



New South Wales

State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Alex Avenue and Riverstone Precincts) 2010

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*. (s08/00744-1)

TONY KELLY, MLC
Minister for Planning

State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Alex Avenue and Riverstone Precincts) 2010

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Alex Avenue and Riverstone Precincts) 2010*.

2 Commencement

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

3 Replacement of maps

Each map adopted by *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* that is specified in Column 1 of the following Table is declared by this Policy to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the Table as approved by the Minister on the making of this Policy.

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Development Control Map (SEPP_SRGC_NW_DVC_004_020_20090731)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Development Control Map (SEPP_SRGC_NW_DVC_004_020_20100330)
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State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Development Control Map (SEPP_SRGC_NW_DVC_009_020_20090701)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Development Control Map (SEPP_SRGC_NW_DVC_009_020_20100330)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Floor Space Ratio Map (SEPP_SRGC_NW_FSR_004_020_20090701)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Floor Space Ratio Map (SEPP_SRGC_NW_FSR_004_020_20100330)
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Nil	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Heritage Map (SEPP_SRGC_NW_HER_004A_005_20100330)

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State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_004_020_20090731)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_004_020_20100330)
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State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_008_020_20100118)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_008_020_20100330)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_009_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Height of Buildings Map (SEPP_SRGC_NW_HOB_009_020_20100330)

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State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_002_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_002_020_20100330)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_003_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_003_020_20100330)
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State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_006_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_006_020_20100330)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_007_020_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_007_020_20100330)

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State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_016_010_20081203)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Reservation Acquisition Map (SEPP_SRGC_NW_LRA_012A_010_20100330)
State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_004_020_20090723)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006—North West Growth Centre Land Zoning Map (SEPP_SRGC_NW_LZN_004_020_20100415)
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4 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

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**[1] Clause 7 Controls applying to precincts after finalisation of precinct
planning process**

Insert the following at the end of the Table to clause 7 in Columns 1 and 2,
respectively:

Alex Avenue and Riverstone Precincts, North West Appendix 4
Growth Centre (as shown on the Land Application Map)

[2] Clause 17 Referral to Department of Planning after release of precinct

Insert after clause 17 (4):

- (5) Despite subclause (1), this clause does not apply to land within
the Alex Avenue and Riverstone Precincts that is not land to
which the *Alex Avenue and Riverstone Precinct Plan 2010* (as
referred to in Appendix 4) applies.

Note. The *Alex Avenue and Riverstone Precinct Plan 2010* applies to
land in the Alex Avenue and Riverstone Precincts (as shown on the Land
Application Map).

The Land Application Map differs from the Precinct Boundary Map. and,
as such, the *Alex Avenue and Riverstone Precinct Plan 2010* does not
apply to all the land in the Alex Avenue and Riverstone Precincts (as
shown on the Precinct Boundary Map).

- (6) Despite subclause (5), this clause does apply to Lot 2,
DP 563818.

[3] Clause 21 Land to which Part applies

Insert after clause 21 (4) (b):

- (c) land to which the *Alex Avenue and Riverstone Precinct
Plan 2010* (as referred to in Appendix 4) applies.

[4] Clause 25 Application of Part

Omit “Sydney Region Growth Centres Development Control Map—North
West Growth Centre”.

Insert instead “North West Growth Centre Development Control Map”.

[5] **Appendix 4**

Insert after Appendix 3:

**Appendix 4 Alex Avenue and Riverstone
Precinct Plan 2010**

Part 1 Preliminary

Note. The *Standard Instrument (Local Environmental Plans) Order 2006* sets out matters to be included in standard local environmental plans. While this Precinct Plan is not a standard local environmental plan, it is generally consistent with standard plans. A number of clauses from the *Standard Instrument (Local Environmental Plans) Order 2006* have been included in this Precinct Plan and the clause numbering from that order has been retained. This means that the numbering in this Precinct Plan may contain some gaps. Additional provisions have been inserted and are numbered accordingly.

1.1 Name of Precinct Plan

This Precinct Plan is the *Alex Avenue and Riverstone Precinct Plan 2010*.

1.2 Aims of Precinct Plan

The particular aims of this Precinct Plan are as follows:

- (a) to make development controls for land in the Alex Avenue and Riverstone Precincts within the North West Growth Centre that will ensure the creation of quality environments and good design outcomes,
- (b) to protect and enhance the environmentally sensitive and natural areas and the cultural heritage of those Precincts,
- (c) to provide for recreational opportunities within those Precincts,
- (d) to provide for multifunctional and innovative development in those Precincts that encourages employment and economic growth,
- (e) to promote housing choice and affordability in those Precincts,
- (f) to provide for the sustainable development of those Precincts,
- (g) to promote pedestrian and vehicle connectivity with adjoining Precincts and localities and within the Alex Avenue and Riverstone Precincts,

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- (h) to provide transport infrastructure to meet the needs of the community,
- (i) to provide for the orderly development of the Riverstone Scheduled Lands.

1.3 Land to which Precinct Plan applies

This Precinct Plan applies to land within the Alex Avenue and Riverstone Precincts as shown on the Land Application Map.

Note. The Land Application Map differs from the Precinct Boundary Map and, as such, this Precinct Plan does not apply to all the land within the Alex Avenue and Riverstone Precincts (as shown on the Precinct Boundary Map).

