



New South Wales

# **Lake Macquarie Local Environmental Plan 2014 (Amendment No 55)**

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*.

**DANIEL THOMPSON**

As delegate for the Minister for Planning and Public Spaces

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### **1 Name of plan**

This plan is *Lake Macquarie Local Environmental Plan 2014 (Amendment No 55)*.

### **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] Part 7 Additional local provisions**

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

#### **Design excellence for development on key sites**

- (1) The objective of this clause is to ensure that development on land to which this clause applies exhibits design excellence that will contribute to the natural, cultural, visual and built character of the Lake Macquarie local government area.
- (2) This clause applies to land identified as a “Key Site” on the Design Excellence Map.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority—
  - (a) has considered—
    - (i) the desired future character of the area, and
    - (ii) for development in a coastal zone—the NSW Coastal Design Guidelines published by the Department in October 2023, and
  - (b) is satisfied that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must consider the following—
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (c) whether the development detrimentally impacts view corridors,
  - (d) whether the development provides for active frontages to key streets and pedestrian thoroughfares,
  - (e) how the development addresses the following matters—
    - (i) the suitability of the land for development,
    - (ii) existing and proposed uses and use mix,
    - (iii) heritage issues and streetscape constraints,
    - (iv) the relationship of the development to other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
    - (v) the bulk, massing and modulation of buildings,
    - (vi) street frontage heights,
    - (vii) environmental impacts, including overshadowing, solar access, wind and reflectivity,
    - (viii) the achievement of the principles of ecologically sustainable development,
    - (ix) pedestrian, cycle, vehicular and service access and circulation requirements,
    - (x) the impact on, and proposed improvements to, the public domain.
- (5) This clause does not apply to development that the consent authority considers to be minor.

**[2] Dictionary**

Insert in alphabetical order—

*Design Excellence Map* means the Lake Macquarie Local Environmental Plan 2014 Design Excellence Map.