



New South Wales

# **Hornsby Local Environmental Plan 2013 (Amendment No 9)**

under the

**Environmental Planning and Assessment Act 1979**

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

CATHERINE VAN LAEREN  
As delegate for the Greater Sydney Commission

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### **1 Name of Plan**

This Plan is *Hornsby Local Environmental Plan 2013 (Amendment No 9)*.

### **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 the land to which *Hornsby Local Environmental Plan 2013* applies.

## **Schedule 1      Amendment of Hornsby Local Environmental Plan 2013**

**[1] Land Use Table**

Insert “Dual occupancies (attached);” in alphabetical order in item 3 of the matter relating to Zone RU1 Primary Production.

**[2] Land Use Table, Zone RU2**

Insert “Dual occupancies (attached);” in alphabetical order in item 3.

**[3] Land Use Table, Zone RU4**

Insert “Dual occupancies (attached);” in alphabetical order in item 3.

**[4] Clause 4.1B Minimum lot size for certain split zone lots**

Omit clause 4.1B (3) (a) and (b). Insert instead:

- (a) each resulting lot containing land in both a *relevant rural zone* (being Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots) and Zone E3 Environmental Management) will have:
  - (i) an area that is not less than the minimum lot size shown on the Lot Size Map in relation to the land in the relevant rural zone, and
  - (ii) at least 20% of the land in the relevant rural zone, and
- (b) each resulting lot containing land in both Zone RU5 Village or a residential, business, industrial, special purpose or recreation zone and Zone E2 Environmental Conservation or Zone E3 Environmental Management will have:
  - (i) an area that is not less than the minimum lot size shown on the Lot Size Map in relation to the land in Zone RU5 Village or the residential, business, industrial, special purpose or recreation zone, and
  - (ii) all of the land that was in the original lot in relation to the land in Zone E2 Environmental Conservation or Zone E3 Environmental Management, and
- (c) all other resulting lots will contain land that has an area that is not less than the minimum lot size shown on the Lot Size Map in relation to that land.

**[5] Clause 5.4 Controls relating to miscellaneous permissible uses**

Omit “20” from clause 5.4 (8). Insert instead “40”.

**[6] Clause 5.4 (9) (b)**

Omit “20%”. Insert instead “33%”.

**[7] Clause 6.9**

Insert after clause 6.8:

**6.9 Dual occupancies (attached) on land in certain rural zones**

- (1) The objectives of this clause are:
  - (a) to minimise unplanned rural residential development, and

- (b) to limit the gross floor area of dual occupancies (attached) to ensure rural residential development maintains rural character.
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone RU4 Primary Production Small Lots.
- (3) Development consent must not be granted to development for the purposes of a dual occupancy (attached) on land to which this clause applies if:
  - (a) the land is a lot that is less than the minimum lot size shown on the Lot Size Map in relation to that land, or
  - (b) the gross floor area of each of the dwellings is more than 200 square metres.