1.4 Definitions

In this Precinct Plan, *Council* means the Blacktown City Council.

Note. The Dictionary at the end of this State Environmental Planning Policy defines words and expressions for the purposes of this Precinct Plan, including the relevant maps.

1.6 Consent authority

The consent authority for the purposes of this Precinct Plan is (subject to the Act) the Council.

1.8 Repeal of other local planning instruments applying to land

- (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Precinct Plan applies are repealed.
- (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Precinct Plan applies and to other land cease to apply to the land to which this Precinct Plan applies.
- (3) This clause does not affect the operation of other provisions of this State Environmental Planning Policy.

1.8A Savings provision relating to pending development applications

If a development application has been made before the commencement of this Precinct Plan in relation to land to which this Precinct Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Precinct Plan had been exhibited but had not commenced.

1.9 Application of SEPPs

- (1) This Precinct Plan is subject to the provisions of any State environmental planning policy that prevails over this Precinct Plan as provided by section 36 of the Act.

Note. Section 36 of the Act generally provides that SEPPs prevail over LEPs. However, an environmental planning instrument may (by an additional provision included in the instrument) displace or amend a SEPP or LEP to deal specifically with the relationship between the instrument and the SEPP or LEP.

- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Precinct Plan applies:

State Environmental Planning Policy No 1—Development Standards

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6 and Parts 3 and 4)

State Environmental Planning Policy No 60—Exempt and Complying Development

- (3) Subject to section 74 (1) of the Act, in the event of an inconsistency between this Precinct Plan and any other provision of this State Environmental Planning Policy or any other environmental planning instrument whether made before or after the commencement of this Precinct Plan, this Precinct Plan prevails to the extent of the inconsistency.

Note. The other provisions of this State Environmental Planning Policy also contain provisions applying development controls to the North West Growth Centre, including the Alex Avenue and Riverstone Precincts.

1.9A Suspension of covenants, agreements and instruments

- (1) For the purpose of enabling development on land within any zone to be carried out in accordance with this Precinct Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

- (2) This clause does not apply:

- (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
- (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or

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- (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
 - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Pursuant to section 28 of the Act, before the making of this clause, the Governor approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Precinct Plan are as follows:

Residential Zones

R2 Low Density Residential

R3 Medium Density Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B4 Mixed Use

Industrial Zones

IN2 Light Industrial

Special Purpose Zones

SP2 Infrastructure

Recreation Zones

RE1 Public Recreation

Environment Protection Zones

E2 Environmental Conservation

Note. At the commencement of this Precinct Plan, land within the Alex Avenue Precinct was within the R2 Low Density Residential Zone, the R3 Medium Density Residential Zone, the B2 Local Centre Zone, the B4

Mixed Use Zone, the SP2 Infrastructure Zone, and the RE1 Public Recreation Zone.

Land within the Riverstone Precinct was within the R2 Low Density Residential Zone, the R3 Medium Density Residential Zone, the B1 Neighbourhood Centre Zone, the IN2 Light Industrial Zone, the RE1 Public Recreation Zone and the E2 Environmental Conservation Zone.

2.2 Zoning of land to which Precinct Plan applies

For the purposes of this Precinct Plan, land is within the zones shown on the Land Zoning Map.

2.3 Zone objectives and land use table

- (1) The Table at the end of this Part specifies for each zone:
 - (a) the objectives for development, and
 - (b) development that may be carried out without consent, and
 - (c) development that may be carried out only with consent, and
 - (d) development that is prohibited.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
- (3) In the Table at the end of this Part:
 - (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
 - (b) a reference to a type of building or other thing does not include (despite any definition in this Precinct Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.
- (4) This clause is subject to the other provisions of this Precinct Plan.

Notes.

- 1 Schedule 1 to this Appendix sets out additional permitted uses for particular land.
- 2 Schedule 1 to this Policy sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.
- 3 Schedule 2 to this Policy sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).
- 4 Clause 2.6 requires consent for subdivision of land.

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5 Part 5 contains other provisions which require consent for particular development.

6 Part 6 sets out additional permitted uses for particular land.

2.4 Unzoned land

- (1) Development may be carried out on unzoned land only with consent.
- (2) Before granting consent, the consent authority:
 - (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and
 - (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 to this Appendix may be carried out:
 - (a) with consent, or
 - (b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table at the end of this Part or other provision of this Precinct Plan.

2.6 Subdivision—consent requirements

- (1) Land to which this Precinct Plan applies may be subdivided, but only with consent.
- (2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,

- (d) rectifying an encroachment on a lot,
- (e) creating a public reserve,
- (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.

2.6A Demolition requires consent

The demolition of a building or work may be carried out only with consent.

Note. The demolition of certain buildings and works is identified in Schedules 1 and 2 to this Policy and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* as exempt or complying development.

2.6B Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land or on adjoining land or development.
- (2) Despite any other provision of this Precinct Plan, development consent may be granted for development on land in any zone for a temporary purpose for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that:
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Precinct Plan and this or any other environmental planning instrument, and
 - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
 - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
 - (d) at the end of the temporary use period, the site will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.

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- (4) This clause does not prescribe a development standard that may be varied under this Precinct Plan.

