



New South Wales

Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)

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*. (NEW0006137/PC)

TOM GELLIBRAND
As delegate for the Minister for Planning

2010 No 512

Clause 1 Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)

Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)

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1 Name of Plan

This Plan is *Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)*.

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 land in the City of Lake Macquarie, being Part Lot 201, DP 805914, Lot 21, DP 251322, Lots 1–5, DP 233095, Lots 1 and 2, Sec A, DP 3655 and Lot 1, DP 213533, Boolaroo, as shown edged heavy black and lettered “2 (2)”, “3 (1)”, “3 (2)” and “4 (2)” on Sheet 1 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)” deposited in the office of the Council of the City of Lake Macquarie, and Lot 1, DP 523781, Boolaroo.

Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

[1] Schedule 7 Additional development allowed on certain land

Insert at the end of Schedule 7 (before the note), with an appropriate item number, in the columns headed “**Column 1**” and “**Column 2**”, respectively:

Land at the former Pasminco Cockle Creek Smelter site off Main Road, Boolaroo, being Part Lot 201, DP 805914 and Lot 21, DP 251322, as shown edged heavy black and lettered “2 (2)” on the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)”.	Subdivision into lots, each with an area of not less than 450 square metres, and the erection of a dwelling house on each lot so created.
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[2] 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 the former Pasminco Cockle Creek Smelter site off Main Road, Boolaroo, being Part Lot 201, DP 805914 and Lot 21, DP 251322, as shown edged heavy black and lettered “2 (2)” and “3 (2)” on the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)”.	<p>A development control plan must have been approved by the Council before consent is granted to the carrying out of any development on the land.</p> <p>The development control plan must address, to the satisfaction of the Council, the following matters:</p> <ul style="list-style-type: none">(a) site access and mobility,(b) connectivity (for vehicles, pedestrians and cyclists) with adjoining areas,(c) urban design outcomes,(d) maximum floor space ratios for commercial areas,(e) noise attenuation,(f) heritage conservation and interpretation,(g) management of open space,(h) landscaping,
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Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

- (i) the public domain,
- (j) stormwater management,
- (k) the visual impact of the proposed development.

Despite any other provision of this Plan, the requirement for a development control plan specified in this item does not apply in relation to the determination of a development application that was made, but not finally determined, before the commencement of *Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)*.

[3] Schedule 9 Consent to development subject to special requirements

Insert at the end of Schedule 9, with an appropriate item number, in the columns headed “**Column 1**” and “**Column 2**”, respectively:

Land at the former Pasminco Cockle Creek Smelter site off Main Road, Boolaroo, being Lot 201, DP 805914, Lot 21, DP 251322 and Lot 1, DP 523781.

Provision for future vehicle access from Munibung Road, Cardiff, through to TC Frith Avenue, Boolaroo.

There must be no significant land use conflicts between the proposed development and the ongoing remediation of the remainder of the site.

[4] Dictionary

Insert in appropriate order in the definition of *the map* in the Dictionary the following words:

Lake Macquarie Local Environmental Plan 2004 (Amendment No 21)—Sheet 1