



New South Wales

Lake Macquarie Local Environmental Plan 2014 (Amendment No 54)

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*.

CRAIG DISS

As delegate for the Minister for Planning and Public Spaces

Lake Macquarie Local Environmental Plan 2014 (Amendment No 54)

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1 Name of plan

This plan is *Lake Macquarie Local Environmental Plan 2014 (Amendment No 54)*.

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 4.1A Exceptions to minimum subdivision lot size for certain residential development

Omit clause 4.1A(3) and (4). Insert instead—

- (3) Despite clauses 4.1 and 4.1AA, development consent may be granted to development on land in Zone R2 Low Density Residential that includes the subdivision of land into 3 or more lots if—
 - (a) each lot has frontage to a road and is at least 300m² and not more than 450m², and
 - (b) the consent authority is satisfied—
 - (i) a dwelling house or semi-detached dwelling could be appropriately located on each lot, or
 - (ii) the subdivision is consistent with a development control plan prepared for the site.
- (4) Despite clauses 4.1 and 4.1AA, development consent may be granted to development on land in Zone R3 Medium Density Residential that includes the subdivision of land into 3 or more lots if—
 - (a) each lot has frontage to a road and is not more than 450m², and
 - (b) the consent authority is satisfied—
 - (i) for each lot that is at least 200m²—a dwelling house or attached dwelling could be appropriately located on the lot, and
 - (ii) for each lot that is less than 200m²—a dwelling house or attached dwelling will be erected on the lot.
- (4A) Subclause (4)(b) does not apply if the consent authority is satisfied the subdivision is consistent with a development control plan prepared for the site.

[2] Schedule 1 Additional permitted uses

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

Use of certain land in Lake Macquarie local government area

- (1) This clause applies to land identified as “A” on the Additional Permitted Uses Map.
- (2) Development for the purposes of dual occupancies is permitted with development consent.