



New South Wales

## **Hawkesbury Local Environmental Plan 1989 (Amendment No 110)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(P98/00374/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

Sydney 28 March 2001.

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## 2001 No 240

Clause 1                      Hawkesbury Local Environmental Plan 1989 (Amendment No 110)

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# Hawkesbury Local Environmental Plan 1989 (Amendment No 110)

## 1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 110)*.

## 2 Aims of plan

This plan aims to:

- (a) omit the definition of *commercial premises* from, and to replace the definition of *tourist facilities* in, *Hawkesbury Local Environmental Plan 1989*,
- (b) introduce a number of new definitions into that plan,
- (c) introduce complying and exempt development provisions into that plan,
- (d) identify additional heritage items by including them in Schedule 1 to that plan, and
- (e) delete clause 37 of *Hawkesbury Local Environmental Plan 1989* and replace it with a new clause to control development on land affected by aircraft noise, and
- (f) permit the Council to consent to the erection of a dwelling on land in Zone No 4 (a) or 4 (b) that is to be used in conjunction with an industrial use of the land.

## 3 Land to which plan applies

This plan applies:

- (a) in respect to the aims referred to in clause 2 (a)–(c) and clause 2 (e)–(f), to the land to which *Hawkesbury Local Environmental Plan 1989* applies within the City of Hawkesbury, and

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- (b) in respect of the aim referred to in clause 2 (d)—to land situated in the City of Hawkesbury, being Lot B DP 416222, 1027 Grose Vale Road, Kurrajong, and Lots A and B DP 159779, George Street, Windsor, as shown edged heavy black on the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 110)” deposited in the Office of the Council of the City of Hawkesbury.

**4 Amendment of Hawkesbury Local Environmental Plan 1989**

*Hawkesbury Local Environmental Plan 1989* is amended in the manner set out in Schedule 1.

**5 Amendment of Environmental Planning Policy No 4—Development Without Consent**

This plan amends *State Environmental Planning Policy No 4—Development Without Consent* by inserting the following words in alphabetical order in Schedule 2 (Land excepted from clauses 6–10):

Land to which *Hawkesbury Local Environmental Plan 1989* applies.

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**Schedule 1 Amendment of Hawkesbury Local Environmental Plan 1989**

(Clause 4)

**[1] Clause 5**

Insert the following definitions in alphabetical order into clause 5 (1):

***access ramp*** means a continuous slope joining two different levels of land or different floor levels allowing people with disabilities to gain access to a building or area.

***carnival*** means a festival or community event involving parades, stalls, amusement devices and public entertainment (and includes fairs and fund raising events carried out by charitable and non-profit organisations) but only if carried out for not more than 14 days in any calendar year on land in public ownership.

***carport*** means a roofed open-sided shelter for a car.

***clearing of native vegetation*** means the removal of vegetation considered indigenous, native or belonging naturally to Australia for any purpose other than bushfire hazard reduction.

***dam*** means an artificial pond created by the erection of walls or excavation.

***dual occupancy attached*** means a single building containing two dwellings on one allotment of land and is also commonly known as a duplex.

***dual occupancy detached*** means two free standing self contained dwellings on one allotment of land.

***fence*** means a structure erected along the boundary between two lots or a road providing a physical barrier.

***flag pole*** means a pole on which a flag may be hoisted.

***garage*** means a fully enclosed building for housing a car.

***ground level*** means the actual physical level of the land prior to the erection of any structures on the land.

***identified land use*** means a land use for which a consent or approval was granted by the Council on or after 22 December 1989 and that was in operation on the date that *Hawkesbury Local Environmental Plan 1989 (Amendment No 110)* took effect.

***industry*** means:

- (a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or
- (b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business,

but in the Land Use Matrix at the end of clause 9 does not include an extractive industry, home industry, light industry or rural industry.

***landfill*** means the filling of land with clean fill or demolition fill, or both, which alters the natural ground surface level or affects pre-existing drainage. This fill material may be imported to or obtained from the site, but does not include top dressing.

***light industry*** means an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, but does not include a home industry.

***public utility undertakings*** means any of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any government department or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,
- (c) telecommunication facilities undertakings,

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and a reference to a person carrying on a public utility undertaking shall be construed as including a reference to a council, county council, government department, corporation, firm or authority carrying on the undertaking.

**real estate sales sign** means a temporary sign used to indicate that land or any other immovable property is for sale.

**retaining wall** means a wall supporting and confining earth and soil.

**satellite dish** means a dish or aerial for receiving satellite television.

**shop fit out** means internal non-structural alterations to a shop.

**structures ancillary to a dwelling** means minor structures associated with the normal domestic use of a dwelling or the enhancement of the residential environment of a dwelling and includes air conditioning units, aerials, antennae, awnings, domestic pet enclosures, cabanas, gazebos, barbecues, greenhouses, pergolas, play equipment, decks, fences, satellite dishes, garden sheds, lighting, clothes lines, retaining walls, screen enclosures, water tanks, pools, letter boxes, gates, portable gas bottles, sky lights, water heaters or the like.

