

Sydney Regional Environmental Plan No 19—Rouse Hill Development Area (1989 EPI 578)

[1989-578]



New South Wales

Status Information

Currency of version

Repealed version for 17 July 2009 to 4 August 2016 (accessed 28 December 2024 at 20:16)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**
This plan was repealed by cl 3 (p) of the [State Environmental Planning Policy \(Integration and Repeals\) 2016 \(310\)](#) (LW 10.6.2016) with effect from 5.8.2016.
- **Deemed SEPP**
From 1 July 2009 this plan is taken to be a State environmental planning policy (see clause 120 of Schedule 6 to the [Environmental Planning and Assessment Act 1979](#)).

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 5 August 2016

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Part 1 Preliminary

1 Name of plan

This plan may be cited as *Sydney Regional Environmental Plan No 19—Rouse Hill Development Area*.

2 Aims, objectives etc

(1) The general aims of this plan are:

- (a) to accommodate part of the long-term growth of the Sydney Region by providing a mechanism for identifying land suitable for urban purposes and by providing for the orderly and economic development of that land,
- (b) for the physical environment of the Rouse Hill Development Area:
 - (i) to conserve and enhance areas of high landscape, flora and fauna value and, in particular, to protect the Hawkesbury River and its tributaries from the potential impact of urban development,
 - (ii) to conserve areas of cultural, historical and architectural significance,
 - (iii) to manage the impact of urban development on the environment by controlling development which otherwise would cause pollution, and
 - (iv) to ensure that appropriate measures are taken to manage land subject to flooding,
- (c) for economic activity within the Rouse Hill Development Area:
 - (i) to encourage job opportunities by developing a hierarchy of centres within the Area and by promoting the maintenance and development of local businesses and industries, and

- (ii) to maximise access to jobs and services and to minimise travel times to work,
- (d) for the provision of physical services and facilities within the Rouse Hill Development Area:
 - (i) to enable the provision of public and private infrastructure in the most cost effective manner, and
 - (ii) to enable to the provision of an efficient public and private transport system, and
- (e) for the provision of housing and of human services within the Rouse Hill Development Area:
 - (i) to provide accommodation, including a variety in housing type, tenure, price and location, and
 - (ii) to facilitate the equitable, efficient and timely provision of a full range of human services at a regional, district and local level.

3 Land to which plan applies

- (1) This plan applies to the land shown by distinctive colouring on the map.
- (2) However, this plan does not apply to land that is within:
 - (a) a precinct of a growth centre released for urban development under clause 276 of the *Environmental Planning and Assessment Regulation 2000*, or
 - (b) the cultural heritage landscape area to which Part 7 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* applies.

4 Relationship to other environmental planning instruments

In the event of an inconsistency between this plan and another environmental planning instrument (whether made before, on or after the date on which this plan takes effect), this plan shall prevail to the extent of the inconsistency.

5 Definitions

In this plan:

Rouse Hill Development Area means the land to which this plan applies.

Planning Report means the document entitled “Sydney Regional Environmental Plan—Rouse Hill Development Area” published by the Department of Planning.

the map means the map marked “Rouse Hill Development Area—Structure Plan” deposited in the office of the Department of Planning.

Part 2 Declaration of release areas

6 Minister to declare release areas

- (1) Where, in relation to any land to which this plan applies, the Minister is of the opinion that the land is required for urban development, the Minister may, by notice in writing given to each council whose area includes any of the land, declare the land to be a release area.
- (2) The Minister shall not make a declaration under this clause unless the Minister is satisfied that a council or other public authority which will be required to provide services to the land if the land is to be developed for urban purposes has been given an adequate opportunity to comment on the proposal to release the land.

Part 3 Matters to be included in draft local environmental plans etc

7 Local plans applying to release areas

A draft local environmental plan which applies to land:

- (a) declared to be a release area under clause 6, or
- (b) shown on the map in the manner specified in the Table to this clause,

shall contain provisions designed to promote the objectives specified for the development of that land in the Table.

