

LAKE MACQUARIE C.C. RUN 10 M2029 AERIAL PHOTO 1:16000 2565m ASL 152.76mm 29-5-96 NSW4309 137



NSW4309 (M2029)
LAKE MACQUARIE CITY COUNCIL

RUN 10
152.76mm
137-159

2565m ASL.
29-5-96

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23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78748
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: Lot 1 DP 1109558 Main Road, AWABA NSW 2283
Lot Details: Lot 1 DP 1109558
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

(a) Division 2 of Part 3 of the Roads Act 1993.

No

(b) any environmental planning instrument.

No

(c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
- (ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Public School

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02 L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South			
BR-04 L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01 L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05 L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay			
BR-06 L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03 L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16 L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04 L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul				CH-05 L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01 L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06 L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02 L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07 L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03 L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08 L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf				CH-10 L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01 L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12 L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff				CH-14 L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01 L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17 L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02 L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19 L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04 L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21 L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05 L	House	6 Michael St	Lot 1, DP 214463				
CF-08 L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186				
CF-09 L	House	309 Main Rd	Pt Lot 34, DP 755233				
CF-15 L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805				
CF-16 L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143				
CF-17 L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203				

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
					Little Pelican				
					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L		The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L		Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L		Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-03 L		Shop	10 Anzac Pde	Lot 1, DP 999965
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-08 L		House "Moria"	59 York St	Lot 17, DP 816302
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-09 L		Teralba Public School	57 York St	Lot 2, DP 795123
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-10 L		Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-11 L		House "AS"	101 Railway St	Lot 261, DP 554269
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-12 L		Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-13 L		Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-16 L		Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-17 L		Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-18 L		Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-25 L		St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-26 L	House	141 Main Rd	Lot 1, DP 368588		Toronto			
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-01 L		House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-06 L		House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-08 L		Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-09 L		Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238					
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78734
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 44 Awaba Road, ERARING NSW 2264
Lot Details: Lot 1 DP 621697
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 14 – Coastal Wetlands

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport

- terminals; utility installations; warehouses; waste management and/or recycling facilities
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)
- (i) The identity of the zone applying to the land.
7(1) Conservation (Primary) Zone
under Lake Macquarie Local Environmental Plan 2004
- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 1
- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.
bed and breakfast accommodation; drainage; dwelling houses; earthworks; environmental facilities; home businesses; home industries; roads; signs; stormwater management facilities; utility installations
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Specified in Attachment B - Schedule 2.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.
SP 2 Infrastructure
under Draft Lake Macquarie Local Environmental Plan 2013
- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 2
- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.
Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads
- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes
- (e) Whether an item of environmental heritage (however described) is situated on the land.
No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
No
- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
					Little Pelican				
					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

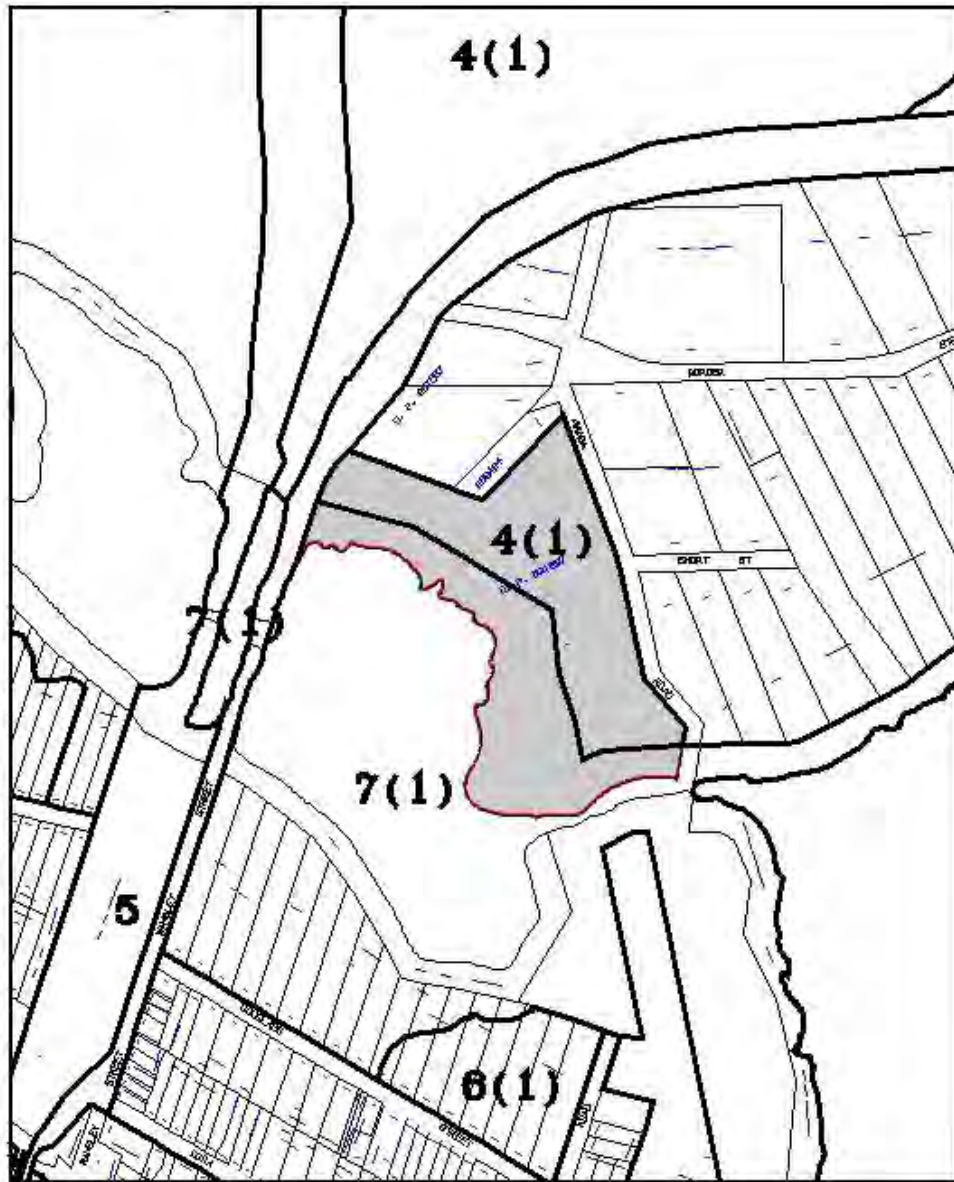
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map

149 Cert. No.: 78734



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Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78739
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 140 Stingaree Point Drive, DORA CREEK NSW 2264
Lot Details: Lot 1 DP 816174
Parish: Morisset
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 14 – Coastal Wetlands

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport

- terminals; utility installations; warehouses; waste management and/or recycling facilities
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)
- (i) The identity of the zone applying to the land.
7(1) Conservation (Primary) Zone
under Lake Macquarie Local Environmental Plan 2004
- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 1
- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.
bed and breakfast accommodation; drainage; dwelling houses; earthworks; environmental facilities; home businesses; home industries; roads; signs; stormwater management facilities; utility installations
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Specified in Attachment B - Schedule 2.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.
SP 2 Infrastructure
under Draft Lake Macquarie Local Environmental Plan 2013
- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 2
- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.
Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads
- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes
- (e) Whether an item of environmental heritage (however described) is situated on the land.
No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
No
- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

26 Foreshore Building Line

A foreshore building line applies to this property. Information on the extent of this affectation is available by contacting the Development Assessment & Compliance Division.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl	Lot 38, DP 827464
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494				180 Macquarie Rd	Lot 17, DP 727746
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	Catherine Hill Bay				
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
Booragul					CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
Cams Wharf					CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
Cardiff					CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-05	L	House	6 Michael St	Lot 1, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corrumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840		German Mortar)		
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493	Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233	Swansea Heads			
Speers Point				SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-04 L	House	8 Council St	Lot 1, DP 521920	Teralba			
SP-08 L	House	18 Alley St	Lot 11, DP 525378	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	Toronto			
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063				
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238				
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238				

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

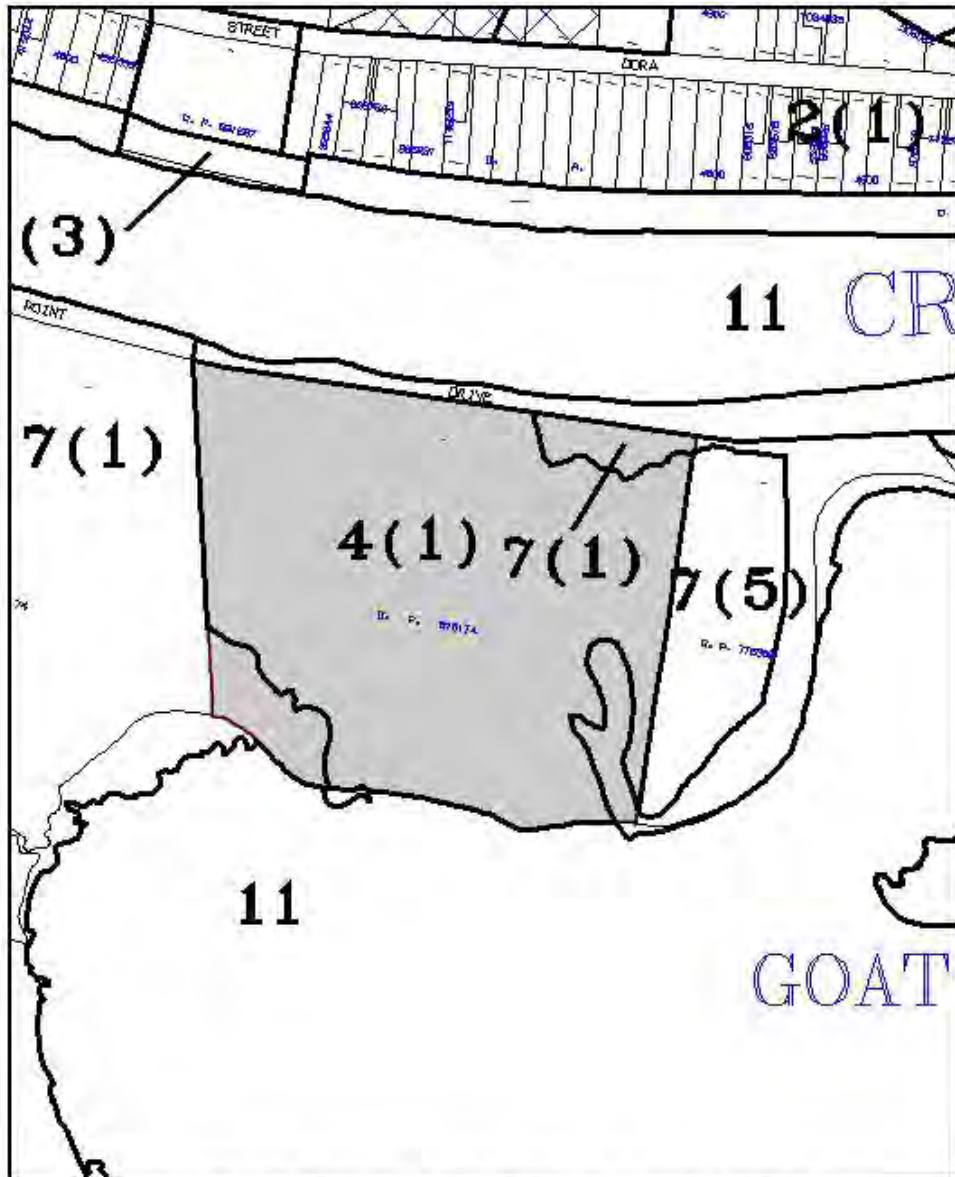
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map

149 Cert. No.: 78739



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Not to
Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78740
Your Ref:
JODIE:11632
ABN 81 065 027 868

SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 309 Construction Road, AWABA NSW 2283
Lot Details: Lot 1 DP 817425
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

(d) Whether the land is in a conservation area (however described).

No

(e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:
dwelling lot means a lot that:
 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:
width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
-------	---	----------------------	-------------	-----------------

BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
-------	---	---------------------	-------------	---------------

Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
----	---	--	-----------------	--

Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
---------	--------------	------	---------	----------------------

LM-01	L	Pulbah Island		
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
---------	--------------	------	---------	----------------------

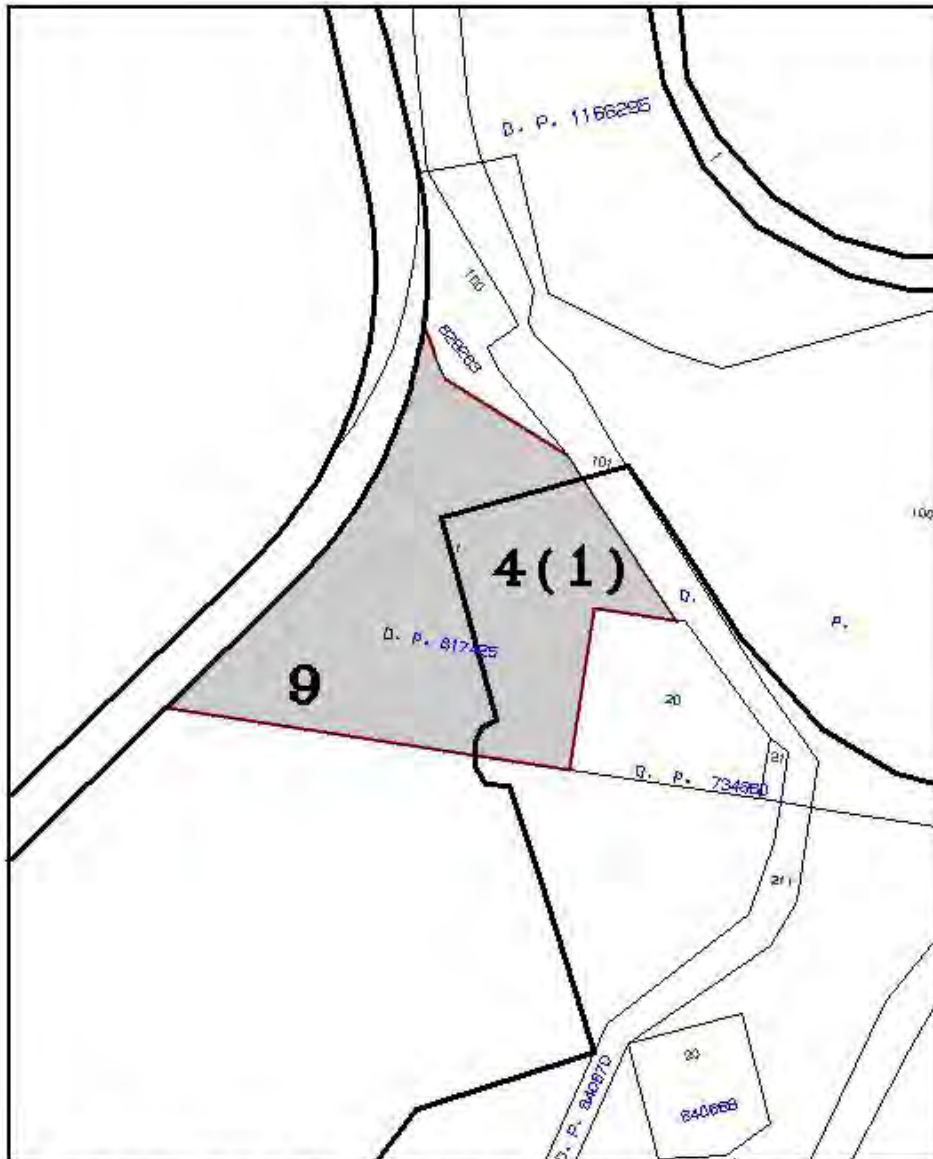
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register
--	---------	--	--	--

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
---------	--------------	------	---------	----------------------

	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council
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ATTACHMENT D:



**LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map**

149 Cert. No.: 78740



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Land and Property Information NSW

Printed: 23-05-2013
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Not to
Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78741
Your Ref:
JODIE:11632
ABN 81 065 027 868

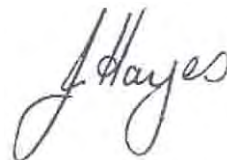
**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 263 Construction Road, AWABA NSW 2283
Lot Details: Lot 100 DP 828283
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Temporary Structures) 2007

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)
- (i) The identity of the zone applying to the land.
9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004
- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 1
- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.
agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Specified in Attachment B - Schedule 2.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

(d) Whether the land is in a conservation area (however described).