**structures ancillary to uses other than dwellings** means minor structure or renovations that are ancillary to existing buildings that are not dwellings or residential uses and includes uses or works listed in Schedule 6 where applicable.

**waste storage container** means a container used for the storage of waste prior to disposal.

### [2] Clause 5 (1)

Omit the definitions of **commercial premises** and **residential flat building Class A**.

### [3] Clause 5 (1)

Insert at the end of the definition of **the map** the following words:

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**[4] Clause 5 (1)**

Omit the definition of *tourist facilities*. Insert instead:

*tourist facilities* means a building or place that is used to provide refreshment, accommodation, recreation or amusement facilities for the travelling or holidaying public.

**[5] Clause 6**

Omit the clause. Insert instead:

**6 Adoption of 1980 Model Provisions**

The *Environmental Planning and Assessment Model Provisions 1980* (except for the definitions of *agriculture, arterial road, bulk store, bus depot, extractive material, industry, light industry, main road, professional consulting rooms, public utility undertaking, recreation establishment* and *tourist facilities* in clause 4 (1) and clauses 15, 16, 17, 30, 31, 32, 33 and 34) are adopted for the purposes of this plan.

**[6] Clause 9**

Omit the clause. Insert instead:

**9 Carrying out of development**

- (1) Unless otherwise provided by this plan, the Land Use Matrix set out at the end of the clause specifies for each zone:
  - (a) the development that may be carried out without consent, where “○” is shown for that development, and
  - (b) the development that may be carried out without consent and that is exempt development, where “●” is shown for that development, and
  - (c) the development that may be carried out only with a formal grant of consent or following the issue of a complying development certificate, where “■” is shown for that development, and
  - (d) development that may be carried out only with a formal grant of consent for which a complying development certificate cannot be issued, where “□” is shown for that development.

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- (2) Development referred to in the Land Use Matrix is prohibited in a zone if “○”, “●”, “■” or “□” is not shown for that development.
- (3) Development that is not referred to in the Land Use Matrix is prohibited.
- (4) Development for which “●” is shown may be carried out without consent only if it complies with the requirements for exempt development made by Schedule 6.
- (5) Development for which “■” is shown is complying development only if it complies with the standards and other requirements for complying development made by Schedule 7.



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Land Use Matrix

Note  
 ○ Development that does not require consent  
 ● Development that is exempt development  
 ■ Development that requires a grant of consent or the issue of complying development certificate  
 □ Development that requires a grant of consent and for which a complying development certificate cannot be issued.  
 Where no symbol appears, development is prohibited.

DEVELOPMENT FOR THE PURPOSE OF THE FOLLOWING	ZONES																							
	1(a) Rural 'A'	1(b) Rural 'B'	1(c) Rural 'C'	1(c1) Rural 'C1'	1(d) Rural 'D' (Consolidated Land Holdings)	2(a) Residential 'A'	2(a1) Residential 'A1'	2(c) Residential 'C'	3(a) Business General	3(b) Business Special	4(a) Industry General	4(b) Industry Light	5(a) Special Uses 'A'	5(b) Special Uses (Railways)	6(a) Open space (Existing Recreation)	6(b) Open space (Proposed Recreation)	6(c) Open space (Private Recreation)	7(a) Environmental Protection (Wetlands)	7(d) Environmental Protection (Scenic)	7(d1) Environmental Protection (Scenic)	7(e) Environmental Protection (Consolidated Land Holdings)	8(a) Nature Reserves	8(b) Proposed road	
Access Ramps	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Advertisements	■	■	■	■	■	■	■	■	■	■	■	■	■	■					□	□	□			
Advertising Structures									□	□	□	□												
Agriculture	○	○	○	○	□	□	□	□	□	□	□	□	□	□			□	□		○	○	□		□
Airline Terminals	□	□	□	□	□				□	□	□	□	□							□	□			
Animal Establishments	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			
Bed and Breakfast Accommodation	●	●	●	●	●	●	●	●	●	●									●	●	●			
Boarding Houses	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			
Bulky Goods Sales Rooms or Showrooms									□	□	□	□	□											
Bus Depots	□	□	□	□	□				□	□	□	□	□							□	□			
Bus Stations	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			
Carnivals	○	○	○	○		□	□	□	○	○	○	○	○							○	○			○
Carports	■	■	■	■	■	■	■	■	■	■	■	■	■	□										
Car Repair Stations									□	□	□	□	□											
Child Care Centres	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			
Clearing Native Vegetation	□	□	□	□	□	○	○	○	○	○	○	○	○											●
Clubs	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			
Commercial Premises									□	□														
Community Facilities	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			
Dams	□	□	□	□	□	□	□	□	□	□	□	□	□							□	□			□