Table

Living Area

Manner shown on the map

Coloured buff.

Objectives

The objectives are:

- (a) to facilitate and promote development for residential purposes, including development for the purposes of providing facilities and services to support residential development (such as neighbourhood and district centres, shops, schools and recreation areas),
- (b) to enable the development of commercial, employment, human services and other land uses required to support residential land purposes,
- (c) to provide affordable accommodation to meet the needs of households of all types with a variety of housing in type, tenure, price and location,
- (d) to promote within each release area achievement of an average residential density of

at least 10 dwellings for each hectare of land shown on the map as Living Area,

- (e) to encourage medium and high density development to be carried out in proximity to public transport routes and interchanges and near shopping centres,
- (f) to allow medium density development wherever dwelling houses are allowed,
- (g) to structure the network of roads to promote efficient operation of bus routes, and
- (h) to facilitate the provision of drainage systems as well as vegetation protection along major creek systems.

Living Area (special considerations)

Manner shown on the map

Coloured burnt orange.

Objectives

The objectives are:

- (a) to allow development for low intensity residential purposes in a manner which takes account of the special sensitivity of the physical environment,
- (b) to ensure that buildings are designed, sited and landscaped so as to conserve the environmental qualities of the area,
- (c) to facilitate the conservation of existing major landscape features and provide the basis for the creation of a network of natural corridors through the Rouse Hill Development Area,
- (d) to conserve flora and fauna surrounding the residential areas of the Rouse Hill Development Area, and
- (e) to allow development in a manner which takes account of items of cultural heritage significance within the Rouse Hill Development Area.

Employment Areas

Manner shown on the map

Coloured pink.

Objectives

The objectives are:

- (a) to create job opportunities, well-served by public transport, by allowing development for the purposes of industry, warehousing, bulky retailing and associated purposes, and

- (b) to promote development for the purpose of offices—primarily for those ancillary to development for the purposes of industry, warehousing, bulky retailing or other purposes carried out within the Employment Area, except in the Schofield Road Area where freestanding offices will be permitted.

Employment Area (Business Park)

Manner shown on the map

Coloured pink and marked “Business Park”.

Objectives

The objectives are:

- (a) to create job opportunities, well-served by public transport, by allowing development for the purposes of low density offices, light industry, warehousing, research establishments, high technology industries and manufacturing in a manner which ensures that the Area may be developed for all of those purposes, and
- (b) to allow only local retail services.

Subregional centre

Manner shown on the map

Coloured turquoise.

Objectives

The objectives are:

- (a) to facilitate the early establishment of a multi-functional subregional centre,
- (b) to facilitate and promote major development for the purpose of retailing and offices, and
- (c) to provide human services, including health, education and sporting facilities, to serve the needs of all the residents of and employees within the Rouse Hill Development Area.

Regional Open Space

Manner shown on the map

Coloured light green.

Objectives

The objectives are:

- (a) to provide open space in the form of a regional park, incorporating the site of Rouse

Hill House, and known as “Rouse Hill Regional Park”, and

- (b) to promote “Rouse Hill Regional Park” as an area of regional open space and heritage significance.

Existing special uses

Manner shown on the map

Coloured white.

Objectives

The objective is to ensure the continuing provision of existing utilities and special uses.

8 Public utilities

- (1) If land within a release area is not served with water, sewerage, drainage and power, a local environmental plan which applies to the release area shall contain a provision which prohibits urban development until arrangements satisfactory to the relevant service authorities have been made by the developer for the provision of those services.
- (2) In preparing a local environmental plan which applies to land adjoining any water pollution control plant, a council shall:
 - (a) give consideration to possible adverse effects of the operation of the plant on the proposed development, and
 - (b) include provisions in the plan to ensure that an appropriate buffer area of non-residential use is created.