Land Use Table

Note. Part 6 of this Precinct Plan sets out local provisions which include additional permissible land uses and heads of consideration for assessment.

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours.
- To support the well being of the community, by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; 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; Neighbourhood shops; Places of public worship; Roads; Secondary dwellings; Semi-detached dwellings; Shop top housing; Veterinary hospitals

4 Prohibited

Any other development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To support the well being of the community, by enabling educational, recreational, community, and other activities where compatible with the amenity of a medium density residential environment.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Group homes; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat repair facilities; Boat sheds; Business premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Electricity generating works; 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; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restriction facilities; Retail premises; Rural supplies; Rural workers' dwellings; Semi-detached 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

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premises; Waste management facilities; Waste or resource
management facilities; Wholesale supplies

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To ensure the scale and type of business development is compatible with the scale of the surrounding area.
- To ensure residential development does not preclude the provision of active retail, business and community uses at street level.
- To allow for residential development that does not detract from the primary function of the zone which is to provide retail, business and community uses to serve the community.
- To promote a sense of place and focal points for the local community.

2 Permitted without consent

Home occupations

3 Permitted with consent

Business premises; Car parks; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Food and drink premises; Function centres; Information and education facilities; Markets; Neighbourhood shops; Recreation facilities (indoor); Retail premises; Roads; Service stations; Shop top housing; Vehicle repair stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolids treatment facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Electricity generating works; 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; Landscape and garden supplies; Mortuaries; Office premises; Passenger

transport facilities; Port facilities; Registered clubs; Residential accommodation; Restriction facilities; Rural supplies; Sex services premises; Storage premises; Timber and building supplies; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste management facilities; Waste or resource management facilities

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide for residential development that contributes to the vitality of the local centre.
- To ensure that residential development within the centre does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses.
- To facilitate active retail, commercial, entertainment and community facility uses at ground level of mixed use developments.
- To encourage development which will contribute to the economic growth of, and creation of employment opportunities within, the City of Blacktown.

2 Permitted without consent

Home occupations

3 Permitted with consent

Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4

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4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolids treatment facilities; Boat repair facilities; Boat sheds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Electricity generating works; 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; Residential accommodation; Restricted premises; Restriction facilities; 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

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To facilitate active retail, commercial, entertainment and community uses at ground level of mixed use developments.
- To provide for residential development that contributes to the vitality of the local centre.
- To ensure that residential development adjacent to the local centre does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses.

2 Permitted without consent

Home occupations

3 Permitted with consent

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

4 Prohibited

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

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities that meet the day to day needs of workers in the area.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Drainage; Earthworks; Food and drink premises; Freight transport facilities; Funeral chapels; Funeral homes; Landscape and garden supplies; Light industries; Mortuaries; Neighbourhood shops; Resource recovery facilities; Roads; Service stations; Timber and building supplies; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire

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premises; Warehouse or distribution centres; Waste or resource transfer stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Bulky goods premises; Business premises; Caravan parks; Cemeteries; Correctional centres; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Function centres; Helipads; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Hospitals; Industries; Information and education facilities; Office premises; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Restriction facilities; Retail premises; Tourist and visitor accommodation; Waste or resource management facilities

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Drainage; Earthworks; Environmental protection works; Flood mitigation works; Roads; Water recycling facilities; Waterbodies (artificial)

4 Prohibited

Any other development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.

- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Nil

3 Permitted with consent

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; Water recycling facilities; Waterbodies (artificial)

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Nil

3 Permitted with consent

Drainage; Earthworks; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Kiosks; Recreation areas; Roads; Signage; Waterbodies (artificial)

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

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Part 3 Exempt and complying development

3.1 Exempt development

Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
 - (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
 - (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).
- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
 - (2) Development specified in Schedule 1 to this Policy that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
 - (3) To be exempt development, the development:
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*, and
 - (e) must not be carried out in an environmentally sensitive area for exempt or complying development (as defined in clause 3.3).
 - (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.

- (4A) A heading to an item in Schedule 1 to this Policy is taken to be part of that Schedule.

3.2 Complying development

Note. Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
 - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
 - (c) the development is designated development, or
 - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Precinct Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
 - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*), or
 - (f) the development is on land identified as an environmentally sensitive area.
- (1) The objective of this clause is to identify development as complying development.
 - (2) Development specified in Part 1 of Schedule 2 to this Policy that is carried out in compliance with:
 - (a) the development standards specified in relation to that development, and
 - (b) the requirements of this Part,
 is complying development.

Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.
 - (3) To be complying development, the development must:
 - (a) be permissible, with consent, in the zone in which it is carried out, and
 - (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and

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- (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.
- (4) A complying development certificate for development specified in Part 1 of Schedule 2 to this Policy is subject to the conditions (if any) set out in Part 2 of that Schedule.
- (4A) A heading to an item in Schedule 2 to this Policy is taken to be part of that Schedule.

3.3 Environmentally sensitive areas excluded

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:
environmentally sensitive area for exempt or complying development means any of the following:
 - (a) the coastal waters of the State,
 - (b) a coastal lake,
 - (c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,
 - (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
 - (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,
 - (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,
 - (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
 - (h) land reserved as a state conservation area under the *National Parks and Wildlife Act 1974*,
 - (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,

- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*,
- (k) land within Zone E2 Environmental Conservation,
- (l) land that is shown as a native vegetation retention area or an existing native vegetation area on the Native Vegetation Protection Map.