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	1(a) Rural "A"	1(b) Rural "B"	1(c) Rural "C"	1(c1) Rural "C1"	1(d) Rural "D" (Consolidated Land Holdings)	2(a) Residential "A"	2(a1) Residential "A1"	2(c) Residential "C"	3(a) Business General	3(b) Business Special	4(a) Industry General	4(b) Industry Light	5(a) Special Uses "A"	5(b) Special Uses (Railways)	6(a) Open space (Existing Recreation)	6(b) Open space (Proposed Recreation)	6(c) Open space (Private Recreation)	7(a) Environmental Protection (Wetlands)	7(b) Environmental Protection (Scenic)	7(d1) Environmental Protection (Scenic)	7(e) Environmental Protection (Consolidated Land Holdings)	8(a) Nature Reserves	9(b) Proposed road	
Demolition	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Dual Occupancies Attached	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
Dual Occupancies Detached						□	□	□	□	□	□	□	□	□										
Dwelling Houses	□	□	□	□	□	■	□	■	□	□	□	□	□	□										
Educational Establishments	□	□	□	□	□	□	□	□	□	□	□	□	□	□						□	□	□	□	□
Extractive Industries	□	□									□	□	□	□										
Fences	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	□	●	●	●	□	●	●
Flag Poles	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●	●	●	●	●	●
Forestry	□	□	□	□	□	□	□	□	□	□	□	□	□	□						□	□	□	□	□
Garages	■	■	■	■	■	■	■	■	■	■	■	■	■	□										
General Stores	□	□	□	□	□	□	□	□	□	□	□	□	□	□										
Generating Works	□	□	□	□	□				□	□	□	□	□	□										
Helipads	□	□	□	□	□	□	□	□	□	□	□	□	□	□										
Heliports	□	□	□	□	□				□	□	□	□	□	□										
Home Occupations	●	●	●	●	●	●	●	●	●	●	●	●	●	●						●	●	●	●	●
Home Industries	□	□	□	□	□	□	□	□	□	□	□	□	□	□										
Hospitals	□	□	□	□	□	□	□	□	□	□	□	□	□	□										
Hotels	□	□	□	□	□				□	□	□	□	□	□										
Identified Land Use	□	□	□	□	□	□	□	□	□	□	□	□	□	□										
Industries												□												
Institutions	□	□	□	□	□							□	□											
Intensive Agriculture	□	□	□	□	□																			
Junk Yards	□	□										□												
Landfilling	□	□	□	□	□	□	□	□	□	□	□	□	□	□										□
Light Industries												□	□	□										

□ Any Railway use authorised under the Transport Administration Act 1989

○ Any use authorised by or under the National Parks and Wildlife Act 1974

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Liquid Fuel Depots																								
Mines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>											
Mineral Sand Mines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>											
Motels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Motor Show Rooms									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Offensive or Hazardous Industries											<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Places of Assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Places of Public Worship	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Produce Stores	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Public Buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Public Utility Undertakings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Professional and Commercial Chambers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Real Estate Sales Signs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Recreation Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Recreation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Recreation Vehicle Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Recreational Establishments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Refreshment Rooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Renovations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Residential Flat Buildings Class B						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>														
Residential Flat Buildings Class C								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
Retail Plant Nurseries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>				
Retaining Walls	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Roadside Stalls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																			
Road Transport Terminals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>											
	<input type="checkbox"/> Any Railway use authorised under the Transport Administration Act 1988																							
	<input type="checkbox"/> Any use authorised by or under the National Parks and Wildlife Act 1974																							

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Rural Industries	<input type="checkbox"/>	<input type="checkbox"/>									<input type="checkbox"/>	<input type="checkbox"/>											
Rural Workers' Dwellings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>														<input type="checkbox"/>	<input type="checkbox"/>			
Satellite Dishes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Sawmills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>								<input type="checkbox"/>	<input type="checkbox"/>			
Service Stations									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Shops									<input type="checkbox"/>	<input type="checkbox"/>													
Shop Fit Outs									<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>													
Stock and Sale Yards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>			
Structures Ancillary to Dwellings	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Tourist Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Transport Terminals											<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>			
Truck Depots	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Units for Aged Persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>			
Utility Installations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Warehouses									<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Waste Storage Containers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

**9A Zone objectives**

- (1) Before granting consent to development within a zone the Council must be of the opinion that carrying out the development is consistent with the relevant objectives of the zone in which the development is proposed to be carried out.
- (2) The objectives of zones are set out in the Table to this clause.

**Table**

**Zone No 1 (a) (Rural “A”)**

The objectives of this zone are to:

- (a) protect the agricultural potential of rural land,
- (b) permit agricultural uses and animal establishments,
- (c) prevent the establishment of traffic generating development along main and arterial roads,
- (d) ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities or services, and
- (e) ensure that development maintains the rural character of the locality.

**Zone No 1 (b) (Rural “B”)**

The objectives of this zone are to:

- (a) primarily provide for agricultural uses and animal establishments,
- (b) ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities infrastructure,
- (c) prevent the establishment of traffic generating development along main and arterial roads, and
- (d) ensure that development maintains the rural character of the locality and to minimise disturbance to the landscape through clearing, earthworks and access roads.

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### **Zone No 1 (c) (Rural “C”)**

The objectives of this zone are to:

- (a) primarily provide for a rural residential living style, and
- (b) prevent the establishment of traffic generating development along main and arterial roads.

