



New South Wales

# Lake Macquarie Local Environmental Plan 2004 (Amendment No 39)

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*. (N08/00067/PC-1)

KRISTINA KENEALLY, MP  
Minister for Planning

## 2009 No 498

Clause 1 Lake Macquarie Local Environmental Plan 2004 (Amendment No 39)

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# Lake Macquarie Local Environmental Plan 2004 (Amendment No 39)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Plan

This Plan is *Lake Macquarie Local Environmental Plan 2004 (Amendment No 39)*.

### 2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

### 3 Aims of Plan

This Plan aims to amend *Lake Macquarie Local Environmental Plan 2004 (the Principal Plan)*:

- (a) to remove (by way of mapping amendments) the requirement for Lake Macquarie City Council to acquire the land to which this Plan applies for community purposes under clause 55 of the Principal Plan, without changing the zoning of the land (except as provided for in paragraphs (b)–(d)), and
- (b) to rezone part of the land to Zone 2 (1) Residential Zone, and
- (c) to rezone part of the land to Zone 2 (2) Residential (Urban Living) Zone, and
- (d) to rezone part of the land to Zone 7 (3) Environmental (General) Zone.

### 4 Land to which Plan applies

- (1) With respect to the aim set out in clause 3 (a), this Plan applies to certain land around the foreshores of Lake Macquarie and its tributaries at Morisset Park, Brightwaters, Belmont, Bolton Point, Buttaba, Dora Creek, Morisset, Fassifern, Marks Point, Speers Point, Toronto, Wangi Wangi and Wyee, as shown edged heavy black and distinctively lettered on Sheets 1–18 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 39)” deposited in the office of Lake Macquarie City Council. (The zone lettering on Sheets 1, 3–5, 9, 12, 13 (in respect of Zone 6 (2)), 14 and 16–18 relates to the existing zoning of the land edged heavy black on those sheets.)

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- (2) With respect to the aim set out in clause 3 (b), this Plan applies to certain land at Brightwaters, Bolton Point, Buttaba, Fassifern and Toronto, as shown edged heavy black and lettered “2 (1)” on Sheets 2, 6, 7, 10, 13 and 15 of that map.
  - (3) With respect to the aim set out in clause 3 (c), this Plan applies to certain land at Marks Point, as shown edged heavy black and lettered “2 (2)” on Sheet 11 of that map.
  - (4) With respect to the aim set out in clause 3 (d), this Plan applies to certain land at Dora Creek, as shown edged heavy black and lettered “7 (3)” on Sheet 8 of that map.

**2009 No 498**

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Schedule 1      Amendment of Lake Macquarie Local Environmental Plan 2004

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Environmental Plan 2004**

**Dictionary**

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

Lake Macquarie Local Environmental Plan 2004 (Amendment  
No 39)