No

(e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
					Little Pelican				
					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery— potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

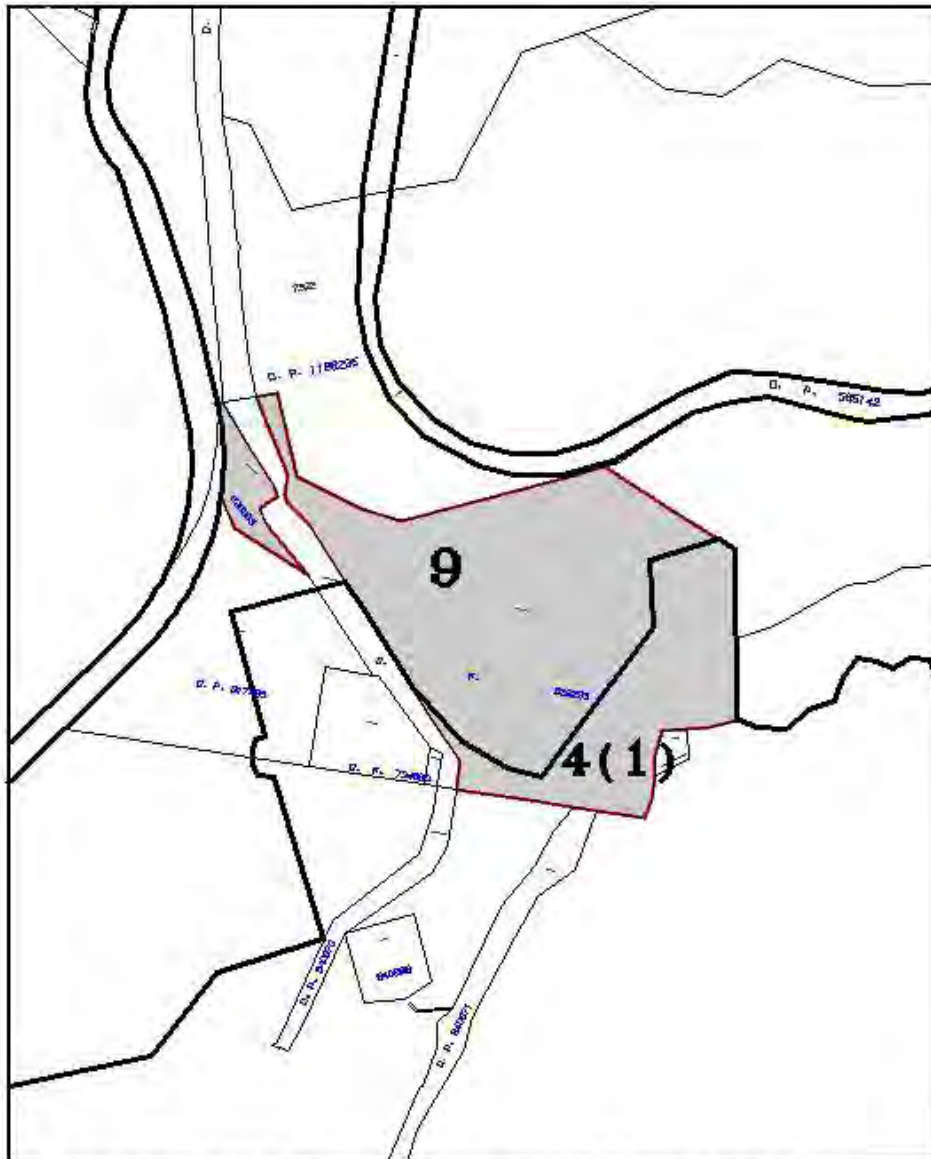
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



**LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map**

149 Cert. No.: 78741



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Not to
Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78742
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 271 Construction Road, AWABA NSW 2283
Lot Details: Lot 101 DP 828283
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Temporary Structures) 2007

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)
- (i) The identity of the zone applying to the land.
9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004
- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 1
- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.
agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Specified in Attachment B - Schedule 2.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

(d) Whether the land is in a conservation area (however described).

No

(e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
Edgeworth					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Eraring					Little Pelican				
Fassifern					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
Freemans Waterhole					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840		German Mortar)		
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493				
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233				
Speers Point				Swansea Heads			
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378				
SP-09 L	House	37 Alley St	Lot 1, DP 587774				
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	Teralba			
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	Toronto			
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

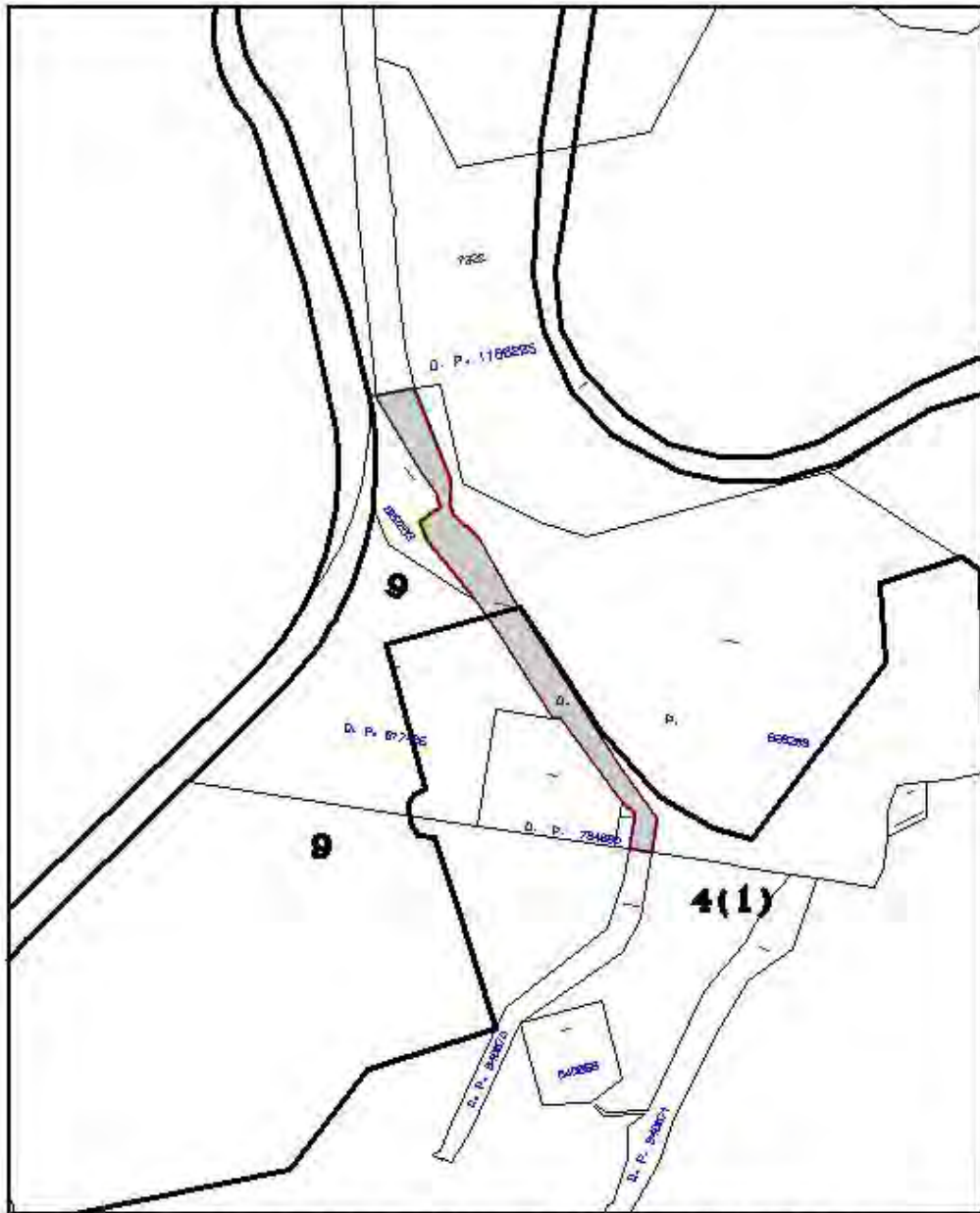
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



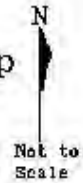
**LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map**

149 Cert. No.: 78742



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23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78746
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 268 Rocky Point Road, ERARING NSW 2264
Lot Details: Lot 11 DP 1050120
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Temporary Structures) 2007

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

7(2) Conservation (Secondary) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

bed and breakfast accommodation; community facilities; drainage; dual occupancies—attached; dwelling houses; earthworks; eco-tourism facilities; emergency services facilities; environmental facilities; home businesses; home industries; roads; roadside stalls; signs; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land

dimensions for the erection of a dwelling house.

Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

Yes

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within an environmentally sensitive area being land within 100 metres of

State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the

meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that

have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an

approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Public School

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

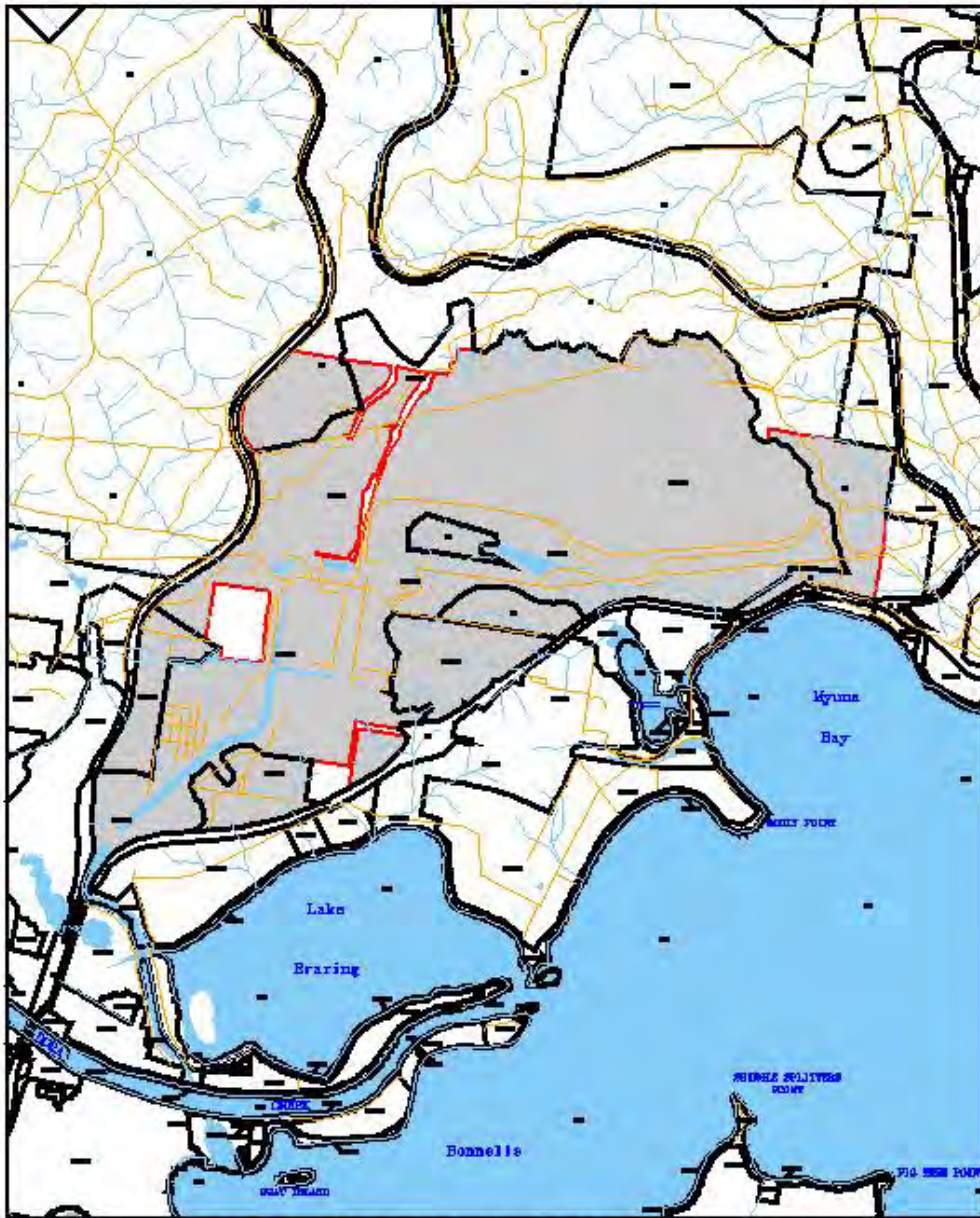
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map

149 Cert. No.: 78746



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Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78733
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 10 Rocky Point Road, ERARING NSW 2264
Lot Details: Lot 1612 DP 587100
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

- 1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

- 2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
- (ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840		German Mortar)		
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493	Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233	Swansea Heads			
Speers Point							
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378				
SP-09 L	House	37 Alley St	Lot 1, DP 587774	Teralba			
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238				

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78725
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 34 Cross Street, ERARING NSW 2264
Lot Details: Lot 19 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

- 1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

- 2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
- (ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development

(Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840				German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea		
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads		
Speers Point				SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-04 L	House	8 Council St	Lot 1, DP 521920		Teralba		
SP-08 L	House	18 Alley St	Lot 11, DP 525378	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700		Toronto		
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063				
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238				
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238				

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78747
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: Lot 2 DP 1109558 Main Road, AWABA NSW 2283
Lot Details: Lot 2 DP 1109558
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
(a) battle-axe lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m,
(iii) minimum width of battle-axe access handle—9m,
(iv) maximum number of battle-axe lots sharing a single access handle—2,
(b) other irregular lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
(a) minimum area—1,500m²,
(b) minimum width—25m.
- (2) Irregular lot:
(a) battle-axe lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m,
(iii) minimum width of battle-axe access handle—9m,
(iv) maximum number of battle-axe lots sharing a single access handle—2,
(b) other irregular lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
(a) minimum width—40m,
(b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—40ha.
- (2) Community development lots:
(a) minimum area—1,000m²,
(b) maximum area—2,500m²,
(c) maximum density (excluding community property)—1 lot per 10ha,
(d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
(e) all remaining land must be community property under the control of the community association,
(f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:
dwelling lot means a lot that:
 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:
width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L		The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L		Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L		Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-03 L		Shop	10 Anzac Pde	Lot 1, DP 999965
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-08 L		House "Moria"	59 York St	Lot 17, DP 816302
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-09 L		Teralba Public School	57 York St	Lot 2, DP 795123
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-10 L		Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-11 L		House "AS"	101 Railway St	Lot 261, DP 554269
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-12 L		Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-13 L		Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-16 L		Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-17 L		Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-18 L		Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-25 L		St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-26 L	House	141 Main Rd	Lot 1, DP 368588		Toronto			
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-01 L		House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-06 L		House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-08 L		Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-09 L		Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238					
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery— potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78735
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 55 Dora Street, DORA CREEK NSW 2264
Lot Details: Lot 2 DP 621697
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 14 – Coastal Wetlands

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport

- terminals; utility installations; warehouses; waste management and/or recycling facilities
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)
- (i) The identity of the zone applying to the land.
7(1) Conservation (Primary) Zone
under Lake Macquarie Local Environmental Plan 2004
- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 1
- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.
bed and breakfast accommodation; drainage; dwelling houses; earthworks; environmental facilities; home businesses; home industries; roads; signs; stormwater management facilities; utility installations
- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Specified in Attachment B - Schedule 2.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.
SP 2 Infrastructure
under Draft Lake Macquarie Local Environmental Plan 2013
- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 2
- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.
Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads
- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes
- (e) Whether an item of environmental heritage (however described) is situated on the land.
No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land to which State Environmental Planning Policy No 14 Coastal Wetlands applies.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
No
- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

26 Foreshore Building Line

A foreshore building line applies to this property. Information on the extent of this affectation is available by contacting the Development Assessment & Compliance Division.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840		Swansea	German Mortar)		
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493					
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
----	---	--	-----------------	--

Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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LM-01	L	Pulbah Island		
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
---------	--------------	------	---------	----------------------

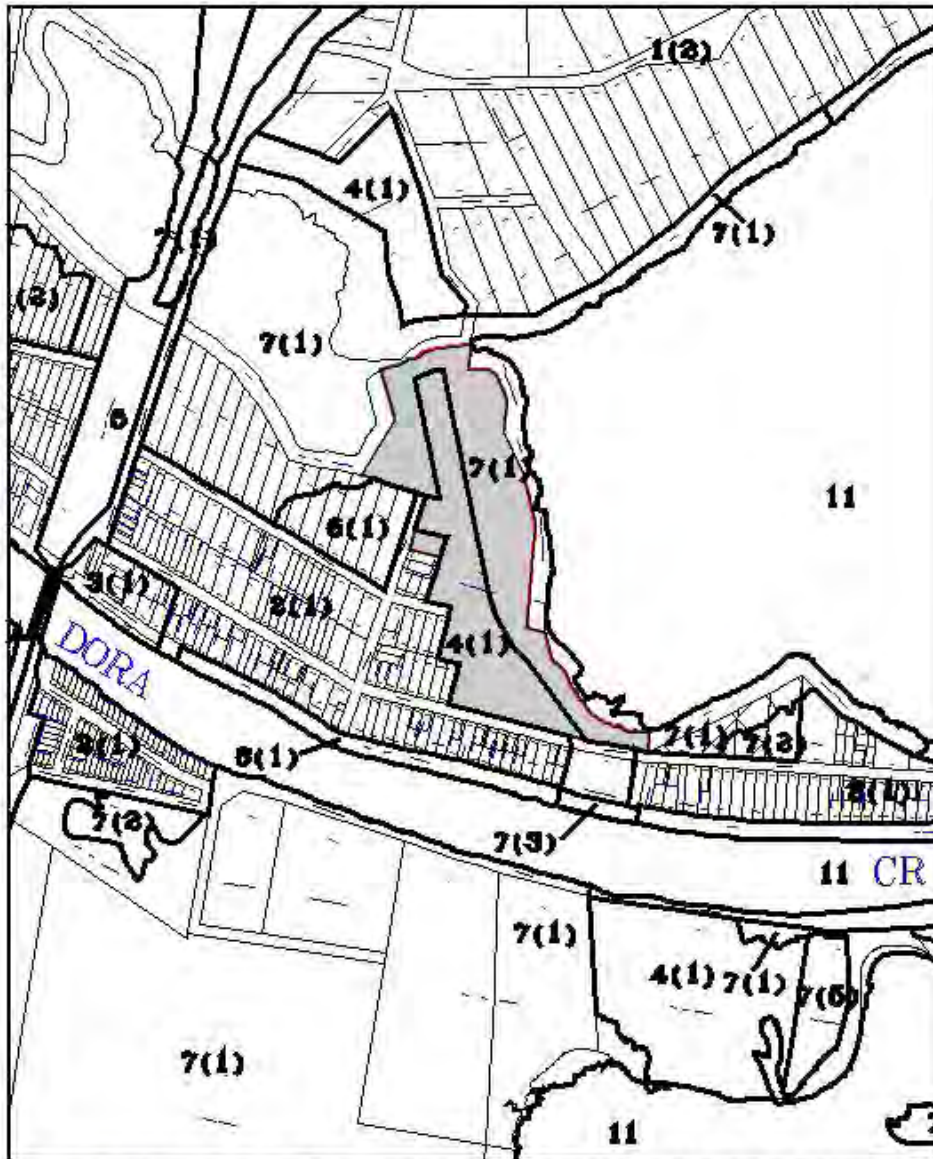
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register
--	---------	--	--	--

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
---------	--------------	------	---------	----------------------

	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council
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ATTACHMENT D:



LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map

149 Cert. No.: 78735



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Not to
Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78743
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 235 Construction Road, MYUNA BAY NSW 2264
Lot Details: Lot 211 DP 840670
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Temporary Structures) 2007

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

Yes

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
Edgeworth					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Eraring					Little Pelican				
Fassifern					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
Freemans Waterhole					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery— potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78726
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 85 Border Street, ERARING NSW 2264
Lot Details: LOT 23 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 15 – Rural Landsharing Communities

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

1(2) Rural (Living) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture), bed and breakfast accommodation, drainage, dual occupancies—attached, dwelling houses, earthworks, eco-tourism facilities, educational establishments, emergency services facilities, environmental facilities, home businesses, home industries, retail plant nurseries, roads, roadside stalls, signs, stormwater management facilities, telecommunications facilities, utility installations, wholesale plant nurseries

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

RU4 Primary Production Small Lots

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Cellar door premises; Community facilities; Drainage; Dual occupancies (attached only); Dwelling houses; Earthworks; Eco tourist facility; Educational establishments; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Filming; Home-based child care; Home businesses; Home industries; Intensive plant

agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Roads; Roadside stalls; Signage; Veterinary hospitals; Viticulture; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any other development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 1 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78727
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 51 Border Street, ERARING NSW 2264
Lot Details: Lot 24 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 15 – Rural Landsharing Communities

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

1(2) Rural (Living) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture), bed and breakfast accommodation, drainage, dual occupancies—attached, dwelling houses, earthworks, eco-tourism facilities, educational establishments, emergency services facilities, environmental facilities, home businesses, home industries, retail plant nurseries, roads, roadside stalls, signs, stormwater management facilities, telecommunications facilities, utility installations, wholesale plant nurseries

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

RU4 Primary Production Small Lots

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Cellar door premises; Community facilities; Drainage; Dual occupancies (attached only); Dwelling houses; Earthworks; Eco tourist facility; Educational establishments; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Filming; Home-based child care; Home businesses; Home industries; Intensive plant

agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Roads; Roadside stalls; Signage; Veterinary hospitals; Viticulture; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any other development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 1 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
(a) battle-axe lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m,
(iii) minimum width of battle-axe access handle—9m,
(iv) maximum number of battle-axe lots sharing a single access handle—2,
(b) other irregular lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
(a) minimum area—1,500m²,
(b) minimum width—25m.