### **Zone No 1 (c1) (Rural “C1”)**

The objectives of this zone are to:

- (a) primarily provide for a rural residential living style with “on site” collection of water and disposal of waste,
- (b) maintain a subdivision pattern which permits the land to be subdivided for an urban use where such a use has been identified as being appropriate in the long term,
- (c) ensure the development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities infrastructure,
- (d) prevent the establishment of traffic generating development along main and arterial roads, and
- (e) ensure that development maintains the rural character of the locality and to minimise disturbance to the landscape through clearing, earthworks and access roads.

### **Zone No 1 (d) (Rural “D” (Consolidated Land Holdings))**

The objectives of this zone are to:

- (a) prohibit further subdivision of certain rural land otherwise than to effect a minor boundary adjustment,
- (b) permit only those uses which are compatible with the amenity of rural areas and ancillary to development in the locality,

- (c) ensure that development within rural areas does not generate an unreasonable demand for public services, and
- (d) maintain the rural character and scenic landscape qualities of land in river corridors and on escarpments.

**Zone No 2 (a) (Residential “A”)**

The objectives of this zone are to:

- (a) provide for housing and associated facilities in locations of high amenity and accessibility,
- (b) enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale and character, and
- (c) ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities or services.

**Zone No 2 (a1) (Residential “A1”)**

The objectives of this zone are to:

- (a) provide for low density housing and associated facilities in locations of high amenity and accessibility,
- (b) enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale and character,
- (c) ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities or services, and
- (d) control subdivision so that the provision for water supply and sewerage disposal on each resultant lot is satisfactory to the Council.

**Zone No 2 (c) (Residential “C”)**

The objectives of this zone are to:

- (a) facilitate the development of residential flat buildings Class C,
- (b) enable development for purposes other than residential only if it is compatible with the character of the locality and has a domestic scale and character, and
- (c) ensure that development does not create unreasonable demands, in the present or in the future, for provision or extension of public amenities or services.

**Zone No 3 (a) (Business General)**

The objectives of this zone are to:

- (a) promote the development and expansion of business activities to meet the optimum employment and social needs of the City of Hawkesbury,
- (b) permit non-commercial development within the zone where such development is compatible with the commercial character of the locality,
- (c) ensure that there is adequate provision for car parking facilities within the zone,
- (d) minimise conflicts between pedestrians and vehicular movement systems within the zone, and
- (e) preserve the historic character of the City of Hawkesbury by protecting heritage items and by encouraging compatible development within and adjoining historic buildings and precincts.

**Zone No 3 (b) (Business Special)**

The objectives of this zone are to:

- (a) promote office development to meet the optimum employment and social needs of the City of Hawkesbury,



- (b) permit non-commercial development within the zone where such development is compatible with the commercial character of the locality,
- (c) ensure that there is adequate provision for car parking facilities within the zone,
- (d) minimise conflicts between pedestrians and vehicular movement systems within the zone, and
- (e) preserve the historic character of the City of Hawkesbury by protecting heritage items and by encouraging compatible development within and adjoining historic buildings and precincts.

**Zone No 4 (a) (Industry General)**

The objectives of this zone are to:

- (a) set aside certain land for the purposes of general industry within convenient distances of the urban centres of the City of Hawkesbury,
- (b) allow commercial and retail development involving:
  - (i) uses ancillary to the main use of land within the zone,
  - (ii) the display and sale of bulky goods, and
  - (iii) the day-to-day needs of the occupants and employees of the surrounding industrial area, and
- (c) ensure that industrial development creates areas which are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.

**Zone No 4 (b) (Industry Light)**

The objectives of this zone are to:

- (a) set aside certain land for development for the purpose of light industry within convenient distances of the urban centres of the City of Hawkesbury,

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- (b) to allow commercial and retail development involving:
  - (i) uses ancillary to the main use of land within the zone,
  - (ii) the display and sale of bulky goods, and
  - (iii) the day-to-day needs of the occupants and employees of the surrounding industrial area, and
- (c) ensure that industrial development creates areas which are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.

### **Zone No 5 (a) (Special Uses “A”)**

The objectives of this zone are to:

- (a) recognise existing public and private land uses and to enable their continued operation, growth and expansion to accommodate associated, ancillary or otherwise related uses,
- (b) set aside certain land (being land that the Council or another public authority proposes to acquire) for a variety of purposes, as indicated on the map, for which development is to be carried out by the Council or other public authority, and
- (c) restrict development on land which will be required for future community facilities.

### **Zone No 5 (b) (Special Uses (Railways))**

The objectives of this zone are to:

- (a) recognise existing railway land and to enable future development for railway and associated purposes, and
- (b) prohibit advertising structures and hoardings on railway land.

**Zone No 6 (a) (Open Space (Existing Recreation))**

The objectives of this zone are to:

- (a) identify existing publicly owned land that is used or is capable of being used for active or passive recreational purposes,
- (b) encourage the development of public open space in a manner which maximises the satisfaction of the community's diverse recreational needs,
- (c) enable development associated with, ancillary to or supportive of public recreational use, and
- (d) encourage the development of open spaces as major urban landscape elements.

