

Schedule 3 State significant sites (Clauses 6 & 7)

Part 11 Doonside Residential Precinct

Division 1 – Preliminary

1 Land to which Part applies

This Part applies to the land identified on Map 8 to this Schedule, referred to in this Schedule as the *Doonside*

Residential Precinct.

2 Interpretation and definitions

- (1) A word or expression used in this Part has the same meaning as it has in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006* unless it is otherwise defined in this Part.
- (2) Western Sydney Parklands as referenced in Clause 11(b) is as defined in *Sydney Regional Environmental Plan No 31—Regional Parklands*.

Division 2 – Division 2 Part 3A projects

3 Part 3A projects

All development on land within Zone E3 Environmental Management within the Doonside Residential Precinct.

Division 3 – Provisions relating to development within Doonside Residential Precinct

4 Application of Division

This Division applies with respect to development within the Doonside Residential Precinct and so applies whether or not the development is a project to which Part 3A of the Act applies.

5 Land use zones

- (1) All land within the Doonside Precinct is within one of the following four zones shown in the *land zoning map* which is attached as Map 8 of this Schedule:
 - (a) Zone R1 General Residential
 - (b) Zone RE1 Public Recreation
 - (c) Zone E3 Environmental Management
 - (d) Zone SP2 Infrastructure
- (2) The consent authority must only have regard to the objectives for development in a zone within the Doonside Residential Precinct when determining a development application in respect of land within that zone.

6 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 R1 General Residential and RE1 Public Recreation zones. The relevant distance is 20 metres
- (3) Despite the provisions of this Part 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.
- (4) This clause does not prescribe a development standard that may be varied under this Part.

7 Zone R1 General Residential

- (1) Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

(2) Permitted without consent

Nil

(3) Permitted with consent

Development for any of the following purposes is permitted only with development consent on land within the R1 General Residential Zone:

Boarding houses; Child care centres; Community facilities; Dwelling houses; Environmental Protection Works; Group homes; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential care facilities; Recreation areas; Residential flat buildings; Roads; Seniors housing; Shop top housing

(4) Prohibited

Any development not stated in sections (2) and (3) are prohibited within the R1 General Residential Zone.

8 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

Development for any of the following purposes is permitted only with development consent on land within the RE1 Public Recreation Zone:

Community Facilities; Environmental facilities; Environmental protection works; Kiosks; Recreation areas; and Roads.

(4) Prohibited

Any development not stated in sections (2) and (3) are prohibited within the RE1 Public Recreation Zone.

9 Zone E3 Environmental Management

(1) Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

(2) Permitted without consent

Nil

(3) Permitted with consent

Development for any of the following purposes is permitted only with development consent on land within the E3 Environmental Management Zone:

Dwelling houses, Community facilities; Environmental Protection Works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads and ancillary structures.

- (4) **Prohibited**
Any development not stated in sections (2) and (3) are prohibited within the E3 Environmental Management Zone.
- 10 **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**
Development for the purpose shown on the Land Zoning Map is permitted only with development consent on land within the SP2 Zone. Such development includes anything that is ordinarily incidental or ancillary to development for that purpose.
- (4) **Prohibited**
Any development not stated in sections (2) and (3) are prohibited within the SP2 Infrastructure Zone.
- 11 **Public utility undertakings excepted**
Development for the purpose of a public utility undertaking that is carried out on land within the Doonside Precinct does not require development consent.
Note. As a consequence of the removal of the requirement for development consent under Part 4 of the Act, development for the purposes of public utility undertakings is subject to the environmental assessment and approval requirements of Part 5 of the Act or, if it is applicable, Part 3A of the Act.
- 12 **Subdivision—consent requirements**
(1) Land within the Doonside Precinct may be subdivided, but only with development consent.
(2) However, development 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) making an adjustment to a boundary between lots, being an adjustment that does not involve the creation of a greater number of lots,
 - (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,
 - (d) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (e) rectifying an encroachment on a lot,
 - (f) creating a public reserve,
 - (g) 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 conveniences.
- 13 **Design**
The consent authority must not grant consent to development on land within the Doonside Precinct unless it is satisfied that:
- (a) The development provides a range of housing product to meet market demand;
 - (b) A positive visual, environmental and management relationship will exist with the adjoining Western Sydney Parklands;
 - (c) The ecological values adjacent to the urban development within the development area are protected and managed;
 - (d) Ecologically Sustainable Development principles are integrated into the development;
 - (e) Water Sensitive Urban Design principles are integrated into the built and landscape elements of the development;

- (f) A high quality innovative and integrated residential area will be provided, particularly in terms of built form and landscaping;
- (g) A high standard of landscaped public domain areas are provided that are compatible with the built environment.
- (h) An effective traffic network is provided within the residential area with appropriate connections to the arterial road system; and
- (i) The development promotes the on-site collection and re-use of stormwater.

14 Public utility infrastructure

- (1) The consent authority must not grant consent to development on land within the Doonside Precinct 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 supply of natural gas,
 - (d) 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.

Division 4 – Miscellaneous

15 Relationship with other environmental planning instruments

- (1) This Policy and all other State environmental planning policies apply, according to their terms, to land within the Doonside Residential Precinct.
- (2) Blacktown Local Environmental Plan 1988 does not apply to land within the Doonside Residential Precinct.

16 Consent authority

The consent authority for development on land within the Doonside Residential Precinct, other than development that is a project to which Part 3A of the Act applies, is Blacktown City Council.

17 Exempt and complying development

Development within the Doonside Residential Precinct that satisfies the requirements for exempt development or complying development contained in Blacktown Local Environmental Plan 1988 is exempt development or complying development, as appropriate.

18 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 Policy or with a consent granted under the Act, any agreement, covenant or similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this clause, the Governor approved of subclauses (1) and (2).

19 Savings provision

- (1) In this clause, relevant order means the order made under section 75B (1) of the Act and published in Gazette No [REDACTED] of [REDACTED] 2007 at page [REDACTED].
- (2) Anything done under Part 3A of the Act in reliance on the declaration of development as a project to which Part 3A of the Act applies by the relevant order is not affected by the repeal of that order.
- (3) Subclause (2) has effect only to the extent that the development referred to in that subclause is development referred to in clause 3 of Division 2 of this Part.

Map 8—Schedule 3—Doonside Residential Precinct and Land Zoning Map