Part 4 Principal development standards

4.1A Minimum allotment sizes for residential development

- (1) The objectives of this clause are as follows:
 - (a) to establish minimum allotment sizes for residential development,
 - (b) to ensure that residential development in the Alex Avenue and Riverstone Precincts results in the efficient use of land and contributes to the supply of new housing in the North West Growth Centre,
 - (c) to ensure that residential development has adequate usable areas for buildings and open space,
 - (d) to ensure that residential development is compatible with the character of the Alex Avenue and Riverstone Precincts and with surrounding residential areas,
 - (e) to facilitate and encourage the provision of a range of dwelling types.
- (2) The minimum allotment size for certain residential development is set out in the table below.

Dwelling type	Minimum allotment size
Dwelling houses	250m ²
Semi-detached dwellings	400m ²
Dual occupancy	500m ²
Secondary dwellings	450m ²
Attached dwellings	375m ²
Multi dwelling housing	1500m ²
Residential flat buildings	2000m ²

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- (3) Where residential development is proposed on land with a split zoning that includes residentially-zoned land, the minimum site area of the residentially-zoned land component must be no less than the minimum allotment size set out in subclause (2).
- (4) This clause applies to the residential development of any land shown on the Residential Density Map, and that is carried out after the commencement of this Precinct Plan.

4.1B Residential density

- (1) The objectives of this clause are:
 - (a) to establish minimum density requirements for residential development within the Alex Avenue and Riverstone Precincts, and
 - (b) to ensure that residential development makes efficient use of land and infrastructure, and contributes to the availability of new housing, and
 - (c) to ensure that the scale of residential development is compatible with the character of the precinct and adjoining land.
- (2) This clause applies to the residential development of any land to which this Precinct Plan applies shown on the Residential Density Map that requires development consent and that is carried out after the commencement of this Precinct Plan.
- (3) The density of any residential development to which this clause applies is not to be less than the density shown on the Residential Density Map in relation to that land.
- (4) In this clause:

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.

net developable area means the land occupied by the development, including internal streets plus half the width of any adjoining access roads that provide vehicular access, but excluding land that is not zoned for residential purposes.

4.1C Dwellings on Riverstone Scheduled Lands

- (1) This clause applies to Riverstone Scheduled Lands.
- (2) A dwelling must not be erected on land to which this clause applies on any lot with a depth that exceeds 35 metres.

- (3) Subclause (2) does not apply to a lot that has direct frontage to Loftus Street, Bandon Road or Windsor Road.

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
- (a) to establish the maximum height of buildings for development on land within the Alex Avenue and Riverstone Precincts,
 - (b) to protect the amenity of adjoining development and land in terms of solar access to buildings and open space,
 - (c) to facilitate higher density development in and around the local centre, the neighbourhood centres and major transport routes while minimising impacts on adjacent residential, commercial and open space areas,
 - (d) to provide for a range of building heights in appropriate locations that provide a high quality urban form.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

4.4 Floor space ratio

- (1) The objective of this clause is to control the bulk and scale of buildings within the Alex Avenue and Riverstone Precincts by setting maximum floor space ratios for development in Zone R3 Medium Density Residential, Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B4 Mixed Use and Zone IN2 Light Industrial.
- (2) The maximum floor space ratio for a building on any land is not to exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map.

4.5 Calculation of floor space ratio and site area

(1) **Objectives**

The objectives of this clause are as follows:

- (a) to define *floor space ratio*,
- (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:
 - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and

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- (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
- (iii) require community land and public places to be dealt with separately.

(2) **Definition of “floor space ratio”**

The *floor space ratio* of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

(3) **Site area**

In determining the site area of proposed development for the purpose of applying a floor space ratio, the *site area* is taken to be:

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

(4) **Exclusions from site area**

The following land must be excluded from the site area:

- (a) land on which the proposed development is prohibited, whether under this Precinct Plan or any other law,
- (b) community land or a public place (except as provided by subclause (7)).

(5) **Strata subdivisions**

The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) **Only significant development to be included**

The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) **Certain public land to be separately considered**

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) **Existing buildings**

The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) **Covenants to prevent “double dipping”**

When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (*the restricted lot*) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

(10) **Covenants affect consolidated sites**

If:

- (a) a covenant of the kind referred to in subclause (9) applies to any land (*affected land*), and
- (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Precinct Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

(11) **Definition**

In this clause, *public place* has the same meaning as it has in the *Local Government Act 1993*.

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4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this Policy or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Director-General has been obtained.
- (5) In deciding whether to grant concurrence, the Director-General must consider:
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

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- (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (6) Consent must not be granted under this clause for a subdivision of land in Zone E2 if:
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow consent to be granted for development that would contravene any of the following:
- (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (d) the minimum allotment size for the erection of a dwelling house or dual occupancy specified in clause 4.1A,
 - (e) clause 4.1B.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

- (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)*.

Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the *Land*

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Acquisition (Just Terms Compensation) Act 1991 requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Local Open Space"	Council
Zone SP2 Infrastructure and marked "Local Drainage"	Council
Zone SP2 Infrastructure and marked "Classified Road"	Roads and Traffic Authority
Zone SP2 Infrastructure and marked "Local Road"	Council
Zone SP2 Infrastructure and marked "School"	The Minister administering the <i>Education Act 1990</i>
Zone SP2 Infrastructure and marked "Railway"	Rail Corporation New South Wales
Zone E2 Environmental Conservation and marked "Public Recreation—Local"	Council
Zone E2 Environmental Conservation and marked "Environmental Conservation"	The corporation constituted under section 8 of the Act

- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

Note. If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning is required to take action to enable the designation of the acquiring authority under this Part. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

Note. Under the *Local Government Act 1993*, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this Precinct Plan to discharge trusts on which public reserves are held if the land is reclassified under this Precinct Plan as operational land.

- (2) The public land described in Part 1 or Part 2 of Schedule 4 to this Precinct Plan is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 to this Precinct Plan is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 4 to this Precinct Plan:
- (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4 to this Precinct Plan, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
- (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4 to this Precinct Plan, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

Note. In accordance with section 30 (2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4 to this Precinct Plan.

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5.3 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the 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 and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is:
 - (a) 10 metres between Zone RE1 and any other zone, and
 - (b) 10 metres between Zone E2 and any other zone, and
 - (c) 30 metres between any two zones excluding Zones RE1 and E2.
- (3) This clause does not apply to land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Precinct Plan relating to the purposes for which development may be carried out, consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
- (5) The clause does not prescribe a development standard that may be varied under this Precinct Plan.

5.4 Controls relating to miscellaneous permissible uses

- (1) **Bed and breakfast accommodation**

If development for the purposes of bed and breakfast accommodation is permitted under this Precinct Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.
- (2) **Home businesses**

If development for the purposes of a home business is permitted under this Precinct Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.

(3) **Home industries**

If development for the purposes of a home industry is permitted under this Precinct Plan, the carrying on of the home industry must not involve the use of more than 30 square metres of floor area.

(4) **Industrial retail outlets**

If development for the purposes of an industrial retail outlet is permitted under this Precinct Plan, the retail floor area must not exceed:

- (a) 40% of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or
- (b) 400 square metres,

whichever is the lesser.

(5) **Farm stay accommodation**

If development for the purposes of farm stay accommodation is permitted under this Precinct Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

(6) **Kiosks**

If development for the purposes of a kiosk is permitted under this Precinct Plan, the gross floor area must not exceed 30 square metres.

(7) **Neighbourhood shops**

If development for the purposes of a neighbourhood shop is permitted under this Precinct Plan, the retail floor area must not exceed 100 square metres.

(8) **Roadside stalls**

If development for the purposes of a roadside stall is permitted under this Precinct Plan, the gross floor area must not exceed 8 square metres.

(9) **Secondary dwellings**

If development for the purposes of a secondary dwelling is permitted under this Precinct Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 110 square metres,

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- (b) 30% of the total floor area of both the self-contained dwelling and the principal dwelling.

5.6 Architectural roof features

- (1) The objectives of this clause are as follows:
 - (a) to ensure that architectural roof features are decorative elements only,
 - (b) to ensure that the majority of the roof features are contained within the prescribed building height set out in clause 4.3.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
 - (a) the architectural roof feature:
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
 - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

5.8 Conversion of fire alarms

- (1) This clause applies to a fire alarm system that can be monitored by New South Wales Fire Brigades or by a private service provider.
- (2) The following development may be carried out, but only with consent:
 - (a) converting a fire alarm system from connection with the alarm monitoring system of New South Wales Fire Brigades to connection with the alarm monitoring system of a private service provider,

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- (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
 - (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.
- (3) Development to which subclause (2) applies is complying development if it consists only of:
- (a) internal alterations to a building, or
 - (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm x 100mm x 100mm.
- (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.
- (5) In this clause:
- private service provider* means a person or body that has entered into an agreement that is in force with New South Wales Fire Brigades to monitor fire alarm systems.

5.9 Preservation of trees or vegetation

- (1) The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Director-General.
Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.
- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:
 - (a) development consent, or
 - (b) a permit granted by the Council.

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- (4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.
- (5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.
- (6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.
- (7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:
 - (a) that is or forms part of a heritage item, or
 - (b) that is within a heritage conservation area.

Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.
- (8) This clause does not apply to or in respect of:
 - (a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the *Native Vegetation Act 2003* or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
 - (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the *Native Vegetation Act 2003*) that is authorised by a development consent under the provisions of the *Native Vegetation Conservation Act 1997* as continued in force by that clause, or
 - (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
 - (d) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993* or the *Surveying Act 2002*, or
 - (e) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*, or
 - (f) native vegetation to which clause 6.4 of this Precinct Plan applies, or
 - (g) existing native vegetation to which clause 6.5 of this Precinct Plan applies.

5.10 Heritage conservation

Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5 to this Precinct Plan.

(1) Objectives

The objectives of this clause are:

- (a) to conserve the environmental heritage of the Alex Avenue and Riverstone Precincts, and
- (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- (c) to conserve archaeological sites, and
- (d) to conserve places of Aboriginal heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
- (c) altering a heritage item that is a building by making structural changes to its interior,
- (d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,
- (f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,
- (g) subdividing land on which a heritage item is located or that is within a heritage conservation area.