9 Transport

- (1) In preparing a local environmental plan which applies to the Rouse Hill Development Area, a council shall:
 - (a) have regard to the arterial road network and public transport routes shown on the map,
 - (b) facilitate the provision of an efficient public and private transport system, and
 - (c) investigate the existing and future provision of bikeways.
- (2) In particular, local environmental plans shall contain a provision that the consent authority shall not grant consent to the development of land unless arrangements satisfactory to the Roads and Traffic Authority have been made by the developer with the Roads and Traffic Authority to make appropriate payments towards the cost of the arterial road network.

10 Heritage

(1) In this clause:

Heritage Conservation Area means an area shown on the map bounded by a broken border and marked “Heritage Conservation Area”.

item of the environmental heritage means the buildings, places and relics identified in Schedule 1.

(2) A local environmental plan applying to:

(a) a Heritage Conservation Area, or

(b) land which comprises an item of the environmental heritage or on which an item of the environmental heritage is located,

shall contain provisions which conserve the environmental heritage significance of the Heritage Conservation Area or item of the environmental heritage, as the case may be.

11 Regional park

(1) In this clause, **regional park** means the land edged heavy black on the map marked “Rouse Hill Regional Park” deposited in the office of the Department of Planning.

(2) In preparing a local environmental plan which applies to land adjoining the regional park, a council shall give consideration to the visual amenity of the park and to the need, where appropriate, for the inclusion in the plan of provisions relating to setbacks, wildlife corridors, vegetative screening and the like.

12 Flooding

(1) In this clause **flood liable land** means land which would be inundated as a result of the standard flood within the meaning of the Planning Report.

(2) A local environmental plan shall be prepared having regard to the New South Wales Government Floodplain Development Manual and where that plan applies to flood liable land it will contain provisions which regulate development of that land:

(a) to reduce the impact of flooding and flood liability on individual owners and occupiers, and

(b) to reduce private and public losses resulting from flooding.

13 Planning Report

In preparing a local environmental plan which applies to the Rouse Hill Development Area, the council shall have regard to the Planning Report.

14 (Repealed)

Schedule 1 Items of the environmental heritage

(Clause 10)

1 Shire of Baulkham Hills

Baulkham Hills:

Cemetery, unnumbered lot known as Pearce's Cemetery, Seven Hills Road (near Old Windsor Road).

Box Hill:

"Marklye" (Farmhouse), part portion 124, Parish of Nelson, No 18 Nelson Road.

Box Hill House, in grounds of McCall Gardens, Terry Road.

"Rumery Homestead" (former inn), lots 4 and 5, DP 539291, No 13 Windsor Road.

Kellyville:

Brick cottage, former Divine Word Missionaries property, No 100 Windsor Road.

Parklea:

"Bella Vista" and outbuildings and Bunya Bunya Pines, lot 2, DP 584274, Old Windsor Road (opposite Meurant's Lane).

Rouse Hill:

Christ Church, part portion 79, Parish of Castle Hill, Windsor Road.

Former Hunting Lodge, lot 174, DP 10157, The Water Lane.

Rouse Hill Public School, lot 21, DP 8214, Windsor Road.

"Royal Oak Inn", lot 3, DP 30916, Windsor Road.

2 City of Blacktown

Marsden Park:

"Clydesdale", part lot 2 DP 260476, Richmond Road.

Parklea:

"Meurants Cottage" (formerly Exeter Farm) part lot 244, DP 260104, Meurants Lane.

Residence, Glenwood Park Dairy, lot 4, DP 615621, off Sunnyholt Road.

Riverstone:

“Rosebank”, part lot 1, Section 2, DP 1459, Garfield Road East.

Farmhouse, lot 15, section P, DP 712, Riverstone Road.

Rouse Hill:

“Merriville”, lot 1, DP 204060, Vinegar Hill Road.

Rouse Hill House and outbuildings, lot 10, DP 567606, Windsor Road.

Schofields:

Hebe Farm, lot 1, DP 527115, Bridge Street.