- (2) Irregular lot:
(a) battle-axe lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m,
(iii) minimum width of battle-axe access handle—9m,
(iv) maximum number of battle-axe lots sharing a single access handle—2,
(b) other irregular lot:
(i) minimum area—1,500m²,
(ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
(2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
(2) Must have a square building area that has:
(a) minimum width—40m,
(b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—40ha.
(2) Community development lots:
(a) minimum area—1,000m²,
(b) maximum area—2,500m²,
(c) maximum density (excluding community property)—1 lot per 10ha,
(d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
(e) all remaining land must be community property under the control of the community association,
(f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
					Little Pelican				
					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78728
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 41 Border Street, ERARING NSW 2264
Lot Details: Lot 25 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 15 – Rural Landsharing Communities

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

1(2) Rural (Living) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture), bed and breakfast accommodation, drainage, dual occupancies—attached, dwelling houses, earthworks, eco-tourism facilities, educational establishments, emergency services facilities, environmental facilities, home businesses, home industries, retail plant nurseries, roads, roadside stalls, signs, stormwater management facilities, telecommunications facilities, utility installations, wholesale plant nurseries

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

RU4 Primary Production Small Lots

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Cellar door premises; Community facilities; Drainage; Dual occupancies (attached only); Dwelling houses; Earthworks; Eco tourist facility; Educational establishments; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Filming; Home-based child care; Home businesses; Home industries; Intensive plant

agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Roads; Roadside stalls; Signage; Veterinary hospitals; Viticulture; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any other development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 1 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
Edgeworth					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Eraring					Little Pelican				
Fassifern					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
Freemans Waterhole					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point				SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-04 L	House	8 Council St	Lot 1, DP 521920		Teralba			
SP-08 L	House	18 Alley St	Lot 11, DP 525378	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700		Toronto			
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063					
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238					
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78729
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 25 Border Street, ERARING NSW 2264
Lot Details: Lot 26 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 15 – Rural Landsharing Communities

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

1(2) Rural (Living) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture), bed and breakfast accommodation, drainage, dual occupancies—attached, dwelling houses, earthworks, eco-tourism facilities, educational establishments, emergency services facilities, environmental facilities, home businesses, home industries, retail plant nurseries, roads, roadside stalls, signs, stormwater management facilities, telecommunications facilities, utility installations, wholesale plant nurseries

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

RU4 Primary Production Small Lots

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Cellar door premises; Community facilities; Drainage; Dual occupancies (attached only); Dwelling houses; Earthworks; Eco tourist facility; Educational establishments; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Filming; Home-based child care; Home businesses; Home industries; Intensive plant

agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Roads; Roadside stalls; Signage; Veterinary hospitals; Viticulture; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any other development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 1 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
- No
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
- No
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

- (1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
(b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
(3) The subdivision standards in this Schedule do not apply to strata subdivision.
(4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
(a) minimum area—1,000m²,
(b) maximum area—1,500m²,
(c) maximum density (excluding community property)—1.6 lots per ha,
(d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
(e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
(a) be not less than 300m², but not more than 450m², in area,
(b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
(a) standard corner lot:
(i) minimum area—600m²,
(ii) minimum width—18m,
(b) other standard lot:
(i) minimum area—450m²,
(ii) minimum width—14m.
- (2) Irregular lot:
(a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:
dwelling lot means a lot that:
 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:
width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South	
				Rathmines			
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd	Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd	Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd	Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St	Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd	Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St	Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd	Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St	Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd	Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd	Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd	Lot 466, DP 1138964
				Redhead			
				RH-01 L	Lambton Colliery	1 Geraldton Dr	Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588		Toronto			
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238					
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78730
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 4 South Street, ERARING NSW 2264
Lot Details: Lot 27 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 15 – Rural Landsharing Communities

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

1(2) Rural (Living) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture), bed and breakfast accommodation, drainage, dual occupancies—attached, dwelling houses, earthworks, eco-tourism facilities, educational establishments, emergency services facilities, environmental facilities, home businesses, home industries, retail plant nurseries, roads, roadside stalls, signs, stormwater management facilities, telecommunications facilities, utility installations, wholesale plant nurseries

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

RU4 Primary Production Small Lots

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Cellar door premises; Community facilities; Drainage; Dual occupancies (attached only); Dwelling houses; Earthworks; Eco tourist facility; Educational establishments; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Filming; Home-based child care; Home businesses; Home industries; Intensive plant

agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Roads; Roadside stalls; Signage; Veterinary hospitals; Viticulture; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any other development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 1 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl	Lot 38, DP 827464
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494				180 Macquarie Rd	Lot 17, DP 727746
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	Catherine Hill Bay				
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
Booragul					CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
Cams Wharf					CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
Cardiff					CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-05	L	House	6 Michael St	Lot 1, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery— potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78732
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 3 Wangi Road, MYUNA BAY NSW 2264
Lot Details: Lot 3 DP 548546
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
- (ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
- No
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
- No
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:
dwelling lot means a lot that:
 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:
width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
					Little Pelican				
					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78736
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 106 Dora Street, DORA CREEK NSW 2264
Lot Details: Lot 3 DP 621697
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 15 – Rural Landsharing Communities

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive

industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

2(1) Residential Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

bed and breakfast accommodation; boarding houses; child care centres; community facilities; drainage; dual occupancies—attached; dual occupancies—detached; dwelling houses; dwelling houses—exhibition; earthworks; educational establishments; emergency services facilities; environmental facilities; general stores; group homes; home businesses; home industries; places of public worship; professional consulting rooms; roads; seniors housing; signs; small lot housing; sporting facilities; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

7(3) Environmental (General) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); bed and breakfast accommodation; community facilities; drainage; dual occupancies—attached; dwelling houses; earthworks; eco-tourism facilities; educational establishments; emergency services facilities; environmental facilities; forestry; home businesses; home industries; places of public worship; retail plant nurseries; roads; roadside stalls; signs; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

(2) The following answers relate to the Draft Instrument (see 1(2) above).

(a) (i) The identity of the zone applying to the land.

E3 Environmental Management

under Draft Lake Macquarie Local Environmental Plan 2013

(ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

(iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancy (attached); Dwelling houses; Eco-tourist facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Filming; Flood mitigation work; Forestry; Funeral Homes; Garden centre; Home-based child care; Home businesses; Home industries; Information and education facilities; Kiosks; Places of public worship; Plant nursery; Recreation areas; Roads; Roadside stalls; Water recreation structure

(iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

(i) The identity of the zone applying to the land

R2 Low Density Residential

under Draft Lake Macquarie Local Environmental Plan 2013

(ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home-based child care; Home occupations

(iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities;

Environmental protection works; Exhibition homes; Exhibition villages; Filming; Flood mitigation works; Group homes (except group homes (transitional)); Health consulting rooms; Home businesses; Home industries; Hostels; Kiosks; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Group homes (Transitional); and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within 100 metres of State Environmental Planning Policy No 14 Coastal Wetlands

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

No

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

NONE of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

26 Foreshore Building Line

A foreshore building line applies to this property. Information on the extent of this affectation is available by contacting the Development Assessment & Compliance Division.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development

(Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Public School

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
					HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
					HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
					Kahibah				
					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern					Killingworth				
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole					Kotara South				
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale					Little Pelican				
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville					Marks Point				
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP					

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588		Toronto			
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238					
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

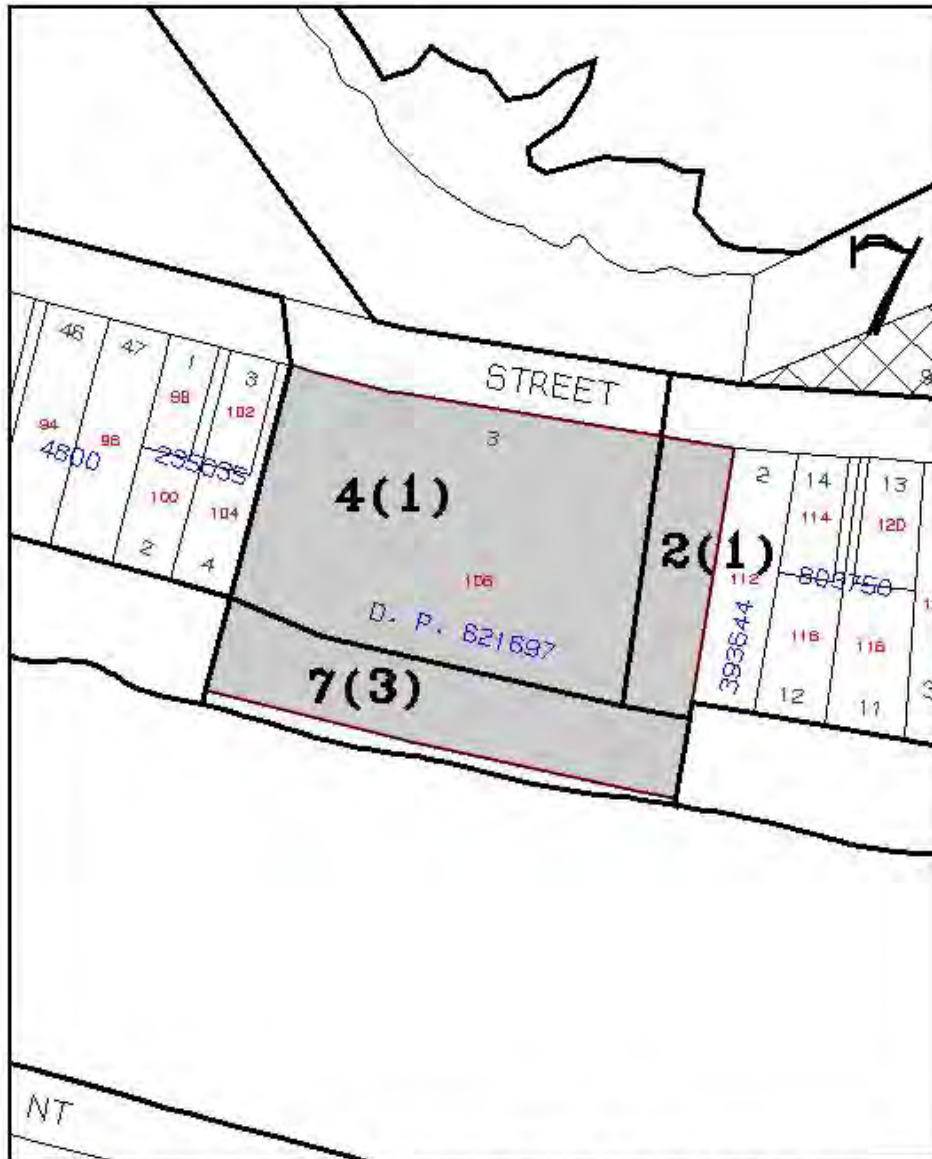
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



**LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map**

149 Cert. No.: 78736



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Land and Property Information NSW

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Scale

23 May 2013

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Locked Bag 24
BROADWAY NSW 2007

Our Ref:78737
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 40 Rocky Point Road, ERARING NSW 2264
Lot Details: Lot 301 DP 806475
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

7(2) Conservation (Secondary) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

bed and breakfast accommodation; community facilities; drainage; dual occupancies—attached; dwelling houses; earthworks; eco-tourism facilities; emergency services facilities; environmental facilities; home businesses; home industries; roads; roadside stalls; signs; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

7(1) Conservation (Primary) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

bed and breakfast accommodation; drainage; dwelling houses; earthworks; environmental facilities; home businesses; home industries; roads; signs; stormwater management facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education

- facilities; Roads; Water recreation structure
- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.
- Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)
- (i) The identity of the zone applying to the land.
- SP 2 Infrastructure
- under Draft Lake Macquarie Local Environmental Plan 2013
- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.
- Exempt development as provided in Schedule 2
- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.
- Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads
- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.
- Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
- Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
- Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes
- (e) Whether an item of environmental heritage (however described) is situated on the land.
No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within a foreshore area.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is within an environmentally sensitive area being land within an area of high biodiversity significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

- 1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

- 2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
- (ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

26 Foreshore Building Line

A foreshore building line applies to this property. Information on the extent of this affectation is available by contacting the Development Assessment & Compliance Division.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
					Swansea			
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493					
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
	Speers Point							
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

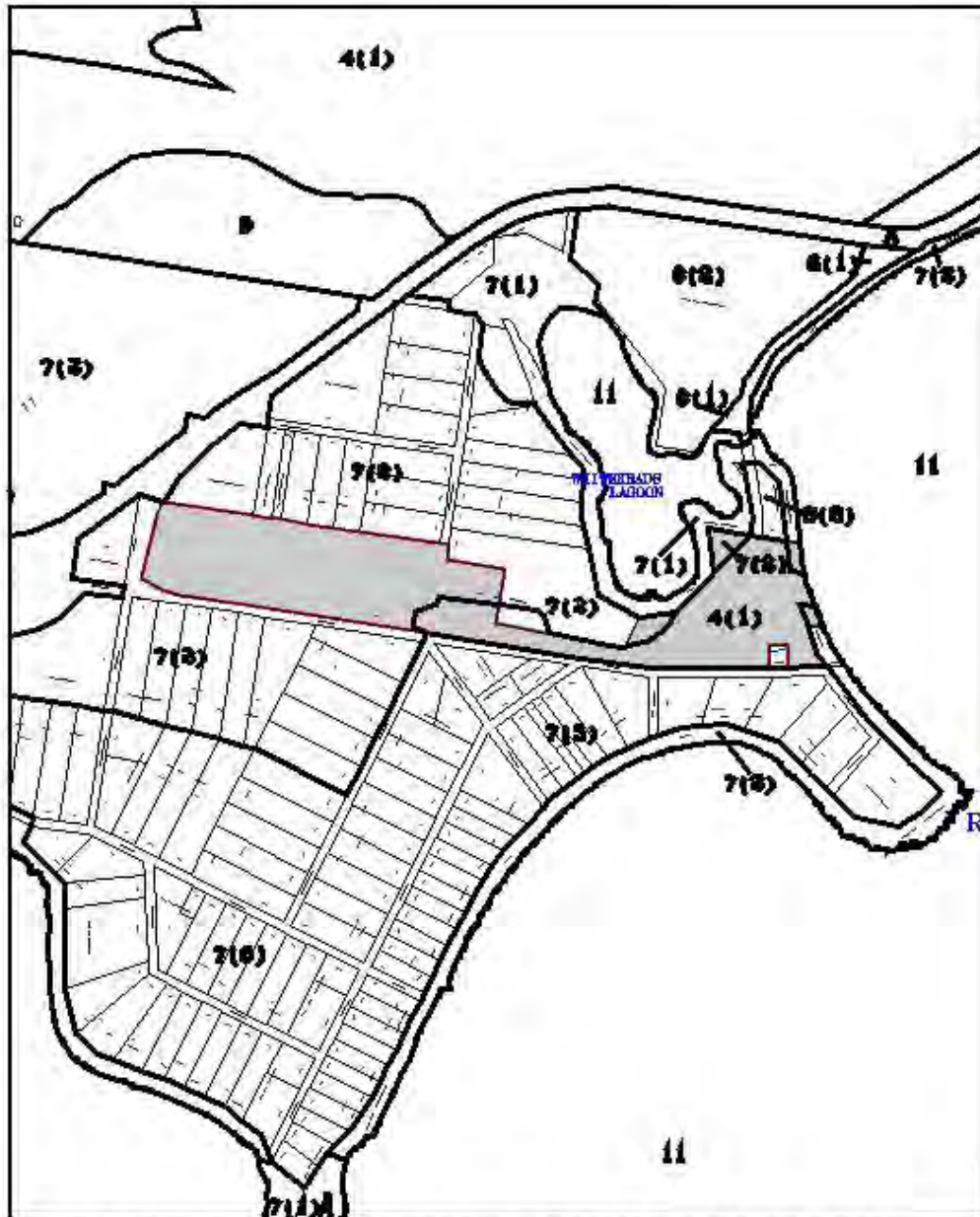
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



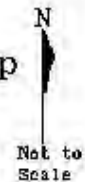
LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map

149 Cert. No.: 78737



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Land and Property Information NSW

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23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78738
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 90 Biddulph Street, MYUNA BAY NSW 2264
Lot Details: Lot 302 DP 806475
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

7(2) Conservation (Secondary) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

bed and breakfast accommodation; community facilities; drainage; dual occupancies—attached; dwelling houses; earthworks; eco-tourism facilities; emergency services facilities; environmental facilities; home businesses; home industries; roads; roadside stalls; signs; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.
SP 2 Infrastructure
under Draft Lake Macquarie Local Environmental Plan 2013
- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.
Exempt development as provided in Schedule 2
- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.
Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads
- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.
Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.
Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.
Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.
- (c) Whether the land includes or comprises critical habitat.
No
- (d) Whether the land is in a conservation area (however described).
Yes
- (e) Whether an item of environmental heritage (however described) is situated on the land.
No

3 **Complying development**

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an Acid Sulfate Soil Class 1 or Class 2 area.

