



## PARLIAMENTARY COUNSEL

---

### *Opinion*

Environmental Planning and Assessment Act 1979  
Proposed Lake Macquarie Local Environmental Plan 2014 (Amendment No 28)

Your ref: Samantha Hardie PP\_2017\_LAKEM\_002\_00  
Our ref: FHG e2017-248.d05

---

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri', with a stylized flourish.

(D COLAGIURI)  
Parliamentary Counsel  
29 September 2017



New South Wales

## Lake Macquarie Local Environmental Plan 2014 (Amendment No 28)

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*.

Minister for Planning

*Morven Cameron*

*10/10/17*

*Morven Cameron, Chief Executive Officer  
Lake Macquarie City Council  
as delegate for the Minister of Planning*

## **Lake Macquarie Local Environmental Plan 2014 (Amendment No 28)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Lake Macquarie Local Environmental Plan 2014 (Amendment No 28)*.

### **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 certain land in Argenton, Awaba, Blackalls Park, Boolaroo, Catherine Hill Bay, Charlestown, Freemans Waterhole, Holmesville, Marks Point, Morisset, Nords Wharf, Swansea Heads, Teralba, Tingira Heights, Wangi Wangi and West Wallsend.

### **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 Minister on the making of this Plan.

## **Schedule 1      Amendment of Lake Macquarie Local Environmental Plan 2014**

**[1]      Schedule 5 Environmental heritage**

Omit “475–477 Lake Road” from the matter relating to item no 1 in Part 1.  
Insert instead “475 and 477 Lake Road”.

**[2]      Schedule 5, Part 1, item no 249**

Insert in appropriate order:

Argenton	Headframe from West Wallsend (No 1) Colliery	531A Lake Road	Lot 3, DP 577566	Local	249
----------	--	----------------	------------------	-------	-----

**[3]      Schedule 5, Part 1, item no 24**

Insert “48” before “Lakeview Road”.

**[4]      Schedule 5, Part 1, item no 42**

Omit the item. Insert instead:

Catherine Hill Bay	Cottages	3, 5, 7 and 9 Clarke Street	Lots 84, 85, 86 and 87, DP 222717	Local	42
--------------------	----------	-----------------------------	-----------------------------------	-------	----

**[5]      Schedule 5, Part 1, item no 45**

Omit “19–21 Clarke Street”. Insert instead “19 and 21 Clarke Street”.

**[6]      Schedule 5, Part 1, item no 59**

Omit the item. Insert instead:

Charlestown	Miners’ cottages	300, 304, 306 and 308 Charlestown Road	Lots 2, 4 and 6, DP 33470	Local	59
-------------	------------------	--	---------------------------	-------	----

**[7]      Schedule 5, Part 1, item no 97**

Omit the item.

**[8]      Schedule 5, Part 1, item no 241**

Omit “29 Helens Street”. Insert instead “29 St Helen Street”.

**[9]      Schedule 5, Part 1, item no 229**

Omit “Lot 1, DP 124241”. Insert instead “Lot 12, DP 1213011”.

**[10]      Schedule 5, Part 1, item nos 117, 159 and 163**

Omit the items. Insert in appropriate order:

Morisset	Morisset High School	133 Bridge Street	Lot 3, Section 40, DP 758707	Local	117
Swansea Heads	Coast guard station	2b Wallsend Street	Lot 548, DP 39981	Local	159

Teralba	Teralba Cemetery Billygoat Hill	62 and 64 Pitt Street, 16 Cockle Crescent	Lots 429, 430 and 441, DP 1228495	Local	163
---------	---------------------------------	---	-----------------------------------	-------	-----

**[11] Schedule 5, Part 1, item no 191**

Omit "Lots 2–6, DP 810981".

Insert instead "Lots 2, 3, 4 and 6, DP 810981; Lots 1, 2, 3 and 4, DP 1229937".

**[12] Schedule 5, Part 1, item no 209**

Omit the item. Insert instead:

West Wallsend	Catholic Church and convent	5 and 7 Hyndes Street	Lots 1 and 2, DP 1230885	Local	209
---------------	-----------------------------	-----------------------	--------------------------	-------	-----

**[13] Schedule 5, Part 3, item no A1**

Omit "Within rail corridor". Insert instead "Part of Lot 1, DP 1191531".

**[14] Schedule 5, Part 3, item no A3**

Omit the item.

**[15] Schedule 5, Part 3, item no A10**

Omit the item. Insert in appropriate order:

Tingira Heights	Nature reserve and permian fossil insect horizon	Burton Road	Lot 180, DP 755233 and an area of land shown with a heavy black broken line from Belmont to Warners Bay depicted on a map dated 1949, prepared by O Le M Knight, titled <i>Permian Fossil Insect Horizon Belmont—Warner's Bay</i> (included at the end of an article by Mr Knight published in <i>Records of the Australian Museum</i> , 22 (3): 251–253, 27 January 1950)	Local	A10
-----------------	--	-------------	--	-------	-----