



New South Wales

Great Lakes Local Environmental Plan 1996 (Amendment No 45)

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*. (N04/00044/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 97

Clause 1 Great Lakes Local Environmental Plan 1996 (Amendment No 45)

Great Lakes Local Environmental Plan 1996 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Great Lakes Local Environmental Plan 1996 (Amendment No 45)*.

2 Aims of plan

The aims of this plan are:

- (a) to provide for the development of certain land at Seven Mile Beach that is consistent with the integration of natural and developed landscape and conservation values attributed to the land, and
- (b) to direct the future use of certain land at Seven Mile Beach in a manner that ensures sensitivity to the physical, social and natural environmental values, and the environmental heritage, of the land, and
- (c) to achieve ecological sustainability through a harmonious integration between the natural and developed landscape, and
- (d) in recognition of aims set out in paragraphs (a) to (c), to rezone the land from Zone No 1 (c) (Future Urban Investigation Zone) to a proposed new Zone 2 (g) (Environmental Living and Low-Impact Development Zone) and to Zone No 7 (a1) (Environmental Protection Zone).

3 Land to which plan applies

This plan applies to Part Lots 103, 142 and 178 of DP 753168, as shown edged heavy black on the map marked "Great Lakes Local Environmental Plan 1996 (Amendment No 45)" deposited in the office of the Great Lakes Council.

4 Amendment of Great Lakes Local Environmental Plan 1996

Great Lakes Local Environmental Plan 1996 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 What zones apply in this plan?

Insert after the matter relating to Zone No 2 (f):

Zone No 2 (g) (Environmental Living and Low-Impact Development Zone)

[2] Clause 8 Zone objectives and development control table

Insert after the matter relating to Zone No 2 (f) in the Table to the clause:

Zone No 2 (g) (Environmental Living and Low-Impact Development Zone)

1 What are the objectives of the zone?

The objectives of the zone are:

- (a) to provide for low-impact residential development in areas with special ecological, scientific or aesthetic values, and
- (b) to ensure that residential development does not have an adverse effect on those values, and
- (c) to provide for other types of low-impact development that complement and support the residential development and which do not have an adverse effect on the special ecological, scientific or aesthetic values of the land.

2 What is permitted without development consent?

Development for the purpose of:
environmental protection works.

3 What is permitted only with development consent?

Development for the purpose of:
advertisements; bushfire hazard reduction; carparks; child care centres; commercial premises; communication facilities; community facilities; convenience stores; dwelling-houses; entertainment facilities; environmental facilities; exhibition homes; hotels; medical centres; multiple dwellings; off-site promotional signs; recreation areas; recreation facilities; residential flat buildings;

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Schedule 1 Amendments

restaurants; roads; serviced apartments; shops; tourist facilities; utility installations.

4 What is prohibited?

Any development not included in Item 2 or 3.

[3] Clause 32 Specific developments

Insert at the end of the Table to the clause:

5 Development at Seven Mile Beach, The Lakes Way, Forster

- (1) This clause applies to Part Lots 103, 142 and 178 DP 753168 at The Lakes Way, Forsters as shown edged heavy black on the map marked "Great Lakes Local Environment Plan 1996 (Amendment No 45)".
- (2) The Council must not grant consent to development on land to which this clause applies unless the gross floor area (excluding pedestrian walkways, colonnades, balconies, decks and carparks) of all buildings on the land proposed to be used for shops and commercial premises will not exceed 1,000 square metres.
- (3) The Council may grant consent to the subdivision of the land only if the Council is satisfied that:
 - (a) adequate measures are to be implemented to achieve the preservation and management of biological diversity on, and ecological integrity of, the land, and
 - (b) adequate measures are to be implemented to achieve the protection and management of significant habitat, including that used by threatened species, for conservation purposes, and
 - (c) adequate measures are to be implemented to facilitate fauna movement within and through the land, and
 - (d) adequate measures are to be implemented to protect the land from bush fire while not unreasonably compromising the ecological values of the land, and
 - (e) adequate controls are to be implemented that:
 - (i) ensure that the buildings on each lot respect the natural features of the land by utilising designs that minimise tree removal and by the use of colours and materials that reflect the surrounding environment, and

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- (ii) reflect a unified design theme for the land whilst providing for differences in character on a precinct basis, and
 - (f) mechanisms are in place (including funding, monitoring, and auditing mechanisms) to ensure the ongoing implementation and effectiveness of the measures and controls referred to in paragraphs (a)–(e).
 - (4) In considering whether to grant consent to development on the land to which this clause applies, the Council must have regard to the following:
 - (a) the capability of the land for the proposed development,
 - (b) the protection of significant vegetation and habitats,
 - (c) the facilitation of fauna movement within and through the land,
 - (d) the protection of the scenic attributes of the land,
 - (e) the protection of the development from bushfire while not unreasonably compromising the ecological values of the land,
 - (f) any controls that are in place in accordance with subclause (3) (e).
 - (5) Despite any other provision of this plan, the Council must not grant consent to any subdivision for residential purposes of the land to which this clause applies unless the Council is satisfied that any building to be erected on a lot created by the subdivision will comply with any controls that are in place in accordance with subclause (3) (e).

[4] Dictionary

Insert in alphabetical order:

Environmental protection works means works associated with the rehabilitation of land towards its natural state or any other work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like.

[5] Dictionary, definition of “Map”

Insert in appropriate order:

Great Lakes Local Environmental Plan 1996 (Amendment No 45)