**Zone No 6 (b) (Open Space (Proposed Recreation))**

The objectives of this zone are to:

- (a) identify land which is suitable for future public recreational use and which can be brought into public ownership generally as a consequence of development contributions from residential development,
- (b) provide additional land to meet the objectives specified in respect of land within Zone No 6 (a),
- (c) ensure that there is provision for adequate open space areas to meet the needs of all residents and provide opportunities to enhance the total environment quality of the City of Hawkesbury,
- (d) set aside certain land (being land that the Council proposes to acquire) for the purposes of active and passive recreation, and
- (e) restrict development on land which will be required for future open space purposes.

**Zone No 6 (c) (Open Space (Private Recreation))**

The objectives of this zone are to identify and set aside certain private land where private recreational activities are and may be developed.

**Zone No 7 (a) (Environmental Protection (Wetlands))**

The objectives of this zone are to:

- (a) protect wetland areas from development that could adversely affect their preservation and conservation, and
- (b) preserve wetland areas as habitats for indigenous and migratory wildlife.

**Zone No 7 (d) (Environmental Protection (Scenic))**

The objectives of this zone are to:

- (a) preserve the existing wooded ridges and escarpments,
- (b) protect hilltops, ridgelines, river valleys and other local features of scenic significance by controlling the choice and colour of building materials and the position of buildings, access roads and landscaping,
- (c) prevent the establishment of traffic generating development along main and arterial roads,
- (d) control outdoor advertising so that it does not disfigure the rural landscape,
- (e) protect the low density, broad-acre character of the rural areas, and
- (f) protect orcharding in the Bilpin area.

**Zone No 7 (d1) (Environmental Protection (Scenic))**

The objectives of this zone are to:

- (a) preserve the river valley systems, scenic corridors, environmentally sensitive areas and other local features of scenic attraction,
- (b) protect hilltops, ridgelines, river valleys and other local features of scenic significance by controlling the choice and colour of building materials and the position of buildings, access roads and landscaping,

- (c) ensure that development does not create unreasonable or economic demands, or both, for provision or extension of public amenities or services,
- (d) prevent the establishment of traffic generating development along main and arterial roads, and
- (e) control outdoor advertising so that it does not disfigure the rural landscape.

**Zone No 7 (e) (Environmental Protection  
(Consolidated Land Holdings))**

The objectives of this zone are to:

- (a) prohibit further subdivision of the land within the zone that may lead to intensified use of that land,
- (b) preserve areas of significant vegetation stands,
- (c) protect varieties of wildlife and their associated habitats and corridors,
- (d) retain the visual and scenic qualities of escarpment ridges and foot slopes,
- (e) ensure that development and land management practices do not have an adverse effect on water catchments, water quality, land surface conditions and important ecosystems such as streams and wetlands,
- (f) ensure that existing and future land uses and land management practices do not lead to a diminution in the environmental values of the land, and
- (g) permit only minimal development to ensure that the environmental value of the land is not compromised.

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### **Zone No 8 (a) (Nature Reserves)**

The objectives of this zone are to identify, preserve and manage national parks and nature reserves for conservation and recreational purposes and to provide for their continued management under the *National Parks and Wildlife Act 1974*.

### **Zone No 9 (b) (Proposed Road)**

The objective of this zone is to set aside land (being land that the Council or another public authority proposes to acquire) for various proposed roads.

### **9B Complying development certificate conditions**

A complying development certificate must include the conditions specified in the development control plan titled "Exempt and Complying Development" (as adopted by the Council when the certificate is issued) that are applicable to the particular type of development for which the certificate is sought.

#### **[7] Clause 10**

Omit clause 10 (1). Insert instead:

- (1) Land to which this plan applies may be subdivided, but only with development consent.

#### **[8] Clause 37**

Omit clause 37. Insert instead:

#### **37 Land affected by aircraft noise**

- (1) The Council must not grant consent to the carrying out of development on land within a 20 or higher ANEF contour for the purpose of a hospital, school, child care centre or for a residential purpose, unless the Council has taken into consideration the guidelines provided in AS2021 regarding noise reduction and construction requirements.

(2) In this clause:

*ANEF* means the Australian Noise Exposure Forecast within the meaning of AS2021.

*AS2021* means the Australian Standard AS2021–1994 (Acoustics—Aircraft noise intrusion—Building siting and construction) published on 21 February 1994

*20 or higher ANEF contour* means a noise exposure contour of 20 or higher ANEF as advertised by the Commonwealth Department of Defence (Air Office) in relation to Richmond RAAF Base.

**[9] Clause 46**

Insert after clause 45:

**46 Erection of dwellings in industrial zones**

Notwithstanding any other provisions in this plan, the Council may consent to the erection of a dwelling on land within Zone No 4 (a) or (b) which is to be used in conjunction with an industrial use of the land.

