

Model local clauses for Standard Instrument LEPs

General Information

If the below “Urban Release Area” provision is included as Part 6 in a Standard Instrument, the following additional subclause (8A) needs to be included in clause 4.6:

(8A) This clause does not allow consent to be granted for development that would contravene clauses 6.2 or 6.3 (add any other relevant clauses).

The urban release area model clauses 6.1 through 6.4 are to be used together as part of a ‘package’ of clauses i.e., they should all be included in the SI where urban release area/s have been identified and are supported.

If the release area relates to industrial uses/zones, please contact the Department to discuss.

Part 6 Urban release areas

6.2 Public utility infrastructure [local]

- (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 required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

Drafting direction.

For this clause, the following definition must be included in the Dictionary:

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.