



New South Wales

Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)

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*. (NEW0004631/PC)

KRISTINA KENEALLY, MP
Minister for Planning

2009 No 497

Clause 1 Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)

Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone 1 (1) Rural (Production) Zone and Zone 7 (2) Conservation (Secondary) Zone to Zone 2 (1) Residential Zone and Zone 7 (2) Conservation (Secondary) Zone, respectively, and
- (b) to require a development control plan to be prepared pursuant to section 74D of the *Environmental Planning and Assessment Act 1979* before development is carried out on land to which this plan applies, and
- (c) to include the land to which this plan applies in the definition of **urban release area** in clause 62 (8) of the *Lake Macquarie Local Environmental Plan 2004*,

so as to enable the development, subject to conservation and public infrastructure considerations, of approximately 250 lots.

3 Land to which plan applies

In so far as this plan:

- (a) rezones land to Zone 2 (1) Residential Zone, this plan applies to Lot 3, DP 228684, Part Lot 5001, DP 585398, Part Lot 1, DP 9149, Lots 2–24, DP 9149 and Part Lot 1, DP 134235, as shown edged heavy black and lettered “2 (1)” on Sheet 1 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)” deposited in the office of the Council of the City of Lake Macquarie, and
- (b) rezones land to Zone 7 (2) Conservation (Secondary) Zone, this plan applies to Part Lot 5001, DP 585398, Part Lot 1, DP 9149, and Part Lot 1, DP 134235, as shown edged heavy black and

lettered “7 (2)” on Sheet 1 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)” deposited in the office of the Council of the City of Lake Macquarie.

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Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)

Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

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[1] Clause 62 Public infrastructure in urban release areas

Omit paragraph (c) from the definition of *designated State public infrastructure* in clause 62 (8).

[2] Clause 62 (8)

Insert in appropriate order in the definition of *urban release area*:

Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)—Sheet 1

[3] Schedule 8 Land subject to special development requirements

Insert at the end of Schedule 8:

- | | | |
|---|--|--|
| 6 | Land at Dora Creek, being Lot 3, DP 228684, Lot 5001, DP 585398, Lots 1–24, DP 9149 and Lot 1, DP 134235, as shown edged heavy black on Sheet 1 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)” | A development control plan for the land must have been prepared before consent is granted for any development. The development control plan must include a structure plan for the site and provisions in respect of, but not limited to: |
| | | <ul style="list-style-type: none">(a) desired future character, and(b) preferred lot and dwelling types, and(c) subdivision and street design to reflect identified vistas, vegetated corridors and street tree planting, and(d) restoration and reuse of the existing homestead, and(e) pedestrian and cycleway links within the site and links to Dora Creek rail station and town centre, and(f) protection of environmentally sensitive areas and adjacent SEPP 14 wetland, and(g) location of suitable open space, and(h) traffic network, and |

- (i) built form controls (setbacks, fencing elements, building facades, articulation of corner dwellings etc), and
- (j) water sensitive urban design measures, and
- (k) preparation of Mosquito Management Plan, and
- (j) preparation of a Travel Demand Management Strategy.

[4] Dictionary

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

Lake Macquarie Local Environmental Plan 2004 (Amendment No 36)