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Flood Certificate" or "Flood/Tidal Inundation Certificate".

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
No
- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

26 Foreshore Building Line

A foreshore building line applies to this property. Information on the extent of this affectation is available by contacting the Development Assessment & Compliance Division.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development

(Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corrumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L		The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L		Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L		Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L		Shop	10 Anzac Pde	Lot 1, DP 999965
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L		House "Moria"	59 York St	Lot 17, DP 816302
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L		Teralba Public School	57 York St	Lot 2, DP 795123
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L		Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L		House "AS"	101 Railway St	Lot 261, DP 554269
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L		Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L		Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L		Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L		Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L		Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L		St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L		House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L		House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L		Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L		Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

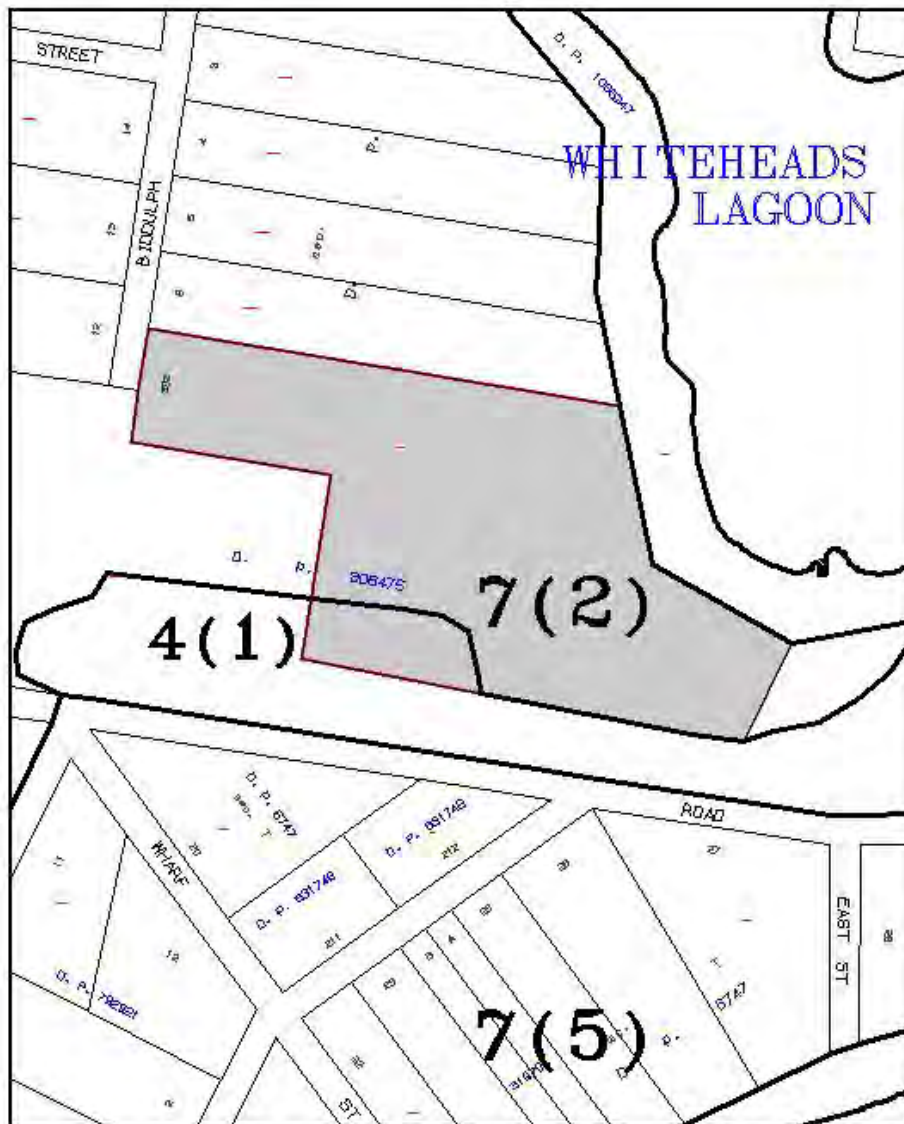
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004—Zoning Map

149 Cert. No.: 78738



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23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78749
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 485 Awaba Road, TORONTO NSW 2283
Lot Details: Lot 318 DP 39722
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

5 Infrastructure Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); airline terminals; airports; bus stations; car parking facilities; cemeteries and crematoriums; child care centres; community facilities; drainage; earthworks; educational establishments; emergency services facilities; energy generation works; entertainment facilities; environmental facilities; helipads; heliports; hospitals; hotel or motel accommodation; medical centres; places of public worship; rail lines; restaurants; roads; signs; stormwater management facilities; telecommunications facilities; transport terminals; utility installations; veterinary hospitals

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

6(1) Open Space Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

animal establishments; car parking facilities; caravan parks; cemeteries and crematoriums; child care centres; clubs; community facilities; drainage; earthworks; educational establishments; emergency services facilities; entertainment facilities; environmental facilities; helipads; marinas; places of public worship; recreation facilities; restaurants; roads; signs; sporting facilities; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

9 Natural Resources Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

agriculture (other than intensive agriculture); car parking facilities; drainage; earthworks; emergency services facilities; energy generating works; environmental facilities; extractive industries; forestry; hazardous industries; hazardous storage establishments; helipads; industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; rural industries; sawmills; signs; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Classified Road; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

- (i) The identity of the zone applying to the land.

RE1 Public Recreation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Amusement centres; Animal boarding or training establishments; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Community facilities; Crematoriums; Educational establishments; Emergency service facilities; Entertainment facilities; Environmental Facilities; Environmental protection works; Filming; Flood mitigation work; Function centres; Information and education facilities; Kiosks; Marinas; Markets; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants; Roads; Signage; Water recreation structures; Wharf or boating facilities.

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is reserved for a public purpose in an environmental planning instrument.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

The land is reserved for a public purpose in an environmental planning instrument.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land is within an environmentally sensitive area being land within an area of high aboriginal cultural significance.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

- 1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

- 2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

Yes

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

Yes

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

Yes

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a “Flood Certificate” or “Flood/Tidal Inundation Certificate”.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Yes

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

26 Natural Watercourse

The land is affected by a natural watercourse.

27 Proposed Road Widening

The land is affected by a road widening proposal. Contact Council's Asset Management Department for further details.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6
- D Lake Macquarie Local Environmental Plan, 2004 – Zoning map

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
					HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
					HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
					Kahibah				
					KH-01	S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern					Killingworth				
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole					Kotara South				
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale					Little Pelican				
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville					Marks Point				
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP					

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						Psychiatry
Martinsville				MS-23 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Ward 12	Rd, Bonnells Bay			
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-24 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Residence No 3	Rd, Bonnells Bay			
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-25 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Maximum Security Division	Rd, Bonnells Bay			
MV-03 L	Dora Creek Bridge	Owens Rd		MS-26 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Cottage Row	Rd, Bonnells Bay			
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760		Residence Nos 16, 17, 18, 19, 20 and 21				
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Water Supply Dam—Pourmalong Creek	Rd, Bonnells Bay			
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
Blackalls Park				
BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
Swansea Heads				
NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
Tingira Heights				
TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)

Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
LM-01	L	Pulbah Island		

Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

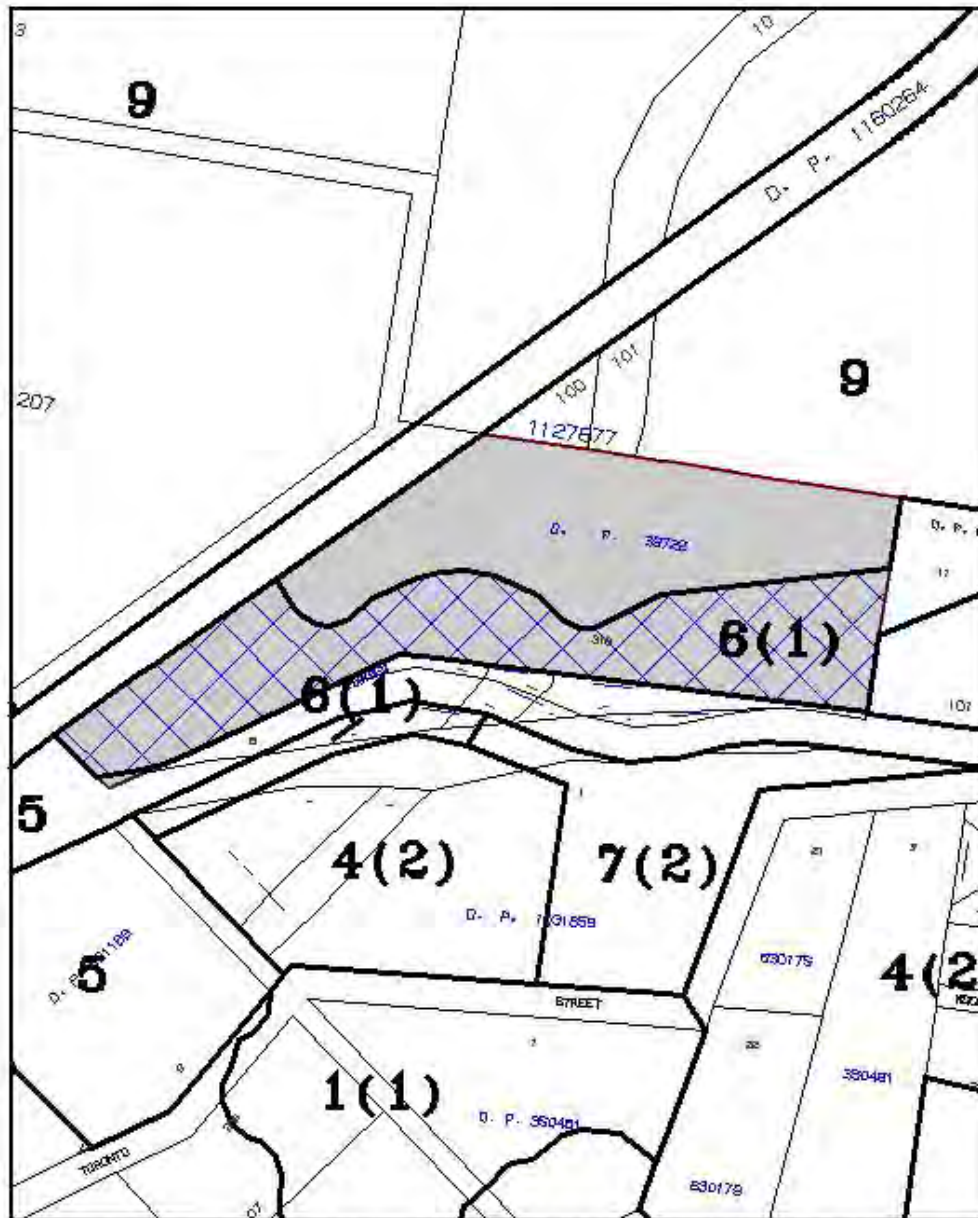
Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

ATTACHMENT D:



LAKE MACQUARIE CITY COUNCIL
LOCAL ENVIRONMENTAL PLAN 2004-Zoning Map

149 Cert. No.: 78749



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Scale

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78731
Your Ref:
JODIE:11632
ABN 81 065 027 868


**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 160 Rocky Point Road, ERARING NSW 2264
Lot Details: Lot 4 DP 262501
Parish: Coorumbung
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 71 – Coastal Protection

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

7(2) Conservation (Secondary) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

bed and breakfast accommodation; community facilities; drainage; dual occupancies—attached; dwelling houses; earthworks; eco-tourism facilities; emergency services facilities; environmental facilities; home businesses; home industries; roads; roadside stalls; signs; stormwater management facilities; telecommunications facilities; utility installations

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

E2 Environmental Conservation

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2; Home occupations

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Bed and breakfast accommodation; Building identification signs; Business identification signs; Car Parks; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Filming; Flood mitigation works; Home-based child care; Home businesses; Home industries; Information and education

facilities; Roads; Water recreation structure

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted Premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; and any other development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Yes, there are development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

Minimum lot size of 40 ha. Refer to Clause 7.10 of draft LMLEP 2013 for further information.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

Yes

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land is excluded land being land identified by an environmental planning instrument as being environmentally sensitive or within an ecologically sensitive area.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

The land is within the defined coastal zone for the purpose of the Coastal Protection Act 1979 and no notifications have been received from the Department of Natural Resources under that Act.

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

Lake Macquarie City Council Development Contributions Plan 2012 - Morisset
Contributions Catchment

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:
dwelling lot means a lot that:
 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:
width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
Fassifern					HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		Kahibah				
Freemans Waterhole					KH-01	S	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Killingworth				
Glendale					KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
Holmesville					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Kotara South				
					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
					Little Pelican				
					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
					Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L		The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L		Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L		Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L		Shop	10 Anzac Pde	Lot 1, DP 999965
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L		House "Moria"	59 York St	Lot 17, DP 816302
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L		Teralba Public School	57 York St	Lot 2, DP 795123
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L		Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L		House "AS"	101 Railway St	Lot 261, DP 554269
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L		Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L		Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L		Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L		Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L		Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L		St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L		House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L		House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L		Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L		Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252	WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253	WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252	WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278	WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094	Wyee			
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636	WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78744
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 115 Construction Road, MYUNA BAY NSW 2264
Lot Details: Lot 50 DP 840671
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Temporary Structures) 2007

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

Yes

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

SOME of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09	L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479	
DL-10	L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06	L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth					HV-07	L	House	20 William St	Lot 14, Section E, DP 5432
EW-07	L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08	L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring					HV-09	L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01	L	Eraring Power Station	268 Rocky Point Rd, Eraring	Lot 11, DP 1050120	HV-11	L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
			294 Rocky Point Rd, Eraring	Lot 10, DP 1050120	HV-20	L	House	32 Seaham St	Lot 42, Section B, DP 4479
			115 Construction Rd, Myuna Bay	Lot 50, DP 840671	HV-24	L	Railway Station	Killingworth Rd (also see RT-09)	
			215 Construction Rd, Myuna Bay	Lot 20, DP 840668	HV-25	L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
			235 Construction Rd, Myuna Bay	Lot 211, DP 840670	Kahibah				
			260 Construction Rd, Myuna Bay	Lot 51, DP 840671	KH-01	S	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern						L			
FF-01	L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	Killingworth				
FF-02	L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-02	L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513
FF-03	L	Fassifern Railway Station	29 Fassifern Rd		KW-03	L	Former Killingworth Hotel	39 Killingworth Rd	Lot 2, DP 619513
Freemans Waterhole					KW-05	L	Soldier's Memorial	26 The Broadway	Lot 13, Section E, DP 4339
FW-01	L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	Kotara South				
Glendale					KS-01	L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 1, Section D, DP 4339
GD-01	L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	Little Pelican				
Holmesville					LP-01	L	Little Pelican cottages and site		Lot 7036, DP 1030788
HV-04	L	Brick House	47 Appletree Rd	Lot 3, Section B, DP	Marks Point				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam—Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03	L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04	L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493					Swansea
RH-07	L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02	L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08	L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233					Swansea Heads
Speers Point									
SP-03	L	House	10 Council St	Lot 1, DP 518527	SD-02	L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04	L	House	8 Council St	Lot 1, DP 521920	SD-03	L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08	L	House	18 Alley St	Lot 11, DP 525378					
SP-09	L	House	37 Alley St	Lot 1, DP 587774					Teralba
SP-10	L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03	L	Shop	10 Anzac Pde	Lot 1, DP 999965
SP-11	L	House	66 Speers St	Lot 3, DP 562487	TA-08	L	House "Moria"	59 York St	Lot 17, DP 816302
SP-12	L	House	41 Albert St	Lot 1, DP 962726	TA-09	L	Teralba Public School	57 York St	Lot 2, DP 795123
SP-13	L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10	L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-14	L	House	214 The Esplanade	Lot 1, DP 108865	TA-11	L	House "AS"	101 Railway St	Lot 261, DP 554269
SP-16	L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12	L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-17	L	House	332 The Esplanade	Lot 4, DP 350608	TA-13	L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-19	L	House	302 The Esplanade	Lot 32, DP 564214	TA-16	L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-23	L	House	282 The Esplanade	Lot 145, DP 558308	TA-17	L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-25	L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18	L	Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-26	L	House	141 Main Rd	Lot 1, DP 368588	TA-25	L	St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-29	L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	Toronto				
SP-30	L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01	L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-31	L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06	L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-34	L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08	L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-36	L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09	L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-37	L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78745
Your Ref:
JODIE:11632
ABN 81 065 027 868

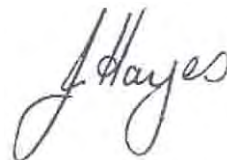
**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 260 Construction Road, MYUNA BAY NSW 2264
Lot Details: Lot 51 DP 840671
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Temporary Structures) 2007

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land because the land is affected by specific land exemptions.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the General Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Subdivisions Code

Complying development under the Subdivisions Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Note: If the land is only affected by the “heritage conservation area” exemption, then complying development under the Rural Housing Code MAY be carried out on the land if the development is a detached outbuilding or swimming pool.

