



New South Wales

Hawkesbury Local Environmental Plan 1989 (Amendment No 119)

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*.
(P99/00497/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 636

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 119)

**Hawkesbury Local Environmental Plan 1989
(Amendment No 119)**

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 119)*.

2 Aims of plan

This plan aims:

- (a) to allow subdivision of the land to which the plan applies for the purposes of a 6 allotment community title development, and
- (b) to protect the scenic quality and environmental sensitivity of that land by identifying the land as an environmental constraint area.

3 Land to which plan applies

This plan applies to Lot 1 DP 838854, No 484 Terrace Road, Freemans Reach as shown edged in red on the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 119)” deposited in the offices of the Council of the City of Hawkesbury.

4 Amendment of Hawkesbury Local Environmental Plan 1989

Hawkesbury Local Environmental Plan 1989 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order at the end of the definition of *the map* in clause 5 (1):

Hawkesbury Local Environmental Plan 1989 (Amendment No 119).

[2] Clause 50

Insert after clause 49:

50 Certain development on Lot 1 DP 838854, No 484 Terrace Road, Freemans Reach

- (1) This clause applies to Lot 1 DP 838854, No 484 Terrace Road, Freemans Reach as shown edged in red on the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 119)”.
- (2) Despite clause 11, the Council may consent to a subdivision of land to which this clause applies only if:
 - (a) the Council has considered the matters set out in subclause (3), and
 - (b) the number of allotments to be created by the subdivision does not exceed 6 (including any community allotment), and
 - (c) a geotechnical assessment has been undertaken and submitted to the Council that demonstrates that the land is adequate for on-site disposal of effluent in accordance with best practices, and
 - (d) in the opinion of the Council there are no significant adverse impacts on Cumberland Plain Woodland (within the meaning of clause 41AA) from any proposed or likely development on the land following the subdivision, and

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Schedule 1 Amendments

- (e) an assessment has been made and submitted to the Council of the impact on scenic quality of the area of any proposed or likely development on the land following the subdivision, and
 - (f) an assessment has been made and submitted to the Council of the impact on the escarpment area of any proposed or likely development on the land following the subdivision.
- (3) Before consenting to the subdivision of land to which this clause applies, the Council must consider the effect of any proposed or likely development following the subdivision on the following:
- (a) water quality and water quantity in the Hawkesbury River and its tributaries,
 - (b) the scenic quality of the area,
 - (c) the escarpment area (including the likelihood of landslip along the escarpment),
 - (d) the landscape of the land and its surroundings (especially the impact of clearing, earthworks and other construction works),
 - (e) any threatened species or endangered ecological community within the meaning of the *Threatened Species Conservation Act 1995*.
- (4) The Council may consent to the erection of one, but not more than one, dwelling-house on each allotment (excluding any community allotment) created by a subdivision made in accordance with this clause.
- (5) Clearing of native vegetation on land to which this clause applies may only be carried out with the consent of Council.

BY AUTHORITY