



New South Wales

Hastings Local Environmental Plan 2001 (Amendment No 69)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (09/01561-1)

TONY KELLY, MLC
Minister for Planning

2010 No 196

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 69)

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1 Name of Plan

This Plan is *Hastings Local Environmental Plan 2001 (Amendment No 69)*.

2 Commencement

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

3 Land to which Plan applies

This Plan applies to part of Lot 1, DP 1125021 (formerly Lot 1, DP 1015954) and Lot 12, DP 812134, Beechwood Road, Yippin Creek and Lot 21, DP 245751, Oxley Highway, Wauchope, as shown distinctively coloured, edged heavy black and lettered “2 (a1)” and “7 (h)” on the map marked “Hastings Local Environmental Plan 2001 (Amendment No 69)” deposited in the office of Port Macquarie-Hastings Council.

Schedule 1 Amendment of Hastings Local Environmental Plan 2001

[1] Part 10A

Insert after Part 10:

Part 10A Urban release areas

37A Arrangements for designated State public infrastructure

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.
- (3) Subclause (2) does not apply to:
 - (a) any lot identified in the certificate as a residue lot, or
 - (b) any lot created by a subdivision previously consented to in accordance with this clause, or
 - (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or
 - (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.
- (4) This clause does not apply to land in an urban release area if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).
- (5) *State Environmental Planning Policy No 1—Development Standards* does not apply to the subdivision of land to which subclause (2) applies.

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Schedule 1 Amendment of Hastings Local Environmental Plan 2001

37B Public utility infrastructure

- (1) Development consent must not be granted for development on land in an urban release area unless the Council 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 it is required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

37C Relationship between Part and remainder of Plan

A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.

[2] Schedule 6 Zones and zoning map amendments

Insert in appropriate order in Part 2 of the Schedule:

Hastings Local Environmental Plan 2001 (Amendment No 69)

[3] Dictionary

Insert in alphabetical order:

designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) land required for regional open space,
- (d) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

public utility infrastructure, in relation to an urban release area, includes infrastructure for any of the following:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage.

urban release area means the areas of land shown edged heavy black on the map marked “Hastings Local Environmental Plan 2001 (Amendment No 69)”.