



New South Wales

Hawkesbury Local Environmental Plan 2012 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

RICHARD PEARSON

As delegate for the Minister for Planning and Infrastructure

Hawkesbury Local Environmental Plan 2012 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Hawkesbury Local Environmental Plan 2012 (Amendment No 6)*.

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 all land to which *Hawkesbury Local Environmental Plan 2012* applies.

4 Maps

Each map adopted by *Hawkesbury Local Environmental Plan 2012* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Hawkesbury Local Environmental Plan 2012 Land Zoning Map (3800_COM_LZN_008AA_020_20120625)	Hawkesbury Local Environmental Plan 2012 Land Zoning Map (3800_COM_LZN_008AA_020_20140205)
Hawkesbury Local Environmental Plan 2012 Lot Size Map	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_003_080_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_004_080_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_005_080_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_006_080_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_007A_040_20140131)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_007B_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_007C_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_007D_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008A_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008AA_020_20140205)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008B_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008BA_020_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008C_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008D_040_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008DA_020_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_008DB_020_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_009_020_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_010_080_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_011_080_20140131)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_012_080_20140131)
	Hawkesbury Local Environmental Plan 2012 Lot Size Map (3800_COM_LSZ_013_080_20140131)
Hawkesbury Local Environmental Plan 2012 Height of Buildings Map (3800_COM_HOB_008AA_020_20120605)	Hawkesbury Local Environmental Plan 2012 Height of Buildings Map (3800_COM_HOB_008AA_020_20140131)
Hawkesbury Local Environmental Plan 2012 Lot Averaging Map (3800_COM_LAV_008AA_020_20120605)	Hawkesbury Local Environmental Plan 2012 Lot Averaging Map (3800_COM_LAV_008AA_020_20140131)

Schedule 1 Amendment of Hawkesbury Local Environmental Plan 2012

[1] Clause 4.6 Exceptions to development standards

Insert after clause 4.6 (8) (c):

- (ca) clause 5.13A or 5.13B.

[2] Part 5A

Insert after Part 5:

Part 5A Urban release areas

5.13A Arrangements for certain designated State public infrastructure

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of relevant 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 relevant 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 to be created by a subdivision of land that was the subject of a previous development consent granted 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 all or any part of the land is in a special contributions area (as defined by section 93C of the Act).
- (5) In this clause:

relevant 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).

5.13B 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.

5.13C 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.

[3] Dictionary

Insert in alphabetical order:

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 area of land identified as “Urban Release Area” on the Urban Release Area Map.

Urban Release Area Map means the Hawkesbury Local Environmental Plan 2012 Urban Release Area Map.