The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land. The land is affected by the following specific land exemptions:

The land contains a heritage item or a draft heritage item.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

(b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

(b) bushfire

Yes

(c) tidal inundation

No

(d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

(e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,
No
- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,
No
- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i> is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and</p> <p>(c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
				CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
				CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
				CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	Dora Creek			
CT-04 L	Brick Cottage	36 Smith St	SP 43904	DC-02 L	House	16 Dora St	Lot 11, DP 533825
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
Cooranbong							
				DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
Dudley							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534				

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						
Martinsville									
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-23 S L	Psychiatry Morisset Hospital Ward 12	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-24 S L	Morisset Hospital Residence No 3	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-03 L	Dora Creek Bridge	Owens Rd		MS-25 S L	Morisset Hospital Maximum Security Division	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760	MS-26 S L	Morisset Hospital Cottage Row Residence Nos 16, 17, 18, 19, 20 and 21	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S L	Morisset Hospital Water Supply Dam— Pourmalong Creek	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557		
Morisset									
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965						
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	Nords Wharf					
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Pelican					
MS-12 S L	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-13 S L	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	Railways and tramways					
MS-14 S L	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-15 S L	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-16 S L	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-17 S L	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S L	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S L	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
				Rathmines		
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
				RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
				RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L		The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L		Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L		Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774					
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-03 L		Shop	10 Anzac Pde	Lot 1, DP 999965
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-08 L		House "Moria"	59 York St	Lot 17, DP 816302
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-09 L		Teralba Public School	57 York St	Lot 2, DP 795123
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-10 L		Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-11 L		House "AS"	101 Railway St	Lot 261, DP 554269
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-12 L		Station Master's Cottage	150 Railway St	Lot 3, DP 831957
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-13 L		Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-16 L		Gartlee Mine	159 Railway St	Lot 102, DP 1131669
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-17 L		Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-18 L		Former Co-operative Store	75 York St	Lot 18, DP 1158353
SP-26 L	House	141 Main Rd	Lot 1, DP 368588	TA-25 L		St Hilda's Church	16 York St	Lot 4, DP 1128610
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063		Toronto			
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-01 L		House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-06 L		House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-08 L		Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238	TT-09 L		Toronto Hotel	74 Victory Pde	Lot 201, DP 549239
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

23 May 2013

ERM
Locked Bag 24
BROADWAY NSW 2007

Our Ref:78750
Your Ref:
JODIE:11632
ABN 81 065 027 868

**SECTION 149 PLANNING CERTIFICATE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

Fee Paid: 133.00
Receipt No: 7363230
Receipt Date: 23 May 2013

DESCRIPTION OF LAND

Address: 281 Construction Road, AWABA NSW 2283
Lot Details: LOTS 20/21 DP 734860
Parish: Awaba
County: Northumberland

For: BRIAN BELL
GENERAL MANAGER



ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

1 Names of Relevant Planning Instruments and Development Control Plans

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Lake Macquarie Local Environmental Plan 2004

State Environmental Planning Policy - (Housing for Seniors or People with a Disability) 2004 (This SEPP applies to the land to the extent provided by Clause 4 of the SEPP)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 4 – Development without Consent and Miscellaneous Exempt and Complying Development (except Clause 6-10)

State Environmental Planning Policy No. 6 – Number of Storeys in a Building

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 36 – Manufactured Homes Estates (except as maybe excluded by Clause 6 of the SEPP)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 – Advertising and Signage

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Lake Macquarie Local Environmental Plan 2013

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Development Control Plan No. 1 – Principles of Development

Development Control Plan No. 2 – Complying Development

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a Draft environmental planning instrument.

2 Zoning and land use under relevant Local Environmental Plans

- (1) The following answers (a) to (h) relate to the instrument (see 1(1) above).

- (a) (i) The identity of the zone applying to the land.

4(1) Industrial (Core) Zone
under Lake Macquarie Local Environmental Plan 2004

- (ii) The purposes for which the Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 1

- (iii) The purposes for which the Instrument provides that development may not be carried out within the zone except with development consent.

aquaculture; brothels; bulk stores; bus stations; car parking facilities; car repair stations; child care centres; depots; drainage; earthworks; emergency services facilities; energy generation works; environmental facilities; extractive industries; general stores; hazardous industries; hazardous storage establishments; helipads; high technology industries; industries; junk yards; light industries; liquid fuel depots; mines; offensive industries; offensive storage establishments; rail lines; roads; service stations; signs; storage facilities; stormwater management facilities; sustainable generating works; telecommunications facilities; transport terminals; utility installations; warehouses; waste management and/or recycling facilities

- (iv) The purposes for which the Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in sections (a) above relates only to restrictions that apply by virtue of the zones indicated. The Lake Macquarie LEP 2004 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

Specified in Attachment B - Schedule 2.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

See Attachment C - Schedules 4, 5 and 6

An item of environmental heritage, namely Aboriginal heritage, listed within the Aboriginal Heritage Information Management System, may affect the land. The applicant should contact the NSW Office of Environment and Heritage (OEH) for more information.

- (2) The following answers relate to the Draft Instrument (see 1(2) above).

- (a) (i) The identity of the zone applying to the land.

SP 2 Infrastructure

under Draft Lake Macquarie Local Environmental Plan 2013

- (ii) The purposes for which the Draft Instrument provides that development may be carried out within the zone without the need for development consent.

Exempt development as provided in Schedule 2

- (iii) The purposes for which the Draft Instrument provides that development may not be carried out within the zone except with development consent.

Electricity Generating Works; including any development that is ordinarily incidental or ancillary to development for that purpose; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Filming; Flood mitigation works; Roads

- (iv) The purposes for which the Draft Instrument provides that development is prohibited within the zone.

Any development not specified in item (ii) or (iii)

NOTE: The advice in section (a) above relates only to restrictions that apply by virtue of the zones indicated. The Draft instrument may include additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

- (b) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (c) Whether the land includes or comprises critical habitat.

No

- (d) Whether the land is in a conservation area (however described).

No

- (e) Whether an item of environmental heritage (however described) is situated on the land.

No

3 Complying development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

4 Coastal Protection

Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.

No

4A Information relating to beaches and coasts

- 1 Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Nil

- 2 (a) Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land)

Nil

- (b) If works have been so placed — whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Nil

- 3 such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

Nil

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Nil

NOTE: “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land is within a proclaimed Mine Subsidence District under the *Mine Subsidence Compensation Act 1961*. The approval of the Mines Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current, or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information, mine subsidence, and advise whether existing structures comply with the requirements of the *Act*.

6 Road widening and road realignment

Whether the land is affected by any road widening or realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993.

No

- (b) any environmental planning instrument.

No

- (c) any resolution of the Council.

No, other road widening proposals may affect this land and if so, will be noted on the SECTION 149(5) certificate.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (i) adopted by the Council, or
(ii) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council,

that restricts the development of the land because of the likelihood of:

- (a) land slip or subsidence

Yes

All land within the Lake Macquarie City Council area is divided into geotechnical zones, and section 2.1.9 Sloping Land and Soils, in DCP No.1, applies when development of land is proposed. If you require any further clarification on the policy and how it may affect any possible development applications contact the Council on 02 4921 0333.

- (b) bushfire

Yes

- (c) tidal inundation

No

- (d) acid sulfate soils

Yes if indicated on the Acid Sulfate Soils Planning Maps supplied by The Department of Land & Water Conservation marked Edition 2, dated December 1997, available at the Council.

- (e) any other risk (other than flooding).

Contaminated or potentially contaminated land

Section 2.1.13 Contaminated Land of Lake Macquarie DCP No. 1 applies to this land.

NOTE: The absence of a council policy restricting development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

7A Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
- No
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
- No
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

No

9 Contributions Plans

The name of each contributions plan applying to the land.

The Lake Macquarie Section 94 Contributions Plan No.1 - Citywide - Toronto Catchment (2004) as amended

10 Biobanking Agreements

This land is not subject to a Biobanking agreement entered under Part 7A of the Threatened Species Conservation Act 1995.

11 Bush Fire Prone Land

ALL of the land is bush fire prone land.

NOTE: The Lake Macquarie Bush Fire Prone Land Map can be inspected at Council's Administration Building during normal office hours or contact Council on 02 4921 0333.

12 Property Vegetation Plans

The land IS NOT subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Hunter Central Rivers Catchment Management Authority of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

Has an order been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land IS NOT subject to an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

Nil

15 Site compatibility certificates and conditions for seniors housing

- (a) Whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (b) Any terms of a kind referred to in clause 18 (2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

Nil

16 Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing

- (1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.

Council is not aware of any site capability certificate for any proposed development on the land.

- (2) Any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

Nil

NOTE: The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

Matters arising under the Contaminated Land Management Act 1997 (s59 (2))

- (a) The land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

- (b) The land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (c) The land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No

- (d) The land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No

- (e) The land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

NOTE: Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of the Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009

Council has not been provided with an exemption or authorisation by the Co-ordinator General under the Act.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

18 Clearing and lopping of trees

The land IS AFFECTED by Clause 34 – Trees and Native Vegetation, Lake Macquarie Local Environmental Plan 2004. Consent must be obtained to clear any tree or native vegetation in accordance with this clause. Please contact the Council for further information.

19 Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

20 Outstanding Notice/Order

The land is NOT AFFECTED by an outstanding notice/order issued under either:

Notice/Order – Local Government Act, 1993

Notice/Order – Environmental Planning & Assessment Act, 1979

Notice/Order - Swimming Pool Act, 1992

Notice/Order – Noxious Weed Act, 1993

Notice/Order – Protection of the Environment Operations Act, 1997

21 Earthquake

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

22 Lifestyle 2020

Council has prepared a strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

23 New South Wales Government Coastal Policy, 1997.

The NSW Coastal Policy 1997 applies to the land and development located within the Coastal Zone as depicted on a Map signed by the Minister for Natural Resources. The Coastal Zone generally extends one kilometre inland from the Lake shore and one kilometre inland from the Coast and includes the whole Wallarah Peninsula. The Environmental Planning and Assessment Act requires Consent Authorities to take the Coastal Policy into consideration when determining Development Applications for affected land.

24 Sustainable Water Cycle Management.

The Lake Macquarie Local Environmental Plan 2004 advocates the principles and practice of Water Smart and Water Sensitive Urban Design philosophies. It includes the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various source/s and its use and transport in the natural and built environment.

25 Voluntary Planning Agreement

The land is not affected by a Voluntary Planning Agreement.

ATTACHMENTS:

- A Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 1
- B Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedule 2
- C Extract from Lake Macquarie Local Environmental Plan, 2004 – Schedules 4, 5 & 6

ATTACHMENT A

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 15 June 2011

Schedule 1 Exempt development (Clause 8)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy.

The Policy has State-wide application. Schedule 1 contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

1 What is exempt development?

- (1) Development is exempt development if:
 - (a) it is described in Column 1 of the Table to this Schedule, and
 - (b) it is carried out within a zone specified for the development in Column 2 of that Table, and
 - (c) it complies with the criteria specified for the development in Column 2 of that Table.
- (2) However, development is not exempt development if:
 - (a) it is prohibited by this plan, or
 - (b) it is not of minimal environmental impact, or
 - (c) it is carried out on land described in clause 2 of this Schedule, or
 - (d) it does not comply with any of the relevant general criteria for exempt development specified in clause 3 of this Schedule.
- (3) In measuring heights and maximum areas specified in the Table to this Schedule:
 - (a) height is measured from natural ground level, and
 - (b) a maximum area for a structure is the total of all areas occupied by the type of structure, unless otherwise stated.

2 Land on which there is no exempt development

- (1) Development is not exempt development if it is carried out on land that:
 - (a) is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
 - (b) is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
 - (c) is land below the 1 in 100 year flood level if it involves the erection or use of a structure with a habitable room, or land below the 1 in 20 year flood level if it involves the erection or use of a structure with rooms none of which is habitable, except where otherwise indicated in the Table to this Schedule, or
- (d) is land to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, or

- (e) is land to which *State Environmental Planning Policy No 26—Littoral Rainforests* applies, or
- (f) is identified as an Aboriginal place or known Aboriginal relic on a register kept by the National Parks and Wildlife Service, or is dedicated or reserved under the *National Parks and Wildlife Act 1974*, or
- (g) (Repealed)
- (h) is land with a slope greater than 15 degrees, or
- (i) is identified as potential acid sulfate soil Class 1 or 2 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, except where the proposed development does not involve the movement of soils on the site, or
- (j) is identified as potential acid sulfate soil Class 3 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 500mm, or
- (k) is identified as potential acid sulfate soil Class 4 on the Acid Sulfate Soil Planning Maps dated December 1997 and kept by the Council, where any proposed excavation involved in the development is greater than 1.5 metres, or
- (l) is within a mine subsidence area, unless the proposed development has been formally approved, prior to commencement, by the relevant Mine Subsidence Board, or
- (m) is land on which a tree or native vegetation exists, where the proposed development involves clearing for which consent is required by clause 34, or
- (n) is the site of a heritage item or an item proposed by a draft environmental planning instrument to be a heritage item, or
- (o) is subject to an order under Division 2A of Part 6 of the *Environmental Planning and Assessment Act 1979* or Division 1 of Part 2 of Chapter 7 of the *Local Government Act 1993*, other than an order to demolish, that has not been complied with, or
- (p) is between a foreshore building line and the water body to which that line relates, or
- (q) is within 40 metres of a watercourse, river, stream, creek or lake—where excavation of the land (not including footings for minor structures) is proposed, or
- (r) is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.

3 Criteria that must be satisfied by all exempt development

Development is exempt development only if it complies with all of the following general criteria relevant to the form of development:

- (a) all structures comply with the *Building Code of Australia*, including the standards identified in that code,
- (b) all structures and activities comply with the Council's adopted building lines and setbacks, unless otherwise specified in the Table to this Schedule,
- (c) the development complies with all relevant development control plans and policies approved by the Council,
- (d) no existing condition of development consent or building approval affecting a site is contravened or compromised,
- (e) no structure is built over a sewer main, easement or natural watercourse and adequate clearance is provided to all sewer junction shafts, surcharge gullies, hot water service overflow pipes, and waste outlet pipes unless prior written agreement has been obtained from the Council or the local water and sewerage authority or supplier, as the case may require,

- (f) the development does not require the installation or alteration of a sewage management facility,
- (g) all structures have clearance from power lines in accordance with the relevant electricity authority or supplier,
- (h) all structures are built with new materials or second-hand materials which retain the structural adequacy and integrity of the material when new,
- (i) all structures are built with materials which match the design and appearance of any existing buildings on the site of the proposed development or in the immediate vicinity,
- (j) no structure or activity obstructs vehicular or human access,
- (k) no structure is located within the curtilage of a swimming pool which compromises the effectiveness of the swimming pool safety barrier or fence,
- (l) all structures and activities comply with relevant legislation affecting their use and with statutory and other requirements of the Council and any other relevant public authorities.

Table

Column 1	Column 2
Erection (or installation) and use, or carrying out, of the following:	Circumstances where exempt
Amusement devices (being a small amusement device as defined in the <i>Local Government (General) Regulation 2005</i>) (eg dodgem cars, giant slides, jumping castles, merry-go-rounds etc)	Exempt only in Zones 3 (1), 3 (2), B4, 6 (1) and 6 (2). Must be installed and used for one day or weekend events only. Must be erected on level ground of sufficient bearing capacity to support the device. Must be registered under the <i>Occupational Health and Safety Regulation 2001</i> . Must be erected in accordance with all the conditions set out in its certificate of registration. Must have a current logbook within the meaning of the <i>Occupational Health and Safety Regulation 2001</i> . Must be subject to a contract of insurance or indemnity to an unlimited amount or no less than \$10,000,000 for each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. Must meet the operational requirements of the WorkCover Authority.
Arcade amusement devices (eg pinball machines, virtual reality games etc)	Exempt only in Zones 3 (1), 3 (2), B4 and 6 (2). Must be located wholly within the subject premises.