**[10] Schedule 1**

Insert in Schedule 1 in order of the street number in Item 2 (“Windsor”) in the matter relating George Street, the following:

No 308, Lot A DP 159779. (516)

No 310, Lot B DP 159779. (517)

**[11] Schedule 1**

Insert in Schedule 1 in order of the street number in Item 10 (“Kurrajong”), in the matter relating to Grose Vale Road, the following matter:

“Curraweena”, No 1027, Lot B DP 416222. (515)

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### [12] Schedule 6

Insert after Schedule 5:

## Schedule 6 Exempt Development

(Clause 9)

- (1) Development listed in the Table to this Schedule is exempt development except as provided by subclauses (2) and (3).
- (2) Development is exempt development only if:
  - (a) it complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development, and
  - (b) it meets the requirements listed for it in the Table to this Schedule, and
  - (c) it complies with any relevant standards set for the development by this plan or by Council's development control plan titled "Exempt and Complying Development", as adopted by the Council on 20 December 1999, and
  - (d) it does not contravene any condition of consent applying to the land, and
  - (e) it does not obstruct drainage of the site on which it is carried out, and
  - (f) it is carried out at least one metre from any easement or public sewer main and complies with the building over sewer requirements of Sydney Water Corporation or the Council, applying to the land.
- (3) Development is not exempt development if it is carried out on land that:
  - (a) is or is part of a wilderness area (under the *Wilderness Act 1987*), or
  - (b) is subject to an order under the *Heritage Act 1977*, or
  - (c) is an Aboriginal place or known Aboriginal relic under the *National Parks and Wildlife Act 1974*, or



- (d) is land identified as in an environmental planning instrument as a wetland or is within 20 metres of land so identified as a wetland, or
- (e) is an aquatic reserve under the *Fisheries Management Act 1994*, or
- (f) is a site of a heritage item or is in a conservation area, or
- (g) is prohibited development under this plan or any other environmental planning instrument.

**Table**

<b>The erection and use or carrying out of the following:</b>	<b>Requirements</b>
Access ramps for the disabled	<ul style="list-style-type: none"> <li>• Maximum height 1m above ground level</li> <li>• Maximum grade 1:14 and otherwise in compliance with AS1428.1-1998 (Design for access and mobility—General requirements for access—New building work)</li> </ul>
Aerials/ Antennae/ Microwave antennae	<ul style="list-style-type: none"> <li>• Maximum height above roof of 6m</li> <li>• Domestic use only</li> </ul>
Air conditioning units for dwellings (attached to external wall or ground mounted)	Noise levels from any units are not to exceed 5dBA above background levels measured at the nearest residential boundary at any time
Awnings, shade canopies and storm blinds on single dwellings	<ul style="list-style-type: none"> <li>• Maximum area 9m<sup>2</sup></li> <li>• Non reflective materials</li> <li>• Located within property boundaries</li> <li>• Awnings not to be used for storage of vehicles</li> </ul>
Bed and Breakfast Accommodation	<ul style="list-style-type: none"> <li>• 4 bedrooms or less located within existing dwelling</li> <li>• Compliance with BCA for Class 1b building</li> </ul>

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### **The erection and use or carrying out of the following:**

### **Requirements**

Bird Aviaries and Domestic Pet Enclosures (excluding poultry)

- Maximum area 9m<sup>2</sup> (total aggregate)
- Maximum height 1.8m above ground level
- Domestic use only
- Rear yard only

Cabanas/ Gazebos, Barbeques, Greenhouses

- Maximum area 9m<sup>2</sup>
- Maximum height 2.4m above ground level
- Non-reflective materials
- Located minimum 900mm from adjoining allotment boundaries
- To be located behind principal building

Carnivals

No more than 4 events per calendar year

Clothes Hoist/ Lines

- Located behind the principal dwelling
- Installed to manufacturer's specifications

Cubby Houses and Playground Equipment

- Maximum height 2.1m above ground level
- Maximum area 9m<sup>2</sup>
- Setback minimum 900mm

Decks attached to detached single dwellings (does not include decking associated with swimming pools)

- Maximum area 9m<sup>2</sup>
- Finished surface level not greater than 1m above existing ground level
- Maintain existing side boundary setbacks

Demolition of any structure:

- (a) the erection of which would be exempt development under this plan, or a temporary building the erection of which would be complying development under this plan, and
- (b) covering an area of not more than 25 square metres

Carried out in accordance with AS2601–1991 (The demolition of structures)

<b>The erection and use or carrying out of the following:</b>	<b>Requirements</b>
Dog Kennels or Dog Runs	<ul style="list-style-type: none"> <li>• Not exceeding 1m<sup>3</sup></li> <li>• No more than 2 kennels</li> <li>• Wire mesh not exceeding 1.2m high above ground level and dimensions 3 x 2 metres</li> <li>• Domestic use only</li> <li>• Located behind principal building</li> </ul>
Fences (other than fences required by the <i>Swimming Pools Act 1992</i> ): <ul style="list-style-type: none"> <li>• Boundary Fences (behind building line)</li> <li>• Fences (not behind building line)</li> </ul>	<ul style="list-style-type: none"> <li>• Maximum height 1.8m above ground level</li> <li>• Maximum height 1000mm (other than masonry or brick)</li> <li>• New materials only</li> </ul>
Flagpoles in Commercial or Industrial zones	<ul style="list-style-type: none"> <li>• Maximum height 9m above ground level</li> <li>• Installed to manufacturer's specifications or engineering design</li> </ul>
Flagpoles in Residential zones	<ul style="list-style-type: none"> <li>• Maximum height 6m above ground level</li> <li>• Installed to manufacturer's specifications or engineering design</li> </ul>
Fountains, Fish Ponds, Sun Dials, Bird Baths, Wishing Wells and the like	<ul style="list-style-type: none"> <li>• Water storage area no greater than 300mm deep</li> <li>• Not exceeding 1.5m high above ground level</li> </ul>
Garden Sheds	<ul style="list-style-type: none"> <li>• Maximum floor area of a shed or sheds in total 9m<sup>2</sup></li> <li>• Maximum height 2.1m above ground level</li> <li>• Non-reflective materials</li> <li>• Rear yard only</li> <li>• Installed to manufacturer's specifications/ engineering design</li> </ul>
Gate Structures and Supporting Wing Walls	<ul style="list-style-type: none"> <li>• Maximum 1.8m high above ground level</li> <li>• Maximum length 10m overall</li> <li>• Wholly within property boundary</li> </ul>
Home Occupation	No customers will visit the site

