>premises; Freight transport</td>
<td>Business premises;</td>
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<td></td>
<td></td>
<td>facilities; General industries,</td>
<td>Camping grounds; Caravan parks;</td>
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<td></td>
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<td>heliports; Industrial training</td>
<td>Cemeteries; Commercial</td>
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<td></td>
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<td>facilities; Kiosks; Light</td>
<td>premises; Correction centres;</td>
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<td></td>
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<td>industries; Neighbourhood</td>
<td>Eco-tourist facilities;</td>
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<td></td>
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<td>shops; Roads; Warehouse or</td>
<td>Educational establishments;</td>
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<td>distribution centres; Vehicle</td>
<td>Entertainment facilities;</td>
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<td></td>
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<td>sales or hire premises; Any other</td>
<td>Environmental facilities;</td>
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<td></td>
<td></td>
<td>development not specified in</td>
<td>Exhibition homes; Exhibition</td>
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<td></td>
<td></td>
<td>Column 2 or 4.</td>
<td>villages; Extractive industries;</td>
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<td></td>
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<td>Farm buildings; Forestry;</td>
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<td>Function centres; Health</td>
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<td>services facilities; Heavy</td>
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<td></td>
<td>industrial storage establishments; Heavy industries;</td>
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<td>Heliports; Highway service</td>
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<td>centres; Home-based child care;</td>
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<td>Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Marinas;</td>
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<td>Open cut mining; Recreation</td>
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<td></td>
<td>facilities (major); Recreation</td>
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<td></td>
<td></td>
<td>facilities (outdoor); Registered</td>
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<td></td>
<td></td>
<td></td>
<td>clubs; Residential accommodation; Restricted premises; Signage; Tourist and visitor accommodation; Veterinary hospitals; Wharf or boating facilities; Wholesale supplies.</td>
</tr>
<tr>
<td>Zone SP2</td>
<td>Nil</td>
<td>The purpose shown on the Land</td>
<td>Any other development not</td>
</tr>
<tr>
<td>Infrastructure</td>
<td></td>
<td>Zoning Map, including any</td>
<td>specified in Column 2 or 3.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>development that is ordinarily</td>
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<td></td>
<td></td>
<td>incidental or ancillary to</td>
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<td></td>
<td></td>
<td>development for that purpose;</td>
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<td></td>
<td></td>
<td>drainage; earthworks;</td>
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<td></td>
<td></td>
<td>environmental protection works;</td>
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<td></td>
<td></td>
<td>flood mitigation works; roads;</td>
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<td></td>
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<td>sewerage systems; water bodies</td>
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<td></td>
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<td>(artificial).</td>
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<td>Column 1</td>
<td>Column 2 Permitted without consent</td>
<td>Column 3 Permitted with consent</td>
<td>Column 4 Prohibited</td>
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<tr>
<td>Zone RE1 Public Recreation</td>
<td>Nil</td>
<td>Building identification signs; business identification signs; community facilities; drainage; earthworks; environmental facilities; environmental protection works; flood mitigation works; kiosks; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); roads; sewerage systems; water bodies (artificial).</td>
<td>Any development not specified in Column 2 or 3.</td>
</tr>
<tr>
<td>Zone E3 Environmental Management</td>
<td>Nil</td>
<td>Dwelling houses; environmental protection works; roads.</td>
<td>Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3</td>
</tr>
<tr>
<td>Zone E4 Environmental Living</td>
<td>Nil</td>
<td>Bed and breakfast accommodation; community facilities; drainage; dwelling houses; environmental facilities; environmental protection works; flood mitigation works; home businesses; home industries; intensive plant agriculture; places of public worship; recreation areas; recreation facilities (outdoor); sewerage systems; water bodies (artificial).</td>
<td>Industries; multi dwelling housing; residential flat buildings; retail premises; seniors housing; warehouse or distribution centres; any other development not specified in Column 2 or 3.</td>
</tr>
</tbody>
</table>
Subdivision and demolition
The Precinct Plan will contain a provision that requires development consent for certain subdivision and demolition.

Temporary use of land
The temporary use of land will be permitted in certain circumstances, where the use does not compromise the future development of that land, or have detrimental economic, social, amenity or environmental effects on the land.

Earthworks
A provision will be included that allows certain minor earthworks to be undertaken without development consent. The provision will also detail the matters to be taken into consideration by the consent authority when applications for earthworks are being considered.

1.3 Exempt and complying development
The EP&A Act enables a specified class or description of development that is of minimal environmental impact to be undertaken as exempt development. This means that it does not require development consent or approval under the EP&A Act.

The EP&A Act enables certain types of development that can be addressed by specified predetermined development standards to be undertaken as complying development. This means that this form of development can be undertaken under a complying development certificate issued either by the relevant Council or a private certifier.

