



New South Wales

Lake Macquarie Local Environmental Plan 2014 (Amendment No 50)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

MORVEN CAMERON, CHIEF EXECUTIVE OFFICER
LAKE MACQUARIE CITY COUNCIL
As delegate for the local plan-making authority

Lake Macquarie Local Environmental Plan 2014 (Amendment No 50)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lake Macquarie Local Environmental Plan 2014 (Amendment No 50)*.

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 to which *Lake Macquarie Local Environmental Plan 2014* applies.

4 Maps

The maps adopted by *Lake Macquarie Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2014

[1] Clause 2.1 Land use zones

Insert “R4 High Density Residential” in appropriate order under the heading **Residential Zones**.

[2] Land Use Table

Insert in appropriate order—

Zone R4 High Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental protection works; Health services facilities; Home businesses; Markets; Multi dwelling housing; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Seniors housing; Shop top housing; Take-away food and drink premises; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Tank-based aquaculture; Any other development not specified in item 2 or 3

[3] Clause 7.10 Residential development in certain employment and mixed use zones

Omit clause 7.10(7). Insert instead—

- (7) Subclause (6) does not apply to land identified as “Charlestown strategic economic centre” on the Economic Centre Map.

[4] Clause 7.16 Development on certain land at Trinity Point, Morisset Park

Omit clause 7.16(5) and the note.

[5] Part 7 Additional local provisions

Insert at the end of the part, with appropriate clause numbering—

Active street frontages

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages.
- (2) This clause applies to land identified as “Active street frontage” on the Active Frontages Map.
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on the land unless the consent authority is satisfied the building will have an active street frontage.
- (4) An active street frontage is not required for a part of a building used for one or more of the following—
 - (a) entrances and lobbies, including as part of mixed use development,
 - (b) access for fire services,
 - (c) electrical services,
 - (d) vehicular access.

Exception to maximum height of buildings in Charlestown strategic economic centre

- (1) The objectives of this clause are as follows—
 - (a) to encourage consolidation of certain land in the Charlestown city centre,
 - (b) to encourage the provision of pedestrian walkways.
- (2) The height of a building on land identified as “Area 1” on the Height of Buildings Map may exceed the maximum height shown for the land on the Height of Buildings Map by up to 7m if—
 - (a) the lot is at least 1,600m², and
 - (b) the building has a street frontage of at least 20m.
- (3) The height of a building on land identified as “Area 2” on the Height of Buildings Map may exceed the maximum height shown for the land on the Height of Buildings Map by up to 10m if the consent authority is satisfied that the development will include an open pedestrian laneway, at least 6m wide, between Pearson Street and Charlestown Road, Charlestown.

[6] Dictionary

Insert in alphabetical order—

Active Frontages Map means the Lake Macquarie Local Environmental Plan 2014 Active Frontages Map.

active street frontage means a street frontage that enables direct visual and physical contact between the street and the interior of the building.

Note— Clearly defined entrances, windows and shop fronts are elements of a building facade that contribute to an active street frontage.

Economic Centre Map means the Lake Macquarie Local Environmental Plan 2014 Economic Centre Map.