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### **The erection and use or carrying out of the following:**

### **Requirements**

Internal Renovations—All buildings excluding shop fit outs

- Non-structural work only, such as:
  - replacement of doors, wall, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials
  - renovations of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards and wardrobes
- Alterations or renovations to previously completed building only
- Does not include changes to the configuration of rooms whether by removal of existing walls, partitions or by other means
- Does not cause reduced window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas

Letter Boxes

- Located within property boundary
- Heights and sizes to comply with Australian Post standards

Lighting (external) not including tennis courts, sportsgrounds and greenhouses

Open Pergolas (attached to dwelling or free standing, unroofed structures only)

- Maximum area 9m<sup>2</sup> (total aggregate)
- Maximum height 2.4m above ground level
- Maintain required boundary setbacks
- Located behind front boundary setback

**The erection and use or carrying out of the following:**

**Requirements**

Place and use waste storage container in a public place

- Maximum container length 3m
- Single container only
- Waste containers to be located and designed strictly in accordance with the requirements and guidelines of the Roads and Traffic Authority
- Removed no later than fourteen days after the date of placement of the container in the public place
- Supplier of the waste container to ensure a minimum of \$10 million public liability/ risk insurance cover for the placement of the waste container
- Container to be of light colour with name and address of the owner/ proprietor clearly displayed

Installation of portable gas bottles for domestic purposes

Maximum of 2 bottles

Re-cladding of roofs or walls

- No structural alterations
- Existing materials replaced with similar new materials

Erection and use of Real Estate Sales Sign (other than in industrial or commercial zones)—(limited to a flush wall sign, pole or pylon sign)

- One sign per street or road frontage
- Maximum sign area 2.5m<sup>2</sup>
- Sign not to be erected or placed in, on, or above any public place
- Maximum height of 2m above ground level
- Not directly illuminated by either an external or internal light source
- Signs removed within 7 days of settlement

Erection and use of Real Estate Sales Sign (commercial and industrial zones)—(limited to a flush wall sign, pole or pylon sign)

- One sign per street or road frontage
- Maximum sign area 4m<sup>2</sup>
- Maximum height of 3m above finished ground level
- Signs removed within 7 days of settlement

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### **The erection and use or carrying out of the following:**

### **Requirements**

Retaining Walls

- Located no closer than 1m to any boundary
- Maximum height 900mm above ground level
- Masonry walls to comply with:
  - AS 3700–1998—Masonry structures
  - AS 3600–1994—Concrete structures
  - AS 1170.1–1989, AS 1170.2–1989 and AS 1170.4–1993 (known as the SAA Loading Code)
- Timber walls to comply with:
  - AS 1720.1–1997 (Timber structures— design methods),
  - AS 1720.2–1990 (Timber structures—timber properties),
  - AS1720.4–1990 (Timber structures—Fire resistance of structural timber members),
  - AS 1170.1–1989, AS 1170.2–1989 and AS1170.4–1993 (known as the SAA Loading Code)
- Constructed so that it does not prevent the natural flow of stormwater drainage or run-off

Satellite Dishes—Roof mounted

- Maximum diameter 1m
- Maximum height not to exceed highest point of roof
- Not visible from the street frontage

Satellite Dishes—Ground mounted

- Maximum height 2.4m above ground level
- Not visible from the street frontage
- Colour to match existing roof colour

