



New South Wales

Maitland Local Environmental Plan 1993 (Amendment No 96)

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. (NEW0000196-3PC)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 368

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 96)

Maitland Local Environmental Plan 1993 (Amendment No 96)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 96)*.

2 Aims of plan

This plan amends *Maitland Local Environmental Plan 1993*:

- (a) to allow the subdivision of land to which this plan applies into allotments for dwellings that will be integrated with tourist accommodation on the land, and
- (b) to ensure appropriate controls are in place with respect to development on that land.

3 Land to which plan applies

This plan applies to Lot 1, DP 997240 and Lot 100, DP 1093291, being 9 and 15 St Helena Close, Lochinvar, as shown edged heavy black on the map marked “Maitland Local Environmental Plan 1993 (Amendment No 96)” deposited in the office of Maitland City Council.

4 Amendment of Maitland Local Environmental Plan 1993

Maitland Local Environmental Plan 1993 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] **Clause 52A**

Insert after clause 52:

52A Certain development at St Helena Close, Lochinvar

- (1) This clause applies to Lot 1, DP 997240 and Lot 100, DP 1093291, being 9 and 15 St Helena Close, Lochinvar, as shown edged heavy black on the map marked “Maitland Local Environmental Plan 1993 (Amendment No 96)”.
- (2) Despite any other provision of this plan, a person may subdivide land to which this clause applies that is within Zone 1 (b) so as to create no more than 190 allotments for dwellings, but only with development consent.
- (3) Development consent must not be granted for development referred to in subclause (2) unless a development control plan providing for the matters specified in subclause (4) has been prepared for the land to which this clause applies.
- (4) A development control plan referred to in subclause (3) must provide for the following matters:
 - (a) the integration of dwellings with tourist accommodation on the land,
 - (b) a staging plan that provides for the commercial and retail components of tourist accommodation on the land to be completed at the same time as, or before, all dwellings on the land,
 - (c) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists, with consideration of future urban areas and necessary connections,
 - (d) the protection and enhancement of riparian areas and remnant vegetation,
 - (e) an overall landscaping strategy that aims to protect and enhance visually prominent locations and land fronting the New England Highway,

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Schedule 1 Amendments

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- (f) detailed urban design controls for all buildings within the curtilage of St Helena cottage or visible from the New England Highway.
 - (5) *State Environmental Planning Policy No 1—Development Standards* does not apply to development on land to which this clause applies.

[2] Schedule 3 Additional uses of land

Omit the matter relating to Lot 3, DP 634523, New England Highway, Lochinvar.

BY AUTHORITY