(3) When consent not required

However, consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has

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advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:

- (i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and
 - (ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
- (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) Effect on heritage significance

The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage impact assessment

The consent authority may, before granting consent to any development on land:

- (a) on which a heritage item is situated, or
- (b) within a heritage conservation area, or

- (c) within the vicinity of land referred to in paragraph (a) or (b),

require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Places of Aboriginal heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of item of State significance

The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 to this Precinct Plan as being of State significance (other than an item

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listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) **Conservation incentives**

The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Precinct Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

5.11 Bush fire hazard reduction

Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without consent.

Note. The *Rural Fires Act 1997* also makes provision relating to the carrying out of development on bush fire prone land.

5.12 Infrastructure development and use of existing buildings of the Crown

- (1) This Precinct Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without consent, or that is exempt development, under the *State Environmental Planning Policy (Infrastructure) 2007*.

- (2) This Precinct Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

Part 6 Additional local provisions

6.1 Public utility infrastructure

- (1) The consent authority must not grant development consent to development on land to which this Precinct Plan applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- (2) In this clause, *public utility infrastructure* includes infrastructure for any of the following:
 - (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the disposal and management of sewage.
- (3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.

6.2 Attached dwellings in Zone R2 Low Density Residential

- (1) The objectives of this clause are:
 - (a) to permit, with development consent, attached dwellings within Zone R2 Low Density Residential in limited circumstances, and
 - (b) to provide location and development criteria that must be satisfied before development consent can be granted.
- (2) Development for the purposes of attached dwellings is permissible with development consent only on land within Zone R2 Low Density Residential that is:
 - (a) adjoining land within Zone RE1 Public Recreation or land that is separated from land within Zone RE1 Public Recreation only by a public road, or
 - (b) adjoining land within Zone E2 Environmental Conservation or land that is separated from land within Zone E2 Environmental Conservation only by a public road, or

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- (c) adjoining land within Zone SP2 Infrastructure and shown on the Land Reservation Acquisition Map as Local Drainage, or that is separated from such land only by a public road.
- (3) Before granting development consent under this clause the Council must be satisfied that:
 - (a) the attached dwellings will not adversely impact on the amenity of adjoining residential properties, and
 - (b) the attached dwellings will be designed and oriented to provide active frontages to and surveillance of the public recreation or drainage land, and
 - (c) the attached dwellings will not adversely impact upon or limit solar access to adjoining residential or public open space land.
- (4) This clause has effect despite anything to the contrary in the Land Use Table at the end of Part 2 or other provision of this Precinct Plan.

6.3 Information and educational facilities in Zone R2 Low Density Residential

- (1) The objectives of this clause are as follows:
 - (a) to permit, with development consent, information and educational facilities within Zone R2 Low Density Residential in limited circumstances,
 - (b) to provide criteria for the location and development of information and educational facilities within Zone R2 Low Density Residential in the Alex Avenue and Riverstone Precincts,
 - (c) to ensure that development for the purposes of information and educational facilities does not detract from the character and amenity of the low density residential area.
- (2) Development for the purpose of information and educational facilities is permissible with development consent on land within Zone R2 Low Density Residential located:
 - (a) on land adjoining land within Zone RE1 Public Recreation or Zone E2 Environmental Conservation, or separated from land within Zone RE1 Public Recreation or Zone E2 Environmental Conservation only by a public road, or
 - (b) within 90 metres of a public transport stop, or

- (c) adjoining an educational establishment or a community facility or separated from an educational establishment or a community facility only by a public road.
- (3) Development consent must not be granted to an information and educational facility located within 800 metres of another information and educational facility within Zone R2 Low Density Residential.
- (4) This clause has effect despite anything to the contrary in the Land Use Table at the end of Part 2 or other provision of this Precinct Plan.

6.4 Development controls—native vegetation retention areas

- (1) The objective of this clause is to prevent the clearing of certain native vegetation.
- (2) This clause applies to land within a native vegetation retention area as shown on the Native Vegetation Protection Map.
- (3) This clause does not apply to native vegetation that the Council is satisfied:
 - (a) is dying or dead and is not required as the habitat of native fauna, or
 - (b) is a risk to human life or property.
- (4) This clause does not apply to any native vegetation:
 - (a) within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*, or
 - (b) declared to be noxious weeds under the *Noxious Weeds Act 1993*.
- (5) A person must not clear native vegetation on land to which this clause applies without:
 - (a) approval under Part 3A of the Act, or
 - (b) development consent.
- (6) Development consent under this clause is not to be granted unless the consent authority is satisfied of the following in relation to the disturbance of native vegetation:
 - (a) that there is no reasonable alternative available to the disturbance of the native vegetation,
 - (b) that as little native vegetation as possible will be disturbed,
 - (c) that the disturbance of the native vegetation will not increase salinity,

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- (d) that native vegetation disturbed for the purposes of construction will be reinstated where possible on completion of construction,
 - (e) that the loss of remnant native vegetation caused by the disturbance will be compensated by revegetation on or near the land to avoid any net loss of remnant native vegetation,
 - (f) that no more than 0.5 hectares of native vegetation will be cleared unless the clearing is essential for a previously permitted use of the land.
- (7) The consent authority must, when determining a development application in respect of the clearing of native vegetation on land within a zone under this Precinct Plan, have regard to the objectives for development in that zone.
- (8) This clause does not apply to or in respect of action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Roads Act 1993*, the *Sydney Water Act 1994* or the *Surveying Act 2002*.