	Maximum 5 devices installed in total.
Awnings over trade waste disposal points	Exempt only in Zones 4 (1), 4 (2) and 9. Maximum size 30m ² . Maximum height 2.7m. Must facilitate maintenance of the trade waste device and enable all weather use. Must be constructed of materials that match or complement the design and appearance of existing buildings. Must not be located within front building setback.
Charity bins or clothing and recycling bins	Exempt only in Zones 3 (1), 3 (2), B4, 4 (1), 4 (2) and 4 (3). Must not result in more than 3 bins in any one location. Must be located wholly on private property and not in a public place.
Demolition	Exempt in all Zones. Demolition only of development that would be exempt development under this plan if it were being constructed or installed. Council must have issued an order to demolish under Division 2A of Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> or section 124 of the <i>Local Government Act 1993</i> . Demolition must be carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i> .
Earthworks (rural)	Exempt only in Zone 1 (1). Must not be for domestic purposes. Must constitute one or more of the following: (a) levelling of land to a maximum of 300mm, (b) maintenance of drainage works, (c) backfilling of dams with not more than 5 megalitres storage capacity, (d) desilting of dams, (e) maintenance of existing access roads within property boundaries.
Fuel tanks—used in conjunction with agricultural activities or home business for which consent has been granted	Exempt only in Zones 1 (1), 1 (2), 7 (2), 7 (3), 7 (5) and 9. Maximum size 5,000 litres. Must be located wholly within the boundaries of

	<p>the property. Must be bunded with capacity to contain at least 125% of the capacity of the fuel tank. Must be constructed of prefabricated metal, be free-standing and not rely on other structures for support. Must be operated and maintained in accordance with Australian Standard AS 1940—2004, <i>The storage and handling of flammable and combustible liquids</i>. Must not be erected within 30m of a creek or boundary to the street or within 5m of a side or rear boundary. Minimum setback 20m from adjoining dwellings.</p>
Hail protection	<p>Exempt only in Zones 1 (1) and 1 (2). Must be ancillary to agricultural use and consisting of light construction (eg poles, wire and mesh).</p>
Retaining walls	<p>Exempt in all Zones. Must not be for domestic purposes. Maximum height 600mm (including the height of any batters) above existing ground level. Must have adequate drainage lines behind it. Must not redirect the flow of surface water onto an adjoining property. Must cause surface water to be disposed of without causing a nuisance to adjoining owners. Timber walls must comply with the following Australian Standards: (a) AS 1720.2—2006, <i>Timber structures—Timber properties</i>, (b) AS 1720.4—2006, <i>Timber structures—Fire resistance for structural adequacy of timber members</i>.</p>
Shade structures (bird nets and the like)	<p>Exempt only in Zone 1 (1). Must be ancillary to agriculture.</p>
<p>Signs (see below for additional requirements for particular sign types)</p> <p>Note. The replacement of existing building identification signs and business identification signs (within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local</i></p>	<p>Exempt in all Zones (except where otherwise specified below for particular sign types).</p> <p>General criteria: (a) maximum area 2m² in Zone 4 (1), 4 (2) or 4 (3), except as otherwise specified elsewhere in this Table in relation to particular sign types, and (b) maximum area 1m² in all other Zones, except as otherwise specified elsewhere in this</p>

<p><i>Environmental Plans) Order 2006</i>) is exempt development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Table in relation to particular sign types, and (c) must not cover mechanical ventilation inlet or outlet vents, and (d) over a public road, must be at least 600mm from kerb or roadway edge, and (e) must not be illuminated or use flashing lights or similar devices for illumination, and (f) must not be mounted on vehicles, trailers, or shipping containers that stand continuously for the purpose of advertising on either public or private land, and (g) on public land, must not be mounted on trees or telegraph poles, and (h) must be located so as not to cause or create a traffic hazard including obscuring views of vehicles, pedestrians, or potentially hazardous road features, and (i) must not emit excessive glare or cause excessive reflection, and (j) must not resemble traffic warning signs, and (k) if located on bush fire prone land, must be of non-combustible material.</p>
Signs used for display of the following:	
(a) Business identification signs in residential areas	<p>Only exempt in Zones 2 (1) and 2 (2). Must satisfy general criteria above. Maximum area 1m². Must be located and erected on the site to which they relate. Maximum one sign per street frontage. If over a public road, must be erected at a height no less than 2.6m above ground level.</p>
(b) Business identification signs in commercial areas	<p>Only exempt in Zones 3 (1) and 3 (2). Suspended under awning signs: (a) must satisfy general criteria above, and (b) must be securely fixed by metal supports, and (c) must not affect the structural integrity of the awning or building, and (d) must be located and erected on the site to which they relate, and (e) maximum one sign per street frontage, and (f) if over a public road, must be erected at a height no less than 2.6m above ground level, and (g) maximum area 2.5m². Vertical or horizontal projecting wall signs: (a) must satisfy general criteria above, and</p>

	<p>(b) must be securely fixed by metal supports, and</p> <p>(c) must not affect the structural integrity of the awning or building, and</p> <p>(d) must be located and erected on the site to which they relate, and</p> <p>(e) maximum one sign per street frontage, and</p> <p>(f) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(g) maximum area 2.5m².</p> <p>Flush wall signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) maximum area 2.5m².</p> <p>Top hamper signs:</p> <p>(a) must satisfy general criteria above, and</p> <p>(b) must be securely fixed, and</p> <p>(c) must be located and erected on the site to which they relate, and</p> <p>(d) maximum one sign per street frontage, and</p> <p>(e) if over a public road, must be erected at a height no less than 2.6m above ground level, and</p> <p>(f) maximum area 2.5m².</p>
(c) Business identification signs in industrial areas	<p>Only exempt in Zones 4 (1), 4 (2), 4 (3) and 9. Must satisfy general criteria above. Must be securely fixed by metal supports. If located over a public road, must be erected at a height of no less than 2.6m above ground level.</p> <p>Must be located and erected on the site to which they relate. Maximum one sign per street frontage. Maximum area 2.5m².</p>
(d) Real estate signs (advertising premises or land for sale or rent) in rural, residential and environmental protection areas	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 7 (1), 7 (2), 7 (3), 7 (4) and 7 (5). Must satisfy general criteria above. Maximum area 2.5m². Must be freestanding or attached to an existing approved structure eg fence, dwelling house or</p>

	<p>garage. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage.</p>
(e) Real estate signs (advertising premises or land for sale or rent) in residential (urban living) areas	<p>Only exempt in Zone 2 (2). Must satisfy general criteria above. Maximum area 4.5m². Must be freestanding or attached to an existing approved structure eg fence. Must be located and erected on the site to which they relate. Must not detract from the amenity of adjoining and adjacent land owners. Maximum 2 signs per street frontage.</p>
(e1) Real estate signs (advertising premises or land for "open house" or "auction today") in all areas	<p>Exempt in all zones. Maximum area 1.2m². Must be erected only on the day the premises or land is open for open house or on the auction day. Must be removed immediately after the open house has finished or the auction has been completed. Maximum one sign at street frontage. Maximum of one sign at each of the nearest 2 intersections. Must not interfere with traffic visibility or pedestrian access. Must not be attached to balloons or similar items. Must not be illuminated or use flashing lights or similar devices for illumination.</p>
(f) Real estate signs (advertising approved premises or land for sale or rent) in commercial, industrial, infrastructure and tourist areas	<p>Only exempt in Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5 and 6 (2). Must satisfy general criteria above. Maximum area 10m². Must have structural certification. Must be located and erected on the site to which they relate. Maximum 2 signs per street frontage. Must not be displayed after 100% of the premises or land is sold or leased.</p>
(g) Directional real estate signs (advertising approved subdivisions) in rural, residential, commercial, industrial, infrastructure, tourist, natural	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9 and 10. Must satisfy general criteria above. In Zones 1 (1), 1 (2), 2 (1) and 2 (2), maximum area 4.5m². In Zones 3 (1), 3 (2), 4 (1), 4 (2), 4 (3), 5, 6 (2), 9</p>

<p>resource and investigation areas</p>	<p>and 10, maximum area 6m². Two sign boards joined together (eg on a corner site) are treated as 2 separate signs. Must be freestanding or attached to an existing approved structure eg fence, dwelling house or garage.</p> <p>Must be located within a 3km radius of the approved subdivisions to which the signs relate. Maximum of 4 signs within the 3km radius. If the nearest major arterial road or freeway is located outside the 3km radius, 2 additional signs are permitted outside the 3km radius to allow directions to be provided to the premises or land. Must not be displayed after 100% of land is sold. Must relate to approved subdivisions as a whole, not to individual lots.</p>
<p>Silos</p>	<p>Only exempt in Zone 1 (1). Maximum capacity 120 tonnes. Maximum height 9m. Must be constructed of prefabricated metal. Must be freestanding and not rely on other structures for support. Must be erected in accordance with the manufacturer's specifications or an engineer's certification. Minimum setback to property boundary must be equivalent to height of silo plus 1m. Minimum front setback 30m.</p>
<p>Temporary structures—tents used for short term accommodation</p>	<p>Only exempt in Zones 1 (1), 1 (2), 2 (1), 2 (2), 6 (2), 7 (1), 7 (2), 7 (3), 7 (4), 7 (5) and 10. Must be erected on private land (excluding caravan parks, camping grounds and manufactured home estates the operation of which is governed by the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>). Must be erected in accordance with the manufacturer's specifications and requirements. Must not be erected for a period exceeding 21 consecutive days. Stormwater runoff must not cause a nuisance to adjoining properties. Siting of tents must not create any noise nuisance arising from the use of the tent. Must be setback a minimum 1.5m from all</p>

	<p>boundaries.</p>
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ATTACHMENT B

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 1 June 2010

Schedule 2 Subdivision standards

(Clause 24)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

building area means the area of the site capable of supporting development. It does not include:

- (a) front, side and rear setbacks, or
- (b) the access handle of a battle-axe lot.

community association, community development lot, community parcel, community property and **community scheme** have the same meaning as they have in the Community Land Development Act 1989.

irregular lot means a lot that is not a standard lot.

neighbourhood scheme has the same meaning as it has in the Community Land Development Act 1989

standard lot means a rectangular lot (and includes a rectangular corner lot).

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

- (2) In this Schedule, the minimum area specified for battle-axe lots excludes the battle-axe access handle.
- (3) The subdivision standards in this Schedule do not apply to strata subdivision.
- (4) A heading to a clause in this Schedule is taken to be part of this Schedule.

Part 2 Zone 1 (1) Rural (Production)

2 All types of subdivision

Minimum area—20ha.

Part 3 Zone 1 (2) Rural (Living)

3 Subdivisions not for purpose of community, precinct or neighbourhood scheme

Minimum area—1ha.

4 Subdivisions for purpose of community scheme

- (1) Community parcel:
minimum area—5ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—1,500m²,
 - (c) maximum density (excluding community property)—1.6 lots per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve the natural quality of the land and the rural character of the area. All remaining land must be community property under the control of the community association,
 - (e) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 4 Zone 2 (1) Residential

Note. Also see, in particular, clauses 24, 27 and 28A.

5 Any type of subdivision of approved dual occupancy

Minimum area—250m².

6 Any type of subdivision of approved small lot housing

- (1) Must create at least 3 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 300m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

7 Subdivisions (other than of approved dual occupancy or approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
 - (b) other standard lot:
 - (i) minimum area—450m²,
 - (ii) minimum width—14m.
- (2) Irregular lot:
 - (a) battle-axe lot:

- (i) minimum area—600m²,
- (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m,
- (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—4m, or 2 battle-axe lots—5m,
- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—600m²,
 - (ii) minimum width—18m,
- (c) other irregular lot:
 - (i) minimum area—450m²,
 - (ii) must have a rectangular building area with a minimum area of 250m² and a minimum width of 12m.

8 Subdivisions (other than of approved dual occupancy or approved small lot housing) that create 10 or more lots

At least 10%, but no more than 50%, of lots must be small lot housing lots.

Part 5 Zone 2 (2) Residential (Urban Living)

Note. Also see, in particular, clauses 24, 27 and 28A.

9 Any type of subdivision of approved small lot housing

- (1) Must create at least 4 small lot housing lots.
- (2) Each lot must:
 - (a) be not less than 200m², but not more than 450m², in area,
 - (b) have direct frontage to a public road, or an access way established as part of a community scheme.

10 Subdivisions (other than of approved small lot housing)

- (1) Standard lot:
 - (a) standard corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (b) other standard lot:
 - (i) minimum area—900m²,
 - (ii) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
 - (iii) minimum width of battle-axe access handle servicing 1 battle-axe lot—8m,

- (iv) maximum number of battle-axe lots sharing a single access handle—2,
- (b) irregular corner lot:
 - (i) minimum area—1,200m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m,
- (c) other irregular lot:
 - (i) minimum area—900m²,
 - (ii) must have a rectangular building area with a minimum area of 900m² and a minimum width of 25m.

Part 6 Zone 3 (1) Urban Centre (Core)

11 All types of subdivision

No numeric standards.

Part 7 Zone 3 (2) Urban Centre (Support)

12 All types of subdivision

No numeric standards.

Part 8 Zone 4 (1) Industrial (Core)

13 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—4,000m²,
 - (b) minimum width—40m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m,
 - (iii) minimum width of battle-axe access handle—12m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—4,000m²,
 - (ii) minimum width—40m.

Part 9 Zone 4 (2) Industrial (General)

14 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.

- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 10 Zone 4 (3) Industrial (Urban Services)

15 All types of subdivision

- (1) Standard lot:
 - (a) minimum area—1,500m²,
 - (b) minimum width—25m.
- (2) Irregular lot:
 - (a) battle-axe lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m,
 - (iii) minimum width of battle-axe access handle—9m,
 - (iv) maximum number of battle-axe lots sharing a single access handle—2,
 - (b) other irregular lot:
 - (i) minimum area—1,500m²,
 - (ii) minimum width—25m.

Part 11 Zone 5 Infrastructure

16 All types of subdivision

No numeric standards.

Part 12 Zone 6 (1) Open Space

17 All types of subdivision

No numeric standards.

Part 13 Zone 6 (2) Tourism and Recreation

18 All types of subdivision

No numeric standards.

Part 14 Zone 7 (1) Conservation (Primary)

19 All types of subdivision

- (1) Minimum area for land within South Wallarah Peninsula (being land east of the Pacific Highway and south of the land to Lake Macquarie Local Environmental Plan 2000 – North Wallarah Peninsula applies)—100ha.
- (2) Minimum area for all other land within Zone 7 (1)—40ha.

Part 15 Zone 7 (2) Conservation (Secondary)

20 All types of subdivision

Minimum area—40ha.

Part 16 Zone 7 (3) Environmental (General)

21 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—40ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

22 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—40ha.
- (2) Community development lots:
 - (a) minimum area—1,000m²,
 - (b) maximum area—2,500m²,
 - (c) maximum density (excluding community property)—1 lot per 10ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 17 Zone 7 (4) Environmental (Coastline)

23 All types of subdivision

No numeric standards.

Part 18 Zone 7 (5) Environmental (Living)

24 Subdivisions not for purpose of community, precinct or neighbourhood scheme

- (1) Minimum area—2ha.
- (2) Must have a square building area that has:
 - (a) minimum width—40m,
 - (b) minimum slope of less than 1 in 5.

25 Subdivisions for purpose of community scheme

- (1) Community parcel:
 - minimum area—10ha.
- (2) Community development lots:
 - (a) minimum area—600m²,
 - (b) maximum area—1,200m²,
 - (c) maximum density (excluding common property)—1 lot per ha,
 - (d) must be clustered together, or otherwise established, for the purpose of retaining a significant area of unbuilt open space to preserve, maintain and enhance the natural and scenic quality of the land,
 - (e) all remaining land must be community property under the control of the community association,
 - (f) must not have frontage to a public road unless it can be demonstrated that the subdivision is consistent with the existing subdivision pattern, and the subdivision will preserve the natural and scenic quality of the land.

Part 19 Zone 8 National Park

26 All types of subdivision

No numeric standards.

Part 20 Zone 9 Natural Resources

27 All types of subdivision

No numeric standards.

Part 21 Zone 10 Investigation

28 All types of subdivision

Subdivision prohibited.

24 Subdivision

- (1) Despite any other provision of this plan, subdivision of land, other than that identified in subclause (9), may be carried out only with development consent.
- (2) Land in any zone may be subdivided only if the consent authority is satisfied:
 - (a) that the resulting lots will conform to the requirements in Schedule 2 (Subdivision standards) applicable to subdivision in that zone, and
 - (b) the resulting lots can be developed in accordance with this plan.
- (3) To avoid doubt State Environmental Planning Policy No 1 – Development Standards applies to a requirement referred to in subclause (2) (a) in the same way as it applies to a development standard.
- (4) Consent must not be granted to a subdivision of land in Zone 2 (1) or 2 (2) for the purpose of small lot housing unless consent has been or is also given to the erection on the land of dwellings that will comprise small lot housing.
- (5) Consent must not be granted for a subdivision of land in Zone 2 (1) for the purpose of dual occupancy-attached or dual occupancy-detached unless consent has been or is also granted for the erection on the land of dwellings comprising that form of dual occupancy.
- (6) (Repealed)
- (7) The subdivision of land in Zone 2 (1) or 2 (2) for small lot housing is prohibited if it would result in the creation of any battle-axe lots.
- (8) The subdivision of land in Zone 10 is prohibited.
- (9) Consent is not required for a subdivision for the purpose only of any one or more of the following:
 - (a) widening a public road,
 - (b) a minor realignment of boundaries that does not create:
 - (i) additional lots or the opportunity for additional dwellings, or
 - (ii) lots that are smaller than the minimum size provided for by this plan in relation to the land concerned,
 - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (d) rectifying an encroachment on a lot,
 - (e) creating a public reserve,
 - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

27 Dwelling houses, small lot housing and dual occupancies in Zone 1(2), 2(1), 2(2) or 7(5)

- (1) This clause applies to land in Zone 1 (2), 2 (1), 2 (2) or 7 (5).
- (2) In this clause:

dwelling lot means a lot that:

 - (a) was a lawfully created lot at the commencement of this plan, or
 - (b) is a lot lawfully created after that commencement under a development consent granted before or after that commencement, or
 - (c) complies with such of the requirements set out in Schedule 2 (Subdivision standards) as apply to the land comprising the lot.
- (3) A dwelling must not be erected or created on land to which this clause applies, except in accordance with this clause.
- (4) Consent may be granted for the erection or creation of:
 - (a) a dwelling house on a dwelling lot in Zone 2 (2), or
 - (b) a dwelling house or dual occupancy-attached on a dwelling lot in Zone 1 (2) or 7 (5), or
 - (c) a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot in Zone 2 (1).
- (5) Consent must not be granted for the erection or creation of a dwelling house, dual occupancy-attached or dual occupancy-detached on a dwelling lot if its erection or creation would mean:
 - (a) if the lot is in Zone 1 (2), 2 (1), 2 (2) or 7 (5)—that there is more than one dwelling house on the dwelling lot (counting any dwelling house already on the lot), or
 - (b) if the lot is in Zone 1 (2), 2 (1) or 7 (5)—that there are more than two dwellings on the dwelling lot (counting any dwelling already on the lot).
- (6) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a neighbourhood lot in Zone 1 (2) or 7 (5).
- (7) Consent must not be granted for the erection or creation of a dual occupancy-attached or dual occupancy-detached on a battle-axe lot in Zone 2 (1).
- (8) Consent must not be granted for the erection or creation of small lot housing in Zone 2 (1) or 2 (2):
 - (a) on a battle-axe lot, or
 - (b) on a lot less than 1,000 square metres in area.
- (9) Consent must not be granted to the erection or creation in Zone 2 (1) of:
 - (a) a dual occupancy-attached on a lot less than 500 square metres in area, or
 - (b) a dual occupancy-detached on a lot less than 600 square metres in area.

