



New South Wales

Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)

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*. (NEW0005268/PC-1)

KRISTINA KENEALLY, MP
Minister for Planning

2009 No 223

Clause 1 Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)

Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)*.

2 Aims of plan

This plan aims to amend *Lake Macquarie Local Environmental Plan 2004* as follows:

- (a) to rezone land referred to in clause 3 (1) from Zone 7 (2) Conservation (Secondary) Zone and Zone 10 Investigation Zone to Zone 4 (2) Industrial (General) Zone, Zone 4 (3) Industrial (Urban Services) Zone, Zone 5 Infrastructure Zone and Zone 7 (1) Conservation (Primary) Zone to facilitate industrial development, bulky goods retailing, road widening and environmental conservation,
- (b) to rezone land referred to in clause 3 (2) from Zone 1 (1) Rural (Production) Zone and Zone 7 (2) Conservation (Secondary) Zone to Zone 4 (3) Industrial (Urban Services) Zone and Zone 7 (1) Conservation (Primary) Zone to facilitate light industrial development, bulky goods retailing and environmental conservation,
- (c) to require a development control plan to be prepared pursuant to section 74D of the *Environmental Planning and Assessment Act 1979* prior to development being carried out on land to which this plan applies.

3 Land to which plan applies

- (1) With respect to the aim set out in clause 2 (a), this plan applies to Lots 1, 2, 3, 4, 7, 9 and 11, DP 262159, Lots 11 and 12, DP 777034, Lots 1, 2, 3 and 5, DP 10720, Lots 35 and 37, DP 9632, and Lot 2, DP 529914, Morisset, as shown edged heavy black on the map marked "Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)" deposited in the office of the Council of the City of Lake Macquarie.

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- (2) With respect to the aim set out in clause 2 (b), this plan applies to Lot 36, DP 9632, Morisset, as shown edged heavy black on that map.
 - (3) With respect to the aim set out in clause 2 (c), this plan applies to the land referred to in subclauses (1) and (2).

2009 No 223

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Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

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[1] Schedule 8 Land subject to special development requirements

Insert at the end of Schedule 8, with an appropriate item number, in the columns headed “**Column 1**” and “**Column 2**”, respectively:

Land at Morisset, fronting Mandalong Road and Gimberts Road, being Lots 1, 2, 3, 4, 7, 9 and 11, DP 262159; Lots 11 and 12, DP 777034; Lots 1, 2, 3 and 5, DP 10720; Lots 35, 36 and 37, DP 9632, and Lot 2, DP 529914, as shown edged heavy black on the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)”.

Provisions in a development control plan specifically applying to the land, addressing the following matters, must have been adopted by the Council before consent is granted to the carrying out of any development on the land:

- (a) arrangements for water, wastewater and stormwater that minimize the impact of development on that part of the land in Zone 7 (1) Conservation (Primary) Zone,
- (b) measures to preserve native vegetation on that part of the land in Zone 7 (1) Conservation (Primary) Zone),
- (c) bush fire risk management measures,
- (d) arrangements for site access, having regard to general traffic, potential bus routes, heavy vehicles, cyclists and pedestrians,
- (e) measures to facilitate a native fauna crossing point in the section of Gimberts Road adjacent to Lot 4, DP 262159,
- (f) an assessment of the likely visual impact of future industrial development on the F3 Freeway and measures to mitigate any adverse impact,

- (g) a landscape master plan for that part of the land in Zone 4 (2) Industrial (General) Zone or Zone 4 (3) Industrial (Urban Services) Zone,
- (h) a street representation of proposed development fronting Mandalong Road.

[2] Dictionary

Insert in appropriate order in the definition of *the map*:

Lake Macquarie Local Environmental Plan 2004 (Amendment No 29)