Note. A consent of the relevant consent authority required under this clause for the clearing of native vegetation is in addition to any development consent required or granted by the Minister for Climate Change and the Environment under the *Native Vegetation Act 2003* in respect of that clearing.

6.5 Development controls—existing native vegetation

- (1) The objective of this clause is to manage existing native vegetation in accordance with the relevant biodiversity measures under Part 7 of Schedule 7 to the *Threatened Species Conservation Act 1995*.
- (2) This clause applies to land within an existing native vegetation area as shown on the Native Vegetation Protection Map.
- (3) This clause does not apply to any vegetation declared to be noxious weeds under the *Noxious Weeds Act 1993*.
- (4) The consent authority must not grant development consent for development on land to which this clause applies unless it is satisfied that the proposed development will not result in the clearing of any existing native vegetation (within the meaning of the relevant biodiversity measures under Part 7 of Schedule 7 to the *Threatened Species Conservation Act 1995*).

6.6 Ground floor development in Zone B4 Mixed Use

- (1) The objective of this clause is to ensure active uses are provided at the street level for certain buildings to encourage the presence and movement of people on certain land within Zone B4 Mixed Use.
- (2) This clause applies to land that is within Zone B4 Mixed Use and is adjacent to land within Zone RE1 Public Recreation or separated from land within Zone RE1 Public Recreation only by a road.
- (3) The ground floor of any building on land to which this clause applies:
 - (a) must not be used for the purposes of residential accommodation, and
 - (b) must have the primary building entrance and any ground floor tenancy or strata unit entrances facing land zoned RE1 Public Recreation.

6.7 Development in Zone B1 Neighbourhood Centre

- (1) The objective of this clause is to ensure active uses are provided at the street level to encourage the presence and movement of people.
- (2) This clause applies to land that is within Zone B1 Neighbourhood Centre.
- (3) The ground floor of any building on land to which this clause applies must not be used for the purposes of residential accommodation.

6.8 Development on Riverstone Scheduled Lands

- (1) The objectives of this clause are as follows:
 - (a) to provide co-ordinated subdivision of Riverstone Scheduled Lands so that lots created have adequate infrastructure and access,
 - (b) to facilitate residential development on Riverstone Scheduled Lands.
- (2) Consent must not be granted for the subdivision of any Riverstone Scheduled Lands unless every lot created by the subdivision has a frontage directly onto a public road and a maximum depth of 35 metres.

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- (3) Subclause (2) does not apply to the subdivision of land that has a frontage directly onto Loftus Street, Bandon Road or Windsor Road.

6.9 Development on certain land identified as Green and Golden Bell Frog habitat

- (1) The clause applies to land within the Riverstone Precinct that is shown as “Green and Golden Bell Frog habitat” on the Land Zoning Map.
- (2) The objectives of this clause are as follows:
 - (a) to ensure that suitable habitat for the Green and Golden Bell Frog species is created on certain land to which this clause applies,
 - (b) to ensure that the biodiversity values of that habitat are protected and preserved,
 - (c) to ensure that appropriate measures are in place to minimise or prevent any adverse impacts of development on the species or its habitat by protecting land surrounding that habitat.
- (3) Consent must not be granted for any development on the land to which this clause applies that is within Zone SP2 Infrastructure and marked “Drainage” unless the consent authority is satisfied that the development is consistent with any recovery plan (within the meaning of the *Threatened Species Conservation Act 1995*) for the Green and Golden Bell Frog or, if no such plan has been prepared and approved under that Act, the draft recovery plan for that frog prepared by the Department of Environment and Conservation dated February 2005.
- (4) Consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development will not adversely affect the quality and condition of any habitat of the Green and Golden Bell Frog on the land to which this clause applies that is within Zone SP2 Infrastructure and marked “Drainage”.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Multi dwelling housing in the Riverstone Precinct

On land shown on the Land Zoning Map as “Low density residential (Multi dwelling housing)” —multi dwelling housing.

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

This schedule is blank on the making of this Precinct Plan

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

Column 1	Column 2
Locality	Description

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

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description

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Schedule 5 Environmental heritage

(Clause 5.10 and the definition of "heritage item" in Dictionary)

Heritage Items

Precinct	Item name	Address	Significance
Riverstone	Rosebank	213 Garfield Road	Local
Riverstone	Cassola	20 Riverstone Road	Local
Riverstone	Warrawong	158 Riverstone Road	Local
Riverstone	St John's Catholic Church	164 Garfield Road East	Local
Riverstone	St Claire's Convent	166 Garfield Road East	Local
Riverstone	Schofields Public School	St Albans Road Schofields	Local
Riverstone	Schofields Produce Store	Railway Terrace Schofields	Local
Riverstone	House	128 Westminster Street Schofields	Local

[6] Schedules 1 and 2

Insert before the Dictionary:

Schedule 1 Exempt development

(Appendix 4, Clause 3.1)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy. The Policy has State-wide application.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Advertisements, signs etc

- (1) Advertisements and advertising structures:
 - (a) Must not be moving signs.

