



Maitland Local Environmental Plan 1993 (Amendment No 70)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N02/00242/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2004 No 231

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 70)

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under the

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1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 70)*.

2 Aims of plan

- (1) This plan aims to rectify a number of anomalies on the map supporting *Maitland Local Environmental Plan 1993 (the 1993 plan)* by rezoning a number of properties located in Ashtonfield, Thornton, Aberglasslyn and East Maitland in the City of Maitland and, in particular:
 - (a) to rezone part of the land from Zone 7 (b) Environmental Protection Buffer to Zone 2 (a) Residential under the 1993 plan, and
 - (b) to rezone part of the land from Zone 2 (a) to Zone 7 (b) under the 1993 plan, and
 - (c) to rezone part of the land from Zone 7 (c) Environmental Protection General to Zone 4 (b) Light Industrial under the 1993 plan, and
 - (d) to rezone part of the land from Zone 4 (b) to Zone 7 (c) under the 1993 plan, and
 - (e) to rezone part of the land from Zone 1 (b) Secondary Rural Land to Zone 1 (c) Rural Small Holdings under the 1993 plan, and
 - (f) to rezone part of the land from Zone 1 (b) to Zone 2 (a) under the 1993 plan, and
 - (g) to rezone part of the land from Zone 2 (a) to Zone 1 (b) under the 1993 plan, and
 - (h) to rezone part of the land from Zone 2 (a) to Zone 1(a) Prime Rural Land under the 1993 plan, and

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- (i) to rezone part of the land from Zone 1 (a) to Zone 2 (a) Prime Rural Land under the 1993 plan, and
 - (j) to rezone part of the land from Zone 2 (a) to Zone 1 (c) under the 1993 plan, and
 - (k) to rezone part of the land from Zone 1 (c) to Zone 2 (a) under the 1993 plan.
- (2) This plan also aims to correct an error in the boundary of a heritage item of State significance (being the former Smith's Flour Mill, Newcastle Road, East Maitland and currently shown on Sheet 12 of the heritage map), by excluding one allotment (being Lot 3, DP 996973) and showing the new boundary of the remaining 3 allotments (being Lots 1–3, DP 785381).

3 Land to which plan applies

- (1) To the extent that this plan rezones land from Zone 7 (b) to Zone 2 (a), it applies:
- (a) to so much of Lots 1126, 1135, 1136 and 1156, DP 1032278, Lot 7191, DP 881678 and Lots 1201–1210 and 1250, DP 1045316, Castlemaine Close and Ballydoyle Drive, Ashtonfield, as is shown edged heavy black and lettered “2 (a)” on Sheets 1 and 2 of the map marked “Maitland Local Environmental Plan 1993 (Amendment No 70)” deposited in the office of the Council of the City of Maitland, and
 - (b) to so much of Lots 2405–2410 and 2416, DP 1030218, Lots 3117 and 3122 and 3123, DP 1049066, Lot 5338, DP 1005342, Lots 5114–5116, DP 1004598 and Lot 3100, DP 1049066, Thornton, as is shown edged heavy black and lettered “2 (a)” on Sheets 4 and 5 of that map.
- (2) To the extent that this plan rezones land from Zone 2 (a) to Zone 7 (b), it applies:
- (a) to so much of Lot 20, DP 1022926, Ashtonfield, as is shown edged heavy black and lettered “7 (b)” on Sheet 2 of that map, and
 - (b) to so much of Lot 3100, DP 1049066, Thornton, as is shown edged heavy black and lettered “7 (b)” on Sheet 5 of that map.
- (3) To the extent that this plan rezones land from Zone 7 (c) to Zone 4 (b), it applies to so much of Lots 814, 815 and 817, DP 1032401 and Lot 902, DP 1045461, Huntingdale Drive, Thornton, as is shown edged heavy black and lettered “4 (b)” on Sheet 3 of that map.

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- (4) To the extent that this plan rezones land from Zone 4 (b) to Zone 7 (c), it applies to so much of Lot 824, DP 1032401, Huntingdale Drive, Thornton, as is shown edged heavy black and lettered "7 (c)" on Sheet 3 of that map.
- (5) To the extent that this plan rezones land from Zone 1 (b) to Zone 1 (c), it applies to so much of Lots 1–3 and 8 and 9, DP 855275, East Maitland, as is shown edged heavy black and lettered "1 (c)" on Sheet 6 of that map.
- (6) To the extent that this plan rezones land from Zone 1 (b) to Zone 2 (a), it applies to so much of Lots 21–31, DP 855275 and Lots 45 and 46, DP 863423, East Maitland, as is shown edged heavy black and lettered "2 (a)" on Sheet 6 of that map.
- (7) To the extent that this plan rezones land from Zone 2 (a) to Zone 1 (b), it applies to so much of Lots 41 and 42, DP 846326 and Lot 124, DP 862386, East Maitland, as is shown edged heavy black and lettered "1 (b)" on Sheet 6 of that map.
- (8) To the extent that this plan rezones land from Zone 2 (a) to Zone 1 (a), it applies to so much of Lot 124, DP 862386, Lot 112, DP 1002442, Lot 826, DP 1034069, Lot 119, DP 838632 and Lot 144, DP 846900, East Maitland, as is shown edged heavy black and lettered "1 (a)" on Sheet 6 of that map.
- (9) To the extent that this plan rezones land from Zone 1 (a) to Zone 2 (a), it applies to so much of Lots 89, 90 and 93–98, DP 1002442, Lot 127, DP 1008517, Lot 79, DP 838632 and Lots 122–124, DP 846276, East Maitland, as is shown edged heavy black and lettered "2 (a)" on Sheet 6 of that map.
- (10) To the extent that this plan rezones land from Zone 2 (a) to Zone 1 (c), it applies to so much of Lots 1 and 2, DP 1016707, Lots 38–40 and 44–46, DP 1039649 and Lots 503 and 504, DP 834498, Aberglasslyn, as is shown edged heavy black and lettered "1 (c)" on Sheet 7 of that map.
- (11) To the extent that this plan rezones land from Zone 1 (c) to Zone 2 (a), it applies to so much of Lots 409 and 411–415, DP 844222, Aberglasslyn, as is shown edged heavy black and lettered "2 (a)" on Sheet 7 of that map.

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- (12) To the extent that this plan corrects an error in the boundary of a heritage item of State significance, it applies to Lots 1–3, DP 785381, bounded by Newcastle Road (New England Highway), Mill Street and a lane, East Maitland, as shown edged heavy black on Sheet 8 of that map.

4 Amendment of Maitland Local Environmental Plan 1993

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

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 How are terms defined in this plan?

Insert in appropriate order in the definition of *The map* in clause 5 (1):

Maitland Local Environmental Plan 1993 (Amendment No 70)—Sheets 1–7

[2] Clause 31 What controls apply with respect to heritage items or conservation areas?

Insert at the end of the definition of *Heritage map*:

, as amended by the maps (or, if any sheets or maps are specified, by the specified sheets of the maps) marked as follows:

Maitland Local Environmental Plan 1993 (Amendment No 70)—Sheet 8

BY AUTHORITY
