



REZONING FACTSHEET

WHAT IS A PLANNING PROPOSAL (REZONING)?

The Hawkesbury Local Environmental Plan (HLEP) 2012 provides the main statutory framework for planning and development in Hawkesbury Local Government Area (LGA).

The HLEP 2012 identifies land use zones, and the extent that a parcel of land can be developed via development standards such as building heights, minimum lot sizes. It also contains provisions to conserve Hawkesbury City's Heritage and protect sensitive land.

A rezoning is a formal amendment to the HLEP known as a Planning Proposal. This can change the land use zone, increase or decrease the range of permissible uses for a site or change the development standards that are applicable for a parcel of land.

CAN I REZONE MY LAND?

Applications to rezone individual parcels of land (spot rezonings) are generally not encouraged and will only be considered under the following circumstances:

- The rezoning proposal is consistent with State and Local Government planning directions and has positive benefits in terms of housing supply/ housing affordability, or employment;
- The subject land cannot be reasonably developed or used under the existing zoning;
- Development of the land under the current zone would not be in the public interest.

All rezoning proposals are assessed on merit having regard to the matters identified above and the individual circumstances of the site or location.

Prior to lodging an application to rezone land, proponents should discuss their proposal with a member of our Strategic Land Use Planning Section. A meeting can be arranged by submitting a Pre-Planning Proposal Form.

After meeting with Strategic Planning staff and preparing the relevant documentation including the planning report please complete and lodge a Planning Proposal Application Form.

HOW IS THE LOCAL ENVIRONMENTAL PLAN (LEP) AMENDED?

The process to amend the LEP is set out in Sections 3.31 to 3.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The NSW Government's '[Local Environmental Plan Making Guideline](#)' describes the complete LEP Making process, including each stage, who is involved and their roles and responsibilities.

Step 1: Consult with Council's Integrated Planning Team

Consider hiring a qualified town planning consultant to assist in preparing the necessary information and studies for your rezoning pre-lodgement application.

Step 2: Submit Rezoning Pre-lodgement Application

This application will assess the proposal's strategic merit and identify required studies, such as biodiversity, transport, bushfire, flooding, and contamination. Include a scoping proposal with:

- Property details (Lot, DP, address)
- Key issues to address
- Justification for strategic merit
- Supporting studies needed
- Agencies that may require consultation
- An indicative development concept if applicable

Step 3: Phase 1 Planning Proposal Assessment

Once the pre-lodgement steps and studies are complete, submit the planning proposal on the NSW Planning Portal. Ensure it meets Council's requirements and the LEP Making Guidelines. Incomplete proposals may be rejected. The Council will assess and report on the proposal, recommending whether to proceed.

If supported, the proposal goes to the Department of Planning for a "Gateway determination," which outlines:

- Whether to proceed
- Additional information needed
- Required agency consultations
- Public exhibition requirements

Step 4: Phase 2 Post-Gateway Determination

After meeting Gateway conditions, the proposal will undergo public exhibition. Revisions may be made based on feedback. The final proposal will be reported back to the Council for a recommendation to proceed or not. Supported amendments will be finalised.

HOW LONG DOES IT TAKE TO AMEND THE LEP?

It is a lengthy process that takes at least 12 to 18+ months depending on the complexity of the proposal.

HOW MUCH DOES AN LEP AMENDMENT COST?

It is a costly process that comes with uncertainty.

There is no guarantee of Council or State government supporting a rezoning. Council charges upfront fees at commencement of each phase. Work will not continue until the relevant fee is paid. For any fees related information, please refer to [Council's fees and Charges Plan](#).



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