- (b) If over a public road, must be least 3m above, and 600mm from the outside of, the carriageway of the road.
 - (c) Must not exceed a maximum size of 1.2m long x 600mm high.
 - (d) Must relate to the use of a building on the property on which it is displayed, unless it is in a business zone.
 - (e) Must not be erected on a heritage item, unless the advertisement or structure replaces an existing sign (that was lawfully erected) with an advertisement or structure of the same or lesser size in the same location.
- (2) Business identification signs in a residential zone:
- (a) Must be for a home office or a business or professional consulting room.
 - (b) Only 1 sign is permitted per premises.
 - (c) Must not exceed a maximum size of 1.2m in length x 600mm in height.
 - (d) May display only:
 - (i) the name of the occupant, and
 - (ii) the address and phone number of the occupant, and
 - (iii) the type of business.
 - (e) Must be located wholly within the boundaries of the property to which it relates.
 - (f) Maximum height of a free-standing sign: 2m above ground level.
 - (g) Must not be illuminated or flashing.
- (3) Wall signs in an industrial zone:
- (a) Only 1 wall sign is permitted per premises.
 - (b) Must relate to the use of the premises on which it is displayed.
 - (c) Must be displayed on the facade of the premises to which it relates.
 - (d) Must not exceed a maximum size of 2m x 1.2m.
 - (e) Must not extend laterally beyond the wall of any building to which it is attached.
 - (f) Must not project above the top of any wall to which it is attached.
 - (g) Must not cover any window, door or architectural projection.

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- (h) Must be securely fixed to the building to which it is attached.
- (i) Must not be flashing.
- (4) Business identification signs in an industrial zone:
 - (a) For single occupier buildings:
 - (i) only 1 sign is permitted per premises, and
 - (ii) must not exceed maximum size of 500mm x 1.5m, and
 - (iii) must not exceed a maximum height from ground level of 1.5m, and
 - (iv) must not project over a public place, and
 - (v) must be securely fixed to the building to which it is attached, and
 - (vi) must not be flashing.
 - (b) For factory units:
 - (i) only 1 sign is permitted per factory, and
 - (ii) each sign must be of uniform size, colour and dimensions and is not to exceed 200mm² per sign, and
 - (iii) must identify only the number of the unit and the name of the respective factory unit occupant, and
 - (iv) must be located on, or behind, the building line setback adjacent to the entrance to the unit, and
 - (v) must be securely fixed to the building to which it is attached, and
 - (vi) must not be flashing.
 - (c) For sex services premises:
 - (i) only 1 sign is permitted per premises, and
 - (ii) must not exceed 1.5m² per sign, and
 - (iii) must be limited to a trade name of the business operated and the address of the premises, and
 - (iv) must not include depictions, pictures or drawings on the sign, and
 - (v) must be located wholly within the boundaries of the property to which it relates.

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- (5) Business identification signs in a special purpose or environmental protection zone:
- (a) must only identify the premises or land on which the sign is located, the name of the occupier, the activity carried out on the premises or land and directions to access the site, and
 - (b) must not exceed a maximum size of 3.5m² per sign.

Change of use of existing community facility to another community facility

- (1) Must not be a change from or to a registered club.
- (2) Must meet any conditions that applied to the existing community facility that relate to any of the following:
 - (a) The maintenance of landscaping.
 - (b) Car parking.
 - (c) The provision of space for the loading or unloading of goods and vehicles.
 - (d) The protection of the environment.

Schedule 2 Complying development

(Appendix 4, Clause 3.2)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application.

Note 2. Information relevant to this Part is also contained in the Act, the *Environmental Planning and Assessment Regulation 2000*, the *Protection of the Environment Operations Act 1997* and the *Roads Act 1993*.

This schedule is blank on the making of this Precinct Plan.

Part 1 Types of development

Part 2 Complying development certificate conditions

[7] Dictionary

Insert in alphabetical order the following definitions:

Alex Avenue Precinct means the land shown within the Alex Avenue Precinct on the State Environmental Planning Policy

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(Sydney Region Growth Centres) 2006—North West Growth
Centre Precinct Boundary Map.

Land Application Map means the State Environmental Planning
Policy (Sydney Region Growth Centres) 2006—North West
Growth Centre Land Application Map.

Residential Density Map means the State Environmental
Planning Policy (Sydney Region Growth Centres) 2006—North
West Growth Centre Residential Density Map.

Riverstone Precinct means the land shown within the Riverstone
Precinct on the State Environmental Planning Policy (Sydney
Region Growth Centres) 2006—North West Growth Centre
Precinct Boundary Map.

Riverstone Scheduled Lands means the land within the
Riverstone Precinct shown as the Riverstone Scheduled Lands on
the Land Zoning Map.

[8] Dictionary

Insert the following paragraph with appropriate numbering after the last
paragraph of the notes to the definitions of *bed and breakfast
accommodation, farm stay accommodation, home business, home industry,
industrial retail outlet, kiosk, neighbourhood shop, roadside stall* and
secondary dwelling:

clause 5.4 of Appendix 4 in respect of Alex Avenue and
Riverstone Precincts.