The Precinct Plan does not introduce any new controls for exempt and complying development. It instead relies upon the provisions of Schedule 1 to the Growth Centres SEPP and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Exempt or complying development will not be permitted on any environmentally sensitive area such as the E2 Environmental Conservation zone or land shown as riparian protection area on the Riparian Protection Area Map.
1.4 Principal development standards

The Precinct Plan will contain the following principal development standards:

- Maximum height of buildings
- Minimum subdivision lot sizes
- Minimum lot sizes for residential development
- Maximum floor space ratios
- Minimum dwelling densities

The standards for height of buildings, floor space ratios and dwelling densities will be supported by maps.

Height of buildings

The purpose of the maximum building height controls is to control the scale of development. The height controls proposed relate to desired densities in a scale of building that is consistent with the expected pattern of development. Increased building heights have been proposed where greater densities are possible to support development within the proposed local centres.

The maximum height of buildings on land within the Precinct is shown on the Height of Buildings Map.

The height control is expressed in metres and is measured from the existing ground level to the highest point of the building. The term and method of calculating building height is defined in the Dictionary to the Growth Centres SEPP.

Minimum allotment size for residential development

The Precinct Plan will specify minimum subdivision lot sizes for development that will contribute to the minimum dwelling yield. Varying minimum lot sizes are proposed depending on the housing forms. The minimum lot sizes for residential development are contained in the Blacktown Precinct Plan to the Growth Centres SEPP, and are summarised below:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Minimum Density as shown on the Residential Density Map (dwellings per hectare)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>15</td>
</tr>
<tr>
<td>Dwelling house</td>
<td>300 m²</td>
</tr>
<tr>
<td>Dual occupancy</td>
<td>500 m²</td>
</tr>
<tr>
<td>Semi-detached</td>
<td>300 m²</td>
</tr>
<tr>
<td>Attached dwelling</td>
<td>1,500 m²</td>
</tr>
<tr>
<td>Multi dwelling housing</td>
<td>1,500 m²</td>
</tr>
<tr>
<td>Manor home</td>
<td>-</td>
</tr>
<tr>
<td>Residential flat building</td>
<td>-</td>
</tr>
<tr>
<td>Dwelling house with building envelope plans</td>
<td>250 m²</td>
</tr>
<tr>
<td>Dwelling house as integrated development</td>
<td>250 m²</td>
</tr>
</tbody>
</table>

The minimum lot size on land in Zone E3 Environmental Management is proposed to be 2 hectares as shown on the Lot Size Map.

The minimum lot size in Zone E4 Environmental Living, is proposed to be 1,000 m² as shown on the Lot Size Map.

Floor space ratio

Floor space ratio (FSR) controls are proposed in the Precinct Plan for different land use zones to limit the overall bulk and scale of buildings. The maximum FSR which applies only to the retail uses within the village centre in the Precinct will be shown on the Floor Space Ratio Map.

The term ‘floor space ratio’ and ‘gross floor area’ used to calculate the floor space ratio of a development are specifically defined in the Dictionary to the Growth Centres SEPP.
Residential dwelling density
Minimum dwelling densities will be specified in the Precinct Plan on a location basis and will be shown on the Dwelling Density Map. Minimum density standards are proposed to facilitate achievement of the minimum dwelling yield for the Precinct.

The term ‘density’ means the net developable area in hectares of the land on which the development is situated divided by the number of dwellings proposed to be located on that land.

The minimum densities must be achieved by each development application for subdivision and dwelling construction within the Precinct.

Exceptions to development standards
Exceptions to development standards will be permitted in certain circumstances to provide an appropriate degree of flexibility and achieve better outcomes.

1.5 Miscellaneous provisions

Land acquisition
The Precinct Plan will identify the public authorities required to acquire land for public purposes (such as roads, open space and drainage) under the *Land Acquisition (Just Terms Compensation) Act 1991*. The reserved land is identified on the Land Reservation Acquisition Map and the following table identifies the acquisition authorities.

<table>
<thead>
<tr>
<th>Type of land shown on Map</th>
<th>Acquiring authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone RE1 Public Recreation marked ‘Local Open Space’</td>
<td>Blacktown City Council</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure marked ‘Community Facilities’</td>
<td>Blacktown City Council</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure marked ‘Local Drainage’</td>
<td>Blacktown City Council</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure marked ‘Local Road’ and ‘Local Road Widening’</td>
<td>Blacktown City Council</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure marked ‘Classified Road’ and ‘Classified Road Widening’</td>
<td>Roads and Maritime Services</td>
</tr>
</tbody>
</table>

Classification and reclassification of public land
The Precinct Plan contains standard provisions that enable public land to be reclassified from community to operational, consistent with the *Local Government Act 1993*.

Development near zone boundaries
There will be a provision in the Precinct Plan applying to land, to a certain distance, on either side of zone boundaries which will provide for flexibility in applying zone provisions in limited circumstances. This flexibility is particularly needed where investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site. It is proposed that the relevant distance applying to the Precinct Plan will be 50 metres.

The flexible zone boundary clause enables development to occur in these situations without the need to rezone land. The zone boundary flexibility will not apply to land that adjoins E3 Environmental Management, E4 Environmental Living or RE1 Public Recreation.