28A Residential flat buildings and multiple dwelling housing in Zone 2(2)

- (1) Consent must not be granted to the erection or creation of a residential flat building on:
 - (a) an irregular or standard corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 2,000 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other irregular allotment or standard allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres.
- (2) Consent must not be granted to the erection or creation of multiple dwelling housing on:
 - (a) a corner allotment in Zone 2 (2) unless the allotment has a minimum area of 1,200 square metres and a minimum width of 30 metres, or
 - (b) a battle-axe allotment in Zone 2 (2) unless the allotment has a minimum area of 1,500 square metres and the battle-axe access handle has a minimum width of 8 metres, or
 - (c) any other allotment in Zone 2 (2) unless the allotment has a minimum area of 900 square metres and a minimum width of 25 metres.
- (3) In this clause:

width means the distance of the perpendicular line between the side boundaries, as measured at the front building setback.

Attachment C

Extract from Lake Macquarie Local Environmental Plan, 2004 as at 27 August 2012

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

(Clause 51 and Dictionary)

Part 1 Heritage items other than of indigenous origins

In this Schedule, for the purpose of listing property descriptions, the symbol **S** means identified as of State significance, **R** means identified as of regional significance, **L** means identified as of local significance, **PO** means Permissive Occupancy, **MS** means miscellaneous, **MD** means Maitland and **SP** means strata plan.

Item No	Significance	Item	Address	Property description
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Argenton

AG-01	L	Newcastle Mines Rescue Station	533 Lake Rd	Lot 2, DP 599235
AG-02	L	Former Cockle Creek Railway Bridge	2 (over) Cockle Creek (also see RT-09)	
AG-03	L	Cockle Creek Railway Bridge	3 (over) Cockle Creek (also see RT-03)	
AG-05	L	Church Hall and Anglican Church	477 Lake Rd 475 Lake Rd	Lot 1, DP 125686 Lot 2, DP 125686
AG-06	L	Speers Point Tram Route	Frederick St (also see RT-02)	

Awaba

AW-03	L	Former Awaba Union Church	20 Gosford St	Lot 1, Section 8, DP 758041
AW-05	L	Gatekeeper's Cottage	154 Wilton Road	Lot 1, DP 817297

Barnsley

BY-02	L	Johnston Family Cemetery	14A Taylor Ave	Lot 100, DP 630296
BY-03	L	Former Barnsley	91 Appletree Rd	Lot 2, DP 1001812

Belmont

Belmont

BM-01	L	House "Yarragee"	23 Bellevue Rd	Lot 1, DP 881605
BM-04	L	Captain Bain's House	15 George St	Lot 2, DP 13715
BM-05	L	House "The Bennals"	45 Walter St	Lot D, DP 402085
BM-08	L	Former Ferry Wharf	55 Brooks Pde	Belmont Wharf

Belmont North

BN-01	L	Former John Darling Colliery	14 John Darling Ave 65 John Fisher Rd 85 John Fisher Rd 75 John Fisher Rd	Lot 100, DP 1136505 Lot 1, DP 814551 Lot 2, DP 814551 Lot 3, DP 814551
BN-04	L	Former Staff Houses, Colliery Row	3 Maranatha Cl 7 Maranatha Cl 9 Maranatha Cl 21 Maranatha Cl	Lot 12, DP 848941 Lot 14, DP 848941 Lot 15, DP 848941 Lot 120, DP 853391

Belmont South

BS-02	L	Tank traps	Cold Tea Creek, 690A Pacific Hwy	Lot 7024, DP 1057186
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Blackalls Park

BK-02	L	Railway Bridges	2 (over) Mudd Creek and 2 (over) Stony Creek (also see RT-11)	
BK-03	L	Railway Station	26 South Pde (also see RT-11)	

Boolaroo

BR-01	L	Group of 4 Cottages	8 Creek Reserve Rd 10 Creek Reserve Rd 12 Creek Reserve Rd 14 Creek Reserve Rd	Lot 11, DP 616785 Lot 1, DP 301687 Lot 3, DP 8704 Lot 4, DP 8704
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BR-02	L	Former Boolaroo Post Office	91 Main Rd	Lot 2, DP 809177	Cardiff South				
BR-04	L	Former Motor Garage	19 Main Rd	Lot 1, DP 125272	CS-01	L	Former Colliery Tramway	14a Almora Cl 180 Macquarie Rd 235 Macquarie Rd (also see RT-15)	Lot 38, DP 827464 Lot 17, DP 727746 Lot 673, DP 805546
BR-05	L	Commercial Hotel	2 Main Rd	Lot 1, Section A, DP 3494, Lot 2, Section A, DP 3494	Catherine Hill Bay				
BR-06	L	House "Alida"	Lakeview Rd	Lot 4, Section M, DP 3494	CH-03	L	Police Station and Lock Up	23-27 Clarke St	Lot 1, Section F, DP 163, Lot 3, Section F, DP 163, Lot 5, Section F, DP 163
BR-16	L	Former Laboratory building on the former Pasminco site	Part of 13A Main Rd	Part of Lot 2, DP 1127713	CH-04	L	Wallarah Hotel	24 Clarke St	Lot 1, Section D, DP 163
Booragul					CH-05	L	Cottages	10 Clarke St 12 Clarke St	Lot 71, DP 222717 Lot 72, DP 222717
BU-01	L	Colliery Relics	155 Old Main Rd	Lot 33, DP 858667	CH-06	L	Cottages	21 Clarke St 19 Clarke St	Lot 78, DP 222717 Lot 79, DP 222717
BU-02	L	House "Awaba Park"	18 Marmong St 2b First St	Lot 120, DP 855520 Lot 33, DP 1133743	CH-07	L	Cottage	17 Clarke St	Lot 80, DP 222717
BU-03	L	Quigley Grave	24 Park Pde	Pt Lot 468, DP 774186	CH-08	L	Cottages	9 Clarke St 7 Clarke St 5 Clarke St 3 Clarke St	Lot 84, DP 222717 Lot 85, DP 222717 Lot 86, DP 222717 Lot 87, DP 222717
Cams Wharf					CH-10	L	Cottage	3 Lindsley St	Lot 54, DP 222717
CW-01	L	Lord of the Manor Cams Cottage	13 Cams Wharf Rd	Lot 2, DP 616354	CH-12	L	Cottage	11 Lindsley St	Lot 58, DP 222717
Cardiff					CH-14	L	Coal Loader Jetty	Southern end of the beach	Lot 104, DP 1129872
CF-01	L	Row of 4 Shops with Cottages	275 Main Rd 279 Main Rd	Lot 21, DP 544989 Lot 22, DP 544989	CH-17	L	House and 4 Norfolk Pines	38 Flowers Dr	Lot 22, DP 593154
CF-02	L	Brick Shops	281 Main Rd	Lot 4, DP 10789	CH-19	L	Anglican Church	71 Flowers Dr	Lot 21, DP 593154
CF-04	L	Former Doctor's Surgery	8 Michael St	Lot 2, DP 214463	CH-21	L	Group of cottages	27 Flowers Dr 29 Flowers Dr 31 Flowers Dr 33 Flowers Dr 35 Flowers Dr 37 Flowers Dr 42 Flowers Dr 44 Flowers Dr 46 Flowers Dr 48 Flowers Dr 50 Flowers Dr 54 Flowers Dr 56 Flowers Dr	Lot 14, DP 222943 Lot 15, DP 222943 Lot 16, DP 222943 Lot 17, DP 222943 Lot 18, DP 222943 Lot 19, DP 222943 Lot 41, DP 222943 Lot 42, DP 222943 Lot 43, DP 222943 Lot 44, DP 222943 Lot 45, DP 222943 Lot 47, DP 222943 Lot 48, DP 222943
CF-05	L	House	6 Michael St	Lot 1, DP 214463					
CF-08	L	Cardiff Masonic Hall	4 Margaret St	Lot 12, Section B, DP 8186					
CF-09	L	House	309 Main Rd	Pt Lot 34, DP 755233					
CF-15	L	St Kevin's Cottage	230 Main Rd	Lot 1, DP 1015805					
CF-16	L	St Kevin's Church	226 Main Rd	Lot 3, Section A, DP 4143					
CF-17	L	Former Miner's Cottage	251 Main Rd	Lot 1, DP 303203					

		58 Flowers Dr	Lot 49, DP 222943	CB-18 L	Bethel Hall	50 Central Rd	Lot 18, DP 129134
CH-22 L	Hall	1 Northwood Rd	Lot 1, DP 407474	CB-21 L	College Hall	50 Central Rd	Lot 18, DP 129134
CH-24 L	House	26 Flowers Dr	Lot 1, DP 1107593	CB-22 L	Science Hall	50 Central Rd	Lot 18, DP 129134
CH-27 L	House	38 Flowers Dr (off Colliery Rd)	Lot 223, DP 1102989	CB-23 L	House "The Laurels"	50 Central Rd	Lot 18, DP 129134
CH-32 L	Cemetery	8 Northwood Rd	Lot 7079, DP 1029250	CB-24 L	Auditorium	50 Central Rd	Lot 9, Section 7, DP 3533
CH-34 S	Former WWII RAAF Radar Station 208	145 Mine Camp Rd	Lot 16, DP 755266 Lot 3, DP 1016670	CB-26 L	Sanitarium Health Foods Factory	70 Central Rd 70 Central Rd 50 Central Rd 50 Central Rd	Lots 6, 7 and 8, Section 1, DP 3533 Lot 1, DP 938761 Lot 18, DP 129134
Charlestown							
CT-01 L	Miners' Cottages	300 Charlestown Rd 304 Charlestown Rd 306 Charlestown Rd 308 Charlestown Rd	Lot 2, DP 33470 Lot 4, DP 33470 Lot 5, DP 33470 Lot 6, DP 33470	CB-27 L	Sanitarium Dairy Farm	15 Central Rd	Lots 18 to 23, Section 3, DP 3533
CT-03 L	Cottage	32 Smith St	Lot 1, DP 213865	CB-28 L	House "Three Bells"	597 Freemans Dr	Lot 201, DP 1059478
CT-04 L	Brick Cottage	36 Smith St	SP 43904	CB-29 L	Cottage	661 Freemans Dr	Lot A, DP 416525
Coal Point							
CP-01 L	Threlkeld's Mine	359 Coal Point Rd	Lot 172, DP 1037893	CB-31 L	House "Sunnyside"	27 Avondale Rd	Lot 2, DP 204207
Cooranbong							
CB-01 L	Grave "Frost's Rest"	54 Mannings Rd	Lot 1, DP 919600	Dora Creek			
CB-02 L	Catholic Church and Cemetery	6 Martinsville Rd	Lot 1, DP 197852	DC-02 L	House	16 Dora St	Lot 11, DP 533825
CB-03 L	Former Post Office	41 Martinsville Rd	Lot 120, DP 755223	DC-03 L	Holmes Store	3 Watt St	Lot 38, DP 528601
CB-06 L	House	9 Kings Rd	Lot 3, DP 549007	DC-04 L	Former St Paul's Anglican Church	26 Coorumbung Rd	Lot 101, DP 840020
CB-07 L	House	85 Kings Rd	Lot 1, DP 798409	Dudley			
CB-08 L	North Corumbung Cemetery	200 Martinsville Rd	Lot 7300, DP 1145113 Lot 1, DP 1095988	DL-01 L	Cast Iron Reservoir	147 Ocean St	Lot 1, 446723
CB-09 L	Suspension Footbridge	Off Victory St—Crosses Dora Creek		DL-02 L	Dudley Monument	Corner of Redhead Rd and Ocean St	Lot 189, DP 755233
CB-17 L	Water Tower	15 Central Rd	Lot 20, DP 3534	DL-03 L	Two Miner's Cottages	125 and 127 Ocean St	Lot 3, Section D, DP 2657 and Lot 11, DP 1150274
				DL-04 L	Dudley Public School	124 Ocean St	Lot 145, DP 755233
				DL-06 L	Pensioners Hall	98 Ocean St	Lot 1, DP 931771
				DL-07 L	Ocean View Hotel	85 Ocean St	Lot 20, Section A, DP 2304
				DL-08 L	Royal Crown Hotel	94 Ocean St	Lot 18, Section B, DP 2304

DL-09 L	Former Miner's Cottage	31 Thomas St	Lot 9, Section D, DP 2657				4479
DL-10 L	Former Miner's Cottage	29 Thomas St	Lot 11, Section D, DP 2657	HV-06 L	Brick House	54 Appletree Rd	Lot 22, DP 740832
Edgeworth				HV-07 L	House	20 William St	Lot 14, Section E, DP 5432
EW-07 L	School Teacher's Residence	7 Minmi Rd	Lot 106, DP 755262	HV-08 L	Former Police Station	20 Charlotte St	Lot 15, Section E, DP 5432
Eraring				HV-09 L	Post Office Store	18 George St	Lot 1, Section L, DP 3442
ER-01 L	Eraring Power Station	268 Rocky Point Rd, Eraring 294 Rocky Point Rd, Eraring 115 Construction Rd, Myuna Bay 215 Construction Rd, Myuna Bay 235 Construction Rd, Myuna Bay 260 Construction Rd, Myuna Bay	Lot 11, DP 1050120 Lot 10, DP 1050120 Lot 50, DP 840671 Lot 20, DP 840668 Lot 211, DP 840670 Lot 51, DP 840671	HV-11 L	Holmesville Hotel	21 George St	Lot 20, Section M, DP 3442
				HV-20 L	House	32 Seaham St	Lot 42, Section B, DP 4479
				HV-24 L	Railway Station	Killingworth Rd (also see RT-09)	
				HV-25 L	Former Uniting Church	29 Helens St	Lot 16, Section N, DP 3442
				Kahibah			
				KH-01 S L	Glenrock Railway and Mine Entrance and early coal mining sites	Glenrock State Recreation Area	Lot 1, DP 523208 and Lot 21, DP 575387
Fassifern				Killingworth			
FF-01 L	Fassifern Railway Cottage	Wallsend Rd	Lot 1, DP 854050	KW-02 L	Elcom Newcastle Substation	101 Killingworth Rd	Lot 1, DP 619513 Lot 2, DP 619513
FF-02 L	Toronto Railway Overbridge	(over) Fassifern Rd (also see RT-11)		KW-03 L	Former Killingworth Hotel	39 Killingworth Rd	Lot 13, Section E, DP 4339
FF-03 L	Fassifern Railway Station	29 Fassifern Rd		KW-05 L	Soldier's Memorial	26 The Broadway	Lot 1, Section D, DP 4339
Freemans Waterhole				Kotara South			
FW-01 L	Headframe Former Mining Museum	890A Freemans Dr	Lot 80, DP 610602	KS-01 L	South Waratah Colliery	31 Kirkdale Dr (also see RT-06)	Lot 132, DP 243393
Glendale				Little Pelican			
GD-01 L	Cardiff Railway Workshops	460 Main Rd	Lot 100, DP 1100258	LP-01 L	Little Pelican cottages and site		Lot 7036, DP 1030788
Holmesville				Marks Point			
HV-04 L	Brick House	47 Appletree Rd	Lot 3, Section B, DP				

MK-01 L	House	15 Haddon Cr	Lot 1, DP 124241						Psychiatry
Martinsville				MS-23 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Ward 12	Rd, Bonnells Bay			
MV-01 L	Public School	495 Martinsville Rd	Lot 157, DP 823773	MS-24 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Residence No 3	Rd, Bonnells Bay			
MV-02 L	House "Woodside"	32 Wilkinson Rd	Lot 1, DP 741192	MS-25 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Maximum Security Division	Rd, Bonnells Bay			
MV-03 L	Dora Creek Bridge	Owens Rd		MS-26 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Cottage Row	Rd, Bonnells Bay			
MV-04 L	Farm House "Wonga Hill"	324 Owens Rd	Lot 63, DP 661760		Residence Nos 16, 17, 18, 19, 20 and 21				
MV-08 L	Former Union Church	447 Martinsville Rd	Lot A, DP 4329	MS-29 S	Morisset Hospital	69a Fishing Point	Lot 1 DP 880557		
				L	Water Supply Dam—Pourmalong Creek	Rd, Bonnells Bay			
Morisset				Nords Wharf					
MS-01 L	Stationmaster's House	58 Dora St	Pt Lot 1, DP 1002965	NW-01 L	Former Guesthouse "Kurrawilla"	127 Marine Pde	Lot 4 to 9, DP 23483		
MS-02 L	Community Hall	77 Dora St	Lot 2, DP 590896	NW-02 L	"Nords Wharf"	43c Nords Wharf Rd	PO 1970/126		
MS-04 L	Mullard Chambers building	71 Dora St	Lot 1, DP 215590	Pelican					
MS-08 L	Morisset High School	33 Bridge St	Lot 3, Section 40, DP 758707	PF-01 L	Cabbage Trees	5 Soldiers Rd	Lot 135, DP 1151226		
MS-10 L	Tree—Morisset's Campsite	147 Macquarie St	Lot 7045, DP 93593	Railways and tramways					
MS-12 S	Morisset Hospital Wards 5 and 6	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-01 L	West Wallsend Steam Tram Line	West Wallsend to Newcastle via Wallsend, Holmesville, Estelville, Edgeworth and Glendale			
MS-13 S	Morisset Hospital Ward 9, Clinical Dept	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-02 L	Speers Point Steam Tram Line	Newcastle to Speers Point via West Wallsend			
MS-14 S	Morisset Hospital Ward 10	84 Bridge Street, Morisset	Lot 1, DP 880557	RT-03 L	Great Northern Railway	Line passes through Lake Macquarie from			
MS-15 S	Morisset Hospital The Chapel	84 Bridge Street, Morisset	Lot 1, DP 880557						
MS-16 S	Morisset Hospital Recreation Hall	84 Bridge Street, Morisset	Lot 1, DP 880557						
MS-17 S	Morisset Hospital The Main Store	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-19 S	Morisset Hospital Residence No 1	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						
MS-20 S	Morisset Hospital Ward 17, General	69a Fishing Point Rd, Bonnells Bay	Lot 1 DP 880557						

