



New South Wales

# **Newcastle Local Environmental Plan 2012 (Amendment No 19)**

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*.

**MONICA GIBSON**

As delegate for the Minister for Planning

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### **1 Name of Plan**

This Plan is *Newcastle Local Environmental Plan 2012 (Amendment No 19)*.

### **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 Zone R4 High Density Residential under *Newcastle Local Environmental Plan 2012*.

### **4 Amendment of Newcastle Local Environmental Plan 2012**

#### **Clause 6.4**

Omit the clause. Insert instead:

#### **6.4 Land in Zone R4 High Density Residential**

- (1) The objectives of this clause are:
  - (a) to achieve a reasonable proportion of residential accommodation within new mixed use development in Zone R4 High Density Residential, and
  - (b) to encourage the refurbishment of existing buildings in Zone R4 High Density Residential in the Newcastle City Centre by excluding the Newcastle City Centre from the requirements of this clause.
- (2) This clause applies to development on land in Zone R4 High Density Residential that is development for the purposes of:
  - (a) the erection of a building (excluding alterations or additions to an existing building) for use as business premises, food and drink premises or office premises, or
  - (b) a change of use of a building for use as business premises, food and drink premises or office premises.
- (3) Despite any other provision of this Plan, the consent authority must not grant development consent for development to which this clause applies unless it is satisfied that the development includes residential accommodation and the residential accommodation comprises at least 75% of the gross floor area of the building.
- (4) This clause does not apply to land in Newcastle City Centre.