



New South Wales

Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)

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*. (N07/00092/PC-1)

TONY KELLY, MLC
Minister for Planning

2010 No 4

Clause 1 Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)

Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)*.

2 Commencement

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

3 Land to which Plan applies

This Plan applies to certain land in the City of Lake Macquarie, at Morisset, being:

- (a) land in the vicinity of Gimberts Road, Freemans Drive, Stockton and Eyre Streets, Goodwins Road and Coorumbung, Awaba, Wellings, Kahibah and Wyong Streets and a certain unnamed road, Morisset, as shown edged heavy black and lettered “1 (2)”, “2 (1)”, “2 (2)”, “3 (1)”, “6 (2)” or “7 (1)” on Sheet 1 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)” deposited in the office of Lake Macquarie City Council, and
- (b) land in the vicinity of Terrigal, Awaba and Wamberal Streets, Ettalong Road and a certain unnamed road, Morisset, as shown edged heavy black and lettered “2 (1)” on Sheet 2 of that map.

Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

[1] Clause 62 Public infrastructure in urban release areas

Insert in appropriate order in the definition of *urban release area* in clause 62 (8):

Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)

[2] Schedule 8 Land subject to special development requirements

Insert at the end of the Schedule, with an appropriate item number, under the headings “**Column 1**” and “**Column 2**”, respectively:

Land at Morisset, being:

- (a) land in the vicinity of Gimberts Road, Freemans Drive, Stockton and Eyre Streets, Goodwins Road and Coorumbung, Awaba, Wellings, Kahibah and Wyong Streets and a certain unnamed road, as shown edged heavy black and lettered “1 (2)”, “2 (1)”, “2 (2)”, “3 (1)”, “6 (2)” or “7 (1)” on Sheet 1 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)”, and

Provisions in a development control plan specifically applying to the land must have been prepared by the Council before consent is granted to the carrying out of any development on the land. The provisions are to include, but are not limited to, the following matters:

- (a) conceptual street layout, including pedestrian and cycle paths,
- (b) location and staging of stormwater management facilities, including detention basins, to minimise impact on land in Zone 7 (1) Conservation (Primary) Zone,

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- (b) land in the vicinity of Terrigal, Awaba and Wamberal Streets, Ettalong Road and a certain unnamed road, as shown edged heavy black and lettered “2 (1)” on Sheet 2 of that map.
- (c) location and staging of water and wastewater infrastructure, including mains and pump stations, to minimise impact on land in Zone 7 (1) Conservation (Primary) Zone,
- (d) preservation and management of native vegetation on that part of the land in Zone 7 (1) Conservation (Primary) Zone,
- (e) bushfire risk management,
- (f) detailed design parameters for road construction in a section of Awaba Street adjacent to Lot 75, DP 755242, to facilitate a native fauna crossing point,
- (g) a landscape master plan for residential areas,
- (h) overall staging of the development.

[3] Dictionary

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

Lake Macquarie Local Environmental Plan 2004 (Amendment No 41)