



New South Wales

Maitland Local Environmental Plan 1993 (Amendment No 97)

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*. (NEW0006154/PC-1)

FRANK SARTOR, M.P.,
Minister for Planning

2008 No 174

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 97)

Maitland Local Environmental Plan 1993 (Amendment No 97)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 97)*.

2 Aims of plan

The aims of this plan are to rezone certain land at Morpeth as Zone 1 (b) Secondary Rural Land, Zone 1 (d) Rural Residential and Zone 2 (a) Residential under *Maitland Local Environmental Plan 1993* and to enable satisfactory arrangements to be made for State infrastructure as a consequence of the intensive development of the land.

3 Land to which plan applies

This plan applies to land being Lots 2 and 3, DP 841759, Morpeth, as shown edged heavy black on the map marked "Maitland Local Environmental Plan 1993 (Amendment No 97)" deposited in the office of Maitland City Council.

4 Amendment of Maitland Local Environmental Plan 1993

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

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*:

Maitland Local Environmental Plan 1993 (Amendment No 97)

[2] Clause 53 Aims of Part

Insert “, designated State public infrastructure” after “utility infrastructure” in clause 53 (b).

[3] Clause 55A

Insert after clause 55:

**55A Arrangements for designated State public infrastructure—
St John’s College site, Morpeth**

- (1) This clause applies to the land shown edged heavy black on the map marked “Maitland Local Environmental Plan 1993 (Amendment No 97)” deposited in the office of the Council.
- (2) Development consent must not be granted for the subdivision of land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that land.
- (3) In this clause:
designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:
 - (a) State and regional roads,
 - (b) bus interchanges and bus lanes,
 - (c) rail infrastructure and land,
 - (d) land required for regional open space,
 - (e) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).
- (4) Subclause (2) does not apply to:
 - (a) any lot identified in the certificate as a residue lot, or

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Schedule 1 Amendments

- (b) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose, or
 - (c) a subdivision for the purpose only of rectifying an encroachment on any existing lot.
- (5) *State Environmental Planning Policy No 1—Development Standards* does not apply to development for the purposes of subdivision on land to which this clause applies.
- (6) Clauses 56 and 57 apply to land to which this clause applies in the same way as they apply to land within an urban release area.

BY AUTHORITY
