



New South Wales

Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

TOM GELLIBRAND

As delegate for the Minister for Planning and Infrastructure

2012 No 11

Clause 1 Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)

Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)*.

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 the following land:

- (a) the land shown edged heavy black on Sheets 1–11 of the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)” deposited in the office of Lake Macquarie City Council,
- (b) the land referred to in Schedule 1 [1]–[15].

Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

[1] Schedule 4 Heritage items other than of indigenous origins and including potential archaeological sites

Insert before the matter relating to item AW-05 in Part 1:

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
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[2] Schedule 4, Part 1, item BS-02

Insert after the matter relating to Belmont North:

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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[3] Schedule 4, Part 1, item CH-27

Omit the property description. Insert instead "Lot 223, DP 1102989".

[4] Schedule 4, Part 1, item CH-34

Insert after the matter relating to item CH-32:

CH-34	S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670
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[5] Schedule 4, Part 1, item CB-01

Omit the address. Insert instead "154 Mannings Rd".

[6] Schedule 4, Part 1, item DC-04

Insert after the matter relating to item DC-03:

DC-04	L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
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Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

[7] Schedule 4, Part 1, item DL-02

Insert after the matter relating to item DL-01:

DL-02	L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
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[8] Schedule 4, Part 1, item ER-01

Omit the addresses and property descriptions. Insert instead:

268 Rocky Point Rd, Eraring	Lot 11, DP 1050120
294 Rocky Point Rd, Eraring	Lot 10, DP 1050120
115 Construction Rd, Myuna Bay	Lot 50, DP 840671
215 Construction Rd, Myuna Bay	Lot 20, DP 840668
235 Construction Rd, Myuna Bay	Lot 211, DP 840670
260 Construction Rd, Myuna Bay	Lot 51, DP 840671

[9] Schedule 4, Part 1, item HV-25

Insert after the matter relating to item HV-24:

HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
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[10] Schedule 4, Part 1, item MV-08

Insert after the matter relating to item MV-04:

MV-08	L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329
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[11] Schedule 4, Part 1, item RM-00

Insert before the matter relating to item RM-01:

RM-00	S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circlet, Rosemary Row and Overhill Rd	Lots 37–49, Pt Lot 50 and Pt Lot 51, DP 11537 Lot 4, DP 704472 Lot 1, DP 226530 Lot 1, DP 226531 Lot 1, DP 226532 Lot 1, DP 226533 Lot 1, DP 226534 Lot 7, DP 516152 Lot 60, DP 584602 Lots 62–64, DP 596913 Lots 648 and 654, DP 806611
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[12] Schedule 4, Part 1, item RH-08

Insert after the matter relating to item RH-07:

RH-08	L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233
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Schedule 1 Amendment of Lake Macquarie Local Environmental Plan 2004

[13] Schedule 4, Part 1, items TA-18 and TA-25

Insert after the matter relating to item TA-17:

TA-18	L	Former Co-operative Store	75 York St	Lot 18, DP 1158353
TA-25	L	St Hilda's Church	16 York St	Lot 4, DP 1128610

[14] Schedule 4, Part 1, item TT-06

Omit the property description. Insert instead "Lot 1, DP 1108227".

[15] Schedule 7 Additional development allowed on certain land

Omit item 8 (relating to land described as Lot 16, DP 28068, Hillcrest Road, Mirrabooka).

[16] Schedule 8 Land subject to special development requirements

Omit from Column 1 the matter relating to item 1. Insert instead:

Land at Buttaba, being Lots 529–534, 536–551, 554–557, 571–607, 660–675 and 677–701, part of Pt Lot 703, Lots 714–723 and 757–759, DP 12507, Lot 7022, DP 584905, Lot 1, DP 727939, Lot 1, DP 1039389, part of Lot 101, DP 1125604 and part of Lot 102, DP 1128515, as shown edged heavy black on Sheet 11 of the map marked "Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)".

[17] Dictionary

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

Lake Macquarie Local Environmental Plan 2004 (Amendment No 52)—Sheets 1–11