Controls relating to miscellaneous permissible uses
The Precinct Plan also contains provisions for miscellaneous permissible uses including bed and breakfast accommodation, home businesses, home industries, industrial retail outlets, farm stay accommodation, kiosks, neighbourhood shops, roadside stalls and secondary dwellings.

Architectural roof features
The Precinct Plan will provide controls relating to architectural roof features to ensure that they are decorative elements only and are contained within the prescribed building height.

Conversion of fire alarms
A provision in the Precinct Plan will provide for certain development relating to fire alarm systems that can be monitored by Fire and Rescue NSW or by a private service provider.
Preservation of trees or vegetation
Trees and vegetation located on land within the Precinct will be subject to controls to enhance the amenity of future communities.

Heritage conservation
The Precinct Plan identifies heritage items that will be afforded heritage protection, shown on the Heritage Map. These items are listed and shown in a map. The heritage item to be listed is:

1. Nu Welwyn, 4 Clarke Street, Riverstone (Local significance)

Bush fire hazard reduction work
The Precinct Plan includes a provision that permits bush fire hazard reduction works that are authorised by the *Rural Fires Act 1997* to be carried out on any land without development consent.

Infrastructure development and use of existing buildings of the Crown
The provision ensures that development may be carried out by or on behalf of a public authority without development consent, under the *State Environmental Planning Policy (Infrastructure) 2007*, may be carried out within the Precinct.

1.6 Additional local provisions
The Precinct Plan will contain local provisions that relate to matters that require Precinct specific development controls due to the nature of the Precinct.

Public utility infrastructure
A provision will be included providing that Council must not grant consent to development unless public utility infrastructure (which includes water and electricity supply or sewage disposal and management) is available to the site or will be made available when required.

Information and education facilities on land in Zone R2 Low Density Residential
There will be a provision permitting information and education facilities (such as information centres, galleries and museums) in certain circumstances on land in Zone R2 Low Density Residential.

This provision will permit this type of development only adjacent to open space or public uses to strengthen the relationship between these uses and other community, cultural or environment related land uses and to minimise impacts on adjoining residential areas.

Native vegetation and riparian protection
There will be provisions applying to the mapped Riparian Protection Areas, Native Vegetation Retention Areas and Existing Native Vegetation Areas detailing matters that must be addressed before development consent can be granted. The objects of the provisions are to:

- prevent clearing of native vegetation, and
- to facilitate regeneration of riparian vegetation, and
- to facilitate the recovery of native flora and fauna.

A separate provision will provide for the protection of Existing Native Vegetation in accordance with the biodiversity certification of the Growth Centres SEPP. The provision controls the clearing of Existing Native Vegetation on land that is not the subject of biodiversity certification.

Proposed Transport corridor investigation area
The Precinct Plan will identify certain land that is being investigated for the purposes of a proposed public transport corridor investigation area.

There will be a provision that requires the concurrence of Transport for NSW to be obtained before consent may be granted to development on the land identified for investigation. Transport for NSW must consider the following before granting concurrence:
the practicability and cost of carrying out public transport projects on the land in the future, and

the structural integrity or safety of, or ability to operate, public transport projects on the land in the future, and

the land acquisition costs and the costs of construction, operation or maintenance of public transport projects on the land in the future.

2. Consequential amendments

2.1 Map amendments

Consistent with the development control described above, the following maps to the Growth Centres SEPP that apply to the Riverstone East Precinct will be replaced:

- Land Zoning Map
- Development Control Map
- Land Application Map
- Precinct Boundary
- Land Reservation Acquisition Map
- Heritage Map
- Height of Buildings Map
- Floor Space Ratio Map
- Lot Size Map
- Residential Density Map
- Native Vegetation Protection Map
- Riparian Protection Area Map

Copies of these maps showing the intended development controls are attached.

2.2 Other amendments

Other amendments will be required to be made to the Growth Centres SEPP to reflect that the Precinct Plan is adopted and where it is located within the Growth Centres SEPP. New terms will also be inserted into the Dictionary to the Growth Centres SEPP to identify the Precinct.

3. Area 20 Precinct Plan

Amendments are proposed to land to which the Area 20 Precinct Plan (Appendix 6 of the Growth Centres SEPP) applies. The amendments propose to rezone several properties as shown on the Land Zoning Map, from Very Low Density Residential to part R3 Medium Density Residential and part RE1 Public Recreation. Other amendments proposed to apply to these properties are:

- Remove the minimum lot size control that presently applies to the properties from the Lot Size Map
- Increase the maximum building height to 9 metres on the Height of Buildings Map
- Show land to be acquired for public recreation on the Land Reservation Acquisition Map
- Include a minimum residential density of 25 dwellings per hectare on the Residential Density Map for the parts of the land proposed to be zoned residential
4. **Alex Avenue and Riverstone Precinct Plan**

The proposed amendment to the Alex Avenue and Riverstone Precinct Plan relates to the application of a riparian corridor along the western edge of First Ponds Creek, located within the Riverstone Precinct.

The following map to the Growth Centres SEPP that applies to the Riverstone Precinct will be replaced:

- Riparian Protection Area Map