RT-04 L	Belmont Railway	Garden Suburb to Wye Adamstown to Belmont, the New Redhead Estate and Coal Company Railway		RT-15 L	Conveyor Railway Loop Cardiff South Colliery Tramway	Vales Point Power Station Macquarie Rd, Cardiff South
RT-05 L	Branch Lines from the Belmont Railway	Burwood No 3 Colliery, Whitebridge, Dudley Colliery, Dudley, Lambton Colliery, Redhead, John Darling Colliery, Belmont North, Belmont Colliery Sidings, Belmont	Lots 1, 2 and 9, DP 1038830	Rathmines		
RT-06 L	Raspberry Gully Line Railway	Opposite Dalpura Lane to the Main Northern Railway Line, near Adamstown along Styx Creek		RM-00 S	Rathmines Park (former RAAF Seaplane Base)	Area bounded by Lake Macquarie, The Circler, 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
RT-09 L	Seaham, West Wallsend, Fairley and Killingworth Railway	Cockle Creek to Seaham No 1 Colliery at Seahampton with branches to Fairley and Killingworth		RM-01 L	Catalina Memorial Nursing Home	171 Dorrington Rd Lot 2, DP 226531
RT-10 L	Rhondda Colliery Railway	From West Wallsend railway on the northside of Stockton Borehole Colliery to the Rhonda Colliery south of Rhonda Rd, Teralba		RM-02 L	Community Hall	1 Overhill Rd Lot 64, DP 596913
RT-11 L	Fassifern to Toronto Branch Railway Line	Fassifern Railway Station to Toronto Railway Station and then Toronto Wharf		RM-03 L	Catamaran Club	1 Overhill Rd Lot 64, DP 596913
RT-14 L	Wye Coal	North of Wye to		RM-04 L	Christadelphian School	2 Stilling St Lot 5, DP 226534
				RM-05 L	Flying Boat Ramps	1 Overhill Rd Lot 64, DP 596913
				RM-06 L	Rathmines Bowling Club	1 Stilling St Lot 4, DP 226533
				RM-07 L	Catalina War Memorial	1 Overhill Rd Lot 64, DP 596913
				RM-08 L	Rathmines Holiday Camp	3 Stilling St Lot 1, DP 226530
				RM-09 L	Brick Store	1 Overhill Rd Lot 64, DP 596913
				RM-10 L	Boat Slip	1 Overhill Rd Lot 64, DP 596913
				RM-12A L	Emergency Radio Bunkers	115 Wangi Rd Lot 466, DP 1138964
				Redhead		
				RH-01 L	Lambton Colliery	1 Geraldton Dr Lot 68, DP 878840

RH-03 L	Under-Manager's House	17 Geraldton Dr	Lot 7, DP 878840					German Mortar)
RH-04 L	"The Gables"	87 Redhead Rd	Lot 4, DP 737493		Swansea			
RH-07 L	Mine Manager's House	21 Elsdon St	Lot 100, DP 609787	SS-02 L	The Swansea Hotel	196 Pacific Hwy	Lot 12, DP 1101804	
RH-08 L	Shark Tower	2A Beach Rd	Lot 1412, DP 755233		Swansea Heads			
Speers Point								
SP-03 L	House	10 Council St	Lot 1, DP 518527	SD-02 L	Coast Guard Station	3a Lambton Pde	Lot 548, DP 39981	
SP-04 L	House	8 Council St	Lot 1, DP 521920	SD-03 L	Reid's Mistake, Head and Channel	7a Lambton Pde	Pt Reserve 88033	
SP-08 L	House	18 Alley St	Lot 11, DP 525378		Teralba			
SP-09 L	House	37 Alley St	Lot 1, DP 587774	TA-03 L	Shop	10 Anzac Pde	Lot 1, DP 999965	
SP-10 L	Cottage	64 Speers St	Lot 1, DP 348879	TA-08 L	House "Moria"	59 York St	Lot 17, DP 816302	
SP-11 L	House	66 Speers St	Lot 3, DP 562487	TA-09 L	Teralba Public School	57 York St	Lot 2, DP 795123	
SP-12 L	House	41 Albert St	Lot 1, DP 962726	TA-10 L	Great Northern Hotel	2 Anzac Pde	Lot 7, Section A, DP 447469	
SP-13 L	House	74 Speers St	Pt Lot 1, DP 956798	TA-11 L	House "AS"	101 Railway St	Lot 261, DP 554269	
SP-14 L	House	214 The Esplanade	Lot 1, DP 108865	TA-12 L	Station Master's Cottage	150 Railway St	Lot 3, DP 831957	
SP-16 L	House "The Knoll"	374 The Esplanade	Lot 3, DP 786053	TA-13 L	Teralba Cemetery Billygoat Hill	20 Pitt St	Lot 31, DP 858667	
SP-17 L	House	332 The Esplanade	Lot 4, DP 350608	TA-16 L	Gartlee Mine	159 Railway St	Lot 102, DP 1131669	
SP-19 L	House	302 The Esplanade	Lot 32, DP 564214	TA-17 L	Rhondda Colliery	282 Rhondda Rd 284 Rhondda Rd	Lot 101, DP 1073163 Lot 76, DP 755262	
SP-23 L	House	282 The Esplanade	Lot 145, DP 558308	TA-18 L	Former Co-operative Store	75 York St	Lot 18, DP 1158353	
SP-25 L	Former Lake Macquarie Council Chambers	143 Main Rd	Lot 13, DP 810700	TA-25 L	St Hilda's Church	16 York St	Lot 4, DP 1128610	
SP-26 L	House	141 Main Rd	Lot 1, DP 368588		Toronto			
SP-29 L	Speers Point Garage	155 Main Rd	Lot 12, Section A, DP 4063	TT-01 L	House "Manuka"	182 Excelsior Pde	Lot 461, DP 589541	
SP-30 L	House "Shangrila"	157 Main Rd	Lot 11, Section A, DP 4063	TT-06 L	House "The Moorings"	2 Jarrett St	Lot 1, DP 1108227	
SP-31 L	House	159 Main Rd	Lot 10, Section A, DP 4063	TT-08 L	Toronto Cemetery	354 Awaba Rd	Lots 7044 to 7046, DP 1052029 and Lot 7058, DP 1052031	
SP-34 L	Lakeview Street Theatre	81 Lakeview St	Lot 14, Section B, DP 4063	TT-09 L	Toronto Hotel	74 Victory Pde	Lot 201, DP 549239	
SP-36 L	Shelter Shed	15 Park Rd	Lot 1, DP 998238					
SP-37 L	Minenwerfer (or	15 Park Rd	Lot 1, DP 998238					

TT-11	L	Former Railway Station	16 Victory Row	Lot 220, DP 1021925	WB-02	L	First Orange Orchard	The slope with north eastern aspect falling from crest of hill at corner Beryl and Mills Sts down to creek and tramway	(WB-03)	
TT-12	L	Frith's Store	66-74 The Boulevarde	Lot 1, DP 1154114						
TT-15	L	Building Restaurant	24 Victory Pde	Lot 1, DP 301366						
TT-16	L	Royal Motor Yacht Club Annexe	8 Arnott Ave	Lot 12 to 15, DP 456286	WB-03	L	Mine Pithead and Coal Tramway to Lake	Follows creek from below Barbara St, to Lake between Howard and James Sts		
TT-17	L	Building Restaurant	6 Arnott Ave	Lot X, DP 406274, Pt Lot 424, DP 823708, Lot 1, DP 917503						
TT-18	L	Boatman's Cottage Lakefront	4 Arnott Ave	Lot 1, DP 950464						
TT-19	L	Boathouse and Winches Lakefront	4 Arnott Ave	Lot 1, DP 950464 PO 65/60	WB-04A	L	Cottage	17 Daydawn Ave	Lot 10, DP 651218	
West Wallsend										
TT-20	L	House	4 Arnott Ave	Lot 1, DP 950464	WW-01	L	West Wallsend Football Club Ground	3 Laidley St, Johnson Park	Lot 1, DP 421411	
TT-21	L	House "Burnbrae"	32 Renwick St	Lot 1, DP 122786						
TT-22	L	Station Master's Cottage	98 Brighton Ave	Lot 1, DP 125979	WW-02	L	West Wallsend (No 1) Colliery	off Wilson St	Pt Lot 106, DP 1000408	
TT-23	L	House "McGeachie's"	109 Brighton Ave	Lot 2, DP 515029	WW-05	L	Cottage	12 Carrington St	Lot 6, Section Z, DP 3809	
TT-29	L	Convent of Mercy	26 Renwick St	Lot 2122, DP 1116609	WW-06	L	Cottage	15 Carrington St	Lot 15, Section D, DP 2252	
TT-30	L	House	23 Renwick St	Lot 2, DP 350492						
TT-38	L	Cottage	6 Renwick St	Lot 21, Section 7, DP 4236	WW-08	L	House "Earsdon Cottage"	20 Carrington St	Lot A, DP 370073	
TT-42	L	House	16 Hunter St	Lot 111, DP 596414	WW-10	L	Former Shop and Doctors surgery	47 Carrington St	Lot 16, Section C, DP 2252	
TT-43	L	Winn's House	19 Hunter St	Lot 100, DP 717511	WW-11	L	House	47 Carrington St	Lot 16, Section C, DP 2252	
Wangi Wangi										
WG-01	S	Wangi Power Station	80 Donnelly Rd	Lot 101, DP 880089	WW-12	L	Former Shop and House	52 Carrington St	Lot 2, Section G, DP 2252	
WG-04	L	House "Dobell House"	47 Dobell Dr	Lot 13, DP 8840	WW-13	L	Post Office and Residence	54 Carrington St	Lot 1, Section G, DP 2252	
WG-06A	L	Gun emplacements	24 Reserve Rd	Lot 526, DP 662836	WW-14	L	Catholic Church and Convent	5 Hyndes St	Lot 15, Section G, DP 2255, Lot 16, Section G, DP 2252, Lot 1, DP 500232, Lot 2, DP 500232	
Warners Bay										
WB-01	L	House "Ali's Palace"	6 Fairfax Rd	Lot 2, DP 20222, Lot 34, DP 20222, Pt Lot 1, DP 20222	WW-15	L	Soldiers' Memorial and Park	49 Carrington St	Lot 1, DP 301342	

WW-16	L	Workers' Club	51 Carrington St	Lot 11, DP 863266				755262
WW-18	L	Clyde Inn Hotel	57 Carrington St	Lot 12, Section B, DP 2252	WW-47	L	Mt Sugarloaf No 1 Colliery	Mt Sugarloaf Rd Lot 7, DP 813135
WW-19	L	House	59 Carrington St	Lot A, DP 382915	WW-50	L	West Wallsend Cemetery	Cemetery Rd Lots 980 and 981, DP 589701
WW-23	L	Former School of Arts	65 Carrington St	Lot 21, DP 875161	WW-52	L	West Wallsend Valve House and Underground Reservoir	30a George Booth Dr, Estelville Lot 1, DP 923587
WW-26	L	West Wallsend Co-Op	76a Carrington St 6 Withers St 8 Withers St	Lot 7, Section E, DP 2252 Lot 8, Section E, DP 2252 Lot 9, Section E, DP 2252	WW-58	L	Anglican Church	11 Wallsend Rd Lot 81, DP 1143907
WW-31	L	West Wallsend Public School	49a Wallace St	Lot 5, Section J, DP 2252, Lot 6, Section J, DP 2252, Lot 7, Section J, DP 2252, Lot 8, Section J, DP 2252, Lot 9, Section J, DP 2252, Lot 10, Section J, DP 2252, Lot 11, Section J, DP 2252, Lot 12, Section J, DP 2252, Lot 1, DP 415746, Lot 1, DP 103681, Lot 1, DP 203314, Lot 1, DP 418805	Whitebridge			
					WH-01	L	Whitebridge Cemetery	132a Dudley Rd Lots 1697, 1698 and 1731, DP 755233
					WH-02	L	House	105 Burwood Rd Lot 7, DP 800730
					WH-08	L	Railway Cutting and Bridge	Old Dudley Rd (also see RT-04)
					WH-09	L	Captain Bulls Garden	76 Bulls Garden Rd Lot 10, DP 220823
					Wyee			
					WY-02	L	Wyee Channel	Extending north, from the Wyee Dam, passing under Summerhayes Rd
WW-32	L	Miners' Memorial	49a Wallace St	Lot 8, Section J, DP 2252				
WW-33	L	Presbyterian Church	48a Wallace St	Lot 1, Section O, DP 2253				
WW-35	L	Baptist Church	49 Wallace St	Lot 15, Section K, DP 2252				
WW-38	L	Former Northumberland Hotel	1 Hyndes St	Lot 11, DP 565278				
WW-39	L	Cottage	53 Wilson St	Lot B, DP 315094				
WW-40	L	Cottage	8 Laidley St	Lot B, DP 319636				
WW-41	L	Museum Hotel	70 Wilson St	Lot 21, DP 700424				
WW-46	L	Mt Sugarloaf and the Sugarloaf Range	Mt Sugarloaf Rd	Lot 1, DP 231108, Lot 2, DP 231108, Lot 21, DP 223395, Lot 1, DP 207238, Lot 1, DP 338999, Lot 121, DP				

Part 2 Potential archaeological sites other than of indigenous origins

Item No	Significance	Item	Address	Property description
1		Wharf	Middle Camp Beach, Catherine Hill Bay	
2		Wallarah East Pit	Flowers Dr, Catherine Hill Bay	
3		Newstan Colliery	Fassifern Rd, Fassifern	
4		Lambton Colliery Redhead	Crown Land Redhead	Lot 2050, DP 823153
5		Arnos Bros, Quarry	Teralba	
6		North Burwood Colliery	Burwood Rd, Whitebridge	
7	L	Former mine site	180 Ross St, Green Point Reserve	Lot 2, DP 845516
AW-08	L	Railway Station cottage	34 Brisbane St, Awaba	
BN-01	L	Former John Darling Colliery—potential archaeological site	John Fisher Rd, Siloam Dr, John Fallins Cl, John Darling Ave	Lots 2–8, DP 1038830 Lots 1–5, 7–9, 12–14 and 16 and 17, 19–20, 22 and 23–25, DP 270530 Lots 201–207, 209–221, 223, 225 and 226, DP 1136649 Lots 1 and 2, DP 1153652 Lots 301–330, DP 1148102 Lots 501–505, DP 1156100 Lots 1 and 2, DP 1159382

Schedule 5 Natural heritage items

LM-01 L Pulbah Island

(Dictionary)

Part 1 Items relating to fossils

Item No	Significance	Item	Address	Property description
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Blackalls Park

BK-01	L	Fossil Tree Sections	Venetia Ave	Lot 6, DP 12604
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BK-04	L	Fossil Tree Reserve	40 Aldon Cr	Reserve 38237
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Swansea Heads

NI	L	Numerous fossil tree stumps preserved in situ—remains of fossil forest	Off Lambton Pde	Adjacent to Reserve 88033 and DP 39981
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Tingira Heights

TH-01	S L	Nature Reserve and being permian fossil insect horizon	Burton Rd	Lot 180, DP 755233 and area from Belmont to Warners Bay depicted on Map prepared by OLEM Knight, titled <i>Permian Fossil Horizon Belmont—Warners Bay</i> 1949 (Records of the Australian Museum 1950)
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Part 2 Landmark of Aboriginal and European heritage significance supporting tree groups and individual trees

Item No	Significance	Item	Address	Property description
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Schedule 6 Places or potential places of Aboriginal heritage significance

(Clause 50 and Dictionary)

Part 1 Places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites identified in the last edition of the National Parks and Wildlife Service's Aboriginal Sites Register available at the office of the Council		All property identified as an Aboriginal site in that Register

Part 2 Potential places of Aboriginal heritage significance

Item No	Significance	Item	Address	Property description
	Various	All sites, localities and landscapes identified in the <i>Lake Macquarie Aboriginal Heritage Study Report</i> available at the office of the Council		All properties identified as an Aboriginal site, locality or landscape as held in the records of Lake Macquarie City Council

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5th June, 2013

Environmental Resources Management Australia Pty Ltd
Building C, 33 Saunders Street
PYRMONT NSW 2009

Attention: Anne Ashworth,

RE: Eraring, Lake Macquarie

Note 1:	Lot 27 DP 262501	(page 2)
Note 2:	Lot 26 DP 262501	(page 4)
Note 3:	Lot 25 DP 262501	(page 7)
Note 4:	Lot 24 DP 262501	(page 9)
Note 5:	Lot 23 DP 262501	(page 11)
Note 6:	Lot 19 DP 262501	(page 13)
Note 7:	Lot 4 DP 262501	(page 15)
Note 8:	Lot 3 DP 548546	(page 17)
Note 9:	Lot 1612 DP 587100	(page 19)
Note 10:	Lot 3 DP 621697	(page 20)
Note 11:	Lot 2 DP 621697	(page 25)
Note 12:	Lot 1 DP 621697	(page 34)
Note 13:	Lot 21 DP 734860	(page 39)
Note 14:	Lot 20 DP 734860	(page 40)
Note 15:	Lot 301 DP 806475	(page 41)
Note 16:	Lot 302 DP 806475	(page 50)
Note 17:	Lot 1 DP 816174	(page 59)
Note 18:	Lot 1 DP 817425	(page 63)
Note 19:	Lot 100 DP 828283	(page 66)
Note 20:	Lot 101 DP 828283	(