<b>The erection and use or carrying out of the following:</b>	<b>Requirements</b>
Skylight Roof Windows	<ul style="list-style-type: none"> <li>• Maximum area 1m<sup>2</sup></li> <li>• Located not less than 900mm from property boundaries or walls separating attached dwellings</li> <li>• Structural integrity of the existing building not to be affected</li> <li>• Installed to manufacturer's instructions and waterproofed</li> </ul>
Street Signs comprising name plates, directional signs and advance traffic warning signals	<ul style="list-style-type: none"> <li>• Construction by or for Council</li> <li>• Designed, fabricated and installed in accordance with relevant Australian Standards</li> </ul>
Timber or Lattice Screen Fences	<ul style="list-style-type: none"> <li>• Maximum height 1.8m above ground level</li> <li>• Minimum 500mm off side boundary</li> <li>• Located behind front boundary setback</li> </ul>
Water Heaters (excluding solar systems)	<ul style="list-style-type: none"> <li>• Installed to manufacturer's specifications or requirements</li> <li>• Installed by licenced person</li> <li>• Work does not reduce structural integrity of the building or involve structural alterations</li> <li>• Openings created are water proofed</li> </ul>
Water Tanks in rural zones	<ul style="list-style-type: none"> <li>• Not exceeding 60,000 litres</li> <li>• No closer than 6m to adjoining boundary and buildings</li> <li>• Maximum height 2.4m above ground level</li> </ul>
Water Tanks in residential areas	<ul style="list-style-type: none"> <li>• Not exceeding 2,000 litres capacity</li> <li>• Maximum height 1.8m above ground level and 1.5m diameter</li> <li>• Rear yard only</li> <li>• Located 900mm from boundary</li> <li>• Overflow discharges away from subject property</li> </ul>
Windows, Glazing, External Doors and Security Grills	Non-structural alterations or replacements

## Schedule 7 Complying development

(Clause 9)

- (1) Development listed in the Table to this Schedule is complying development, except as provided by subclauses (2) and (3).
- (2) Development is complying development only if:
  - (a) it complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development, and
  - (b) it meets the criteria listed for it in the Table to this Schedule, and
  - (c) it complies with the relevant development standards set for the development by this plan or by the Council's development control plan titled "Exempt and Complying Development", as adopted by the Council on 20 December 1999, and
  - (d) it does not contravene any condition of a development consent applying to the land.
- (3) Development is not complying development if it is carried out on land that is:
  - (a) critical habitat (under the *Threatened Species Conservation Act 1995*), or
  - (b) is part of a wilderness area (under the *Wilderness Act 1987*), or
  - (c) subject to an order under the *Heritage Act 1977*, or
  - (d) an Aboriginal place or Aboriginal relic under the *National Parks and Wildlife Act 1974*, or
  - (e) land identified in an environmental planning instrument as a wetland or is within 20 metres of such a wetland, or
  - (f) an aquatic reserve under the *Fisheries Management Act 1994*, or
  - (g) a site of a heritage item or is in a conservation area, or



- (h) lower than 1.2 metres below the 1-in-100 year flood frequency, identified as a contaminated site on the Council’s register, identified as being subject to landslip on the Council’s register, on land containing potential acid sulphate soils of Class 1, 2 or 3 as indicated on the maps produced by the Department of Land and Water Conservation or in an area identified as having a moderate or high bushfire hazard risk on the Council’s register, or
- (i) identified as a riverine scenic area or conservation area sub-catchment under *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2–1997)*, or
- (j) prohibited development under this plan.

**Table**

<b>The erection and use or carrying out of the following:</b>	<b>Criteria</b>
Single Storey Dwellings	<ul style="list-style-type: none"> <li>• Residential zones only</li> <li>• Not within ANEF contour of 20 or above</li> <li>• Sewered</li> <li>• Floor level does not exceed 1.2m above ground level</li> <li>• On lots over 450m<sup>2</sup></li> </ul>
Single Storey Dwelling additions or alterations	As for single storey dwelling
Covered Decks	<ul style="list-style-type: none"> <li>• Floor level not exceeding 1.2m above ground level</li> <li>• Attached to existing dwelling</li> <li>• Not in Environmental Protection Zone</li> </ul>
Roofed Pergolas	<ul style="list-style-type: none"> <li>• Floor level not exceeding 1.2m from natural ground level</li> <li>• Attached to existing dwelling</li> <li>• Not in Environmental Protection Zone</li> </ul>

## 2001 No 240

Hawkesbury Local Environmental Plan 1989 (Amendment No 110)

Schedule 1

Amendment of Hawkesbury Local Environmental Plan 1989

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### **The erection and use or carrying out of the following:**

### **Criteria**

Carports

- Height not exceeding 2.4m above ground level
- Area not exceeding 25m<sup>2</sup>
- Attached to existing dwelling
- Not in Environmental Protection Zone

Garages

- Height not exceeding 2.4m above ground level
- Area not exceeding 25m<sup>2</sup>
- Attached to existing dwelling
- Not in Environmental Protection Zone

Screen Enclosures

- Not exceeding 60m<sup>2</sup>
- Not in Environmental Protection Zone

Industrial Buildings

- Not exceeding 1,000m<sup>2</sup>
- Not exceeding 9m in height above ground level

Industrial Additions

- As for industrial building
- Aggregate area of total additions does not exceed 1,000m<sup>2</sup>

Boundary Adjustments

- Affects no more than 2 lots

Shop Fit Outs

- No increase to existing floor area

Swimming Pools

- Ancillary to dwelling that may be used for private use only
- On a lot over 450m<sup>2</sup>

Advertisements

- Excluding above awning and roof signs
- Not exceeding 4m<sup>2</sup> in area
- Not illuminated

Retaining Walls

- Exceeding 900mm in height above ground level
- Not exceeding 1.8m in height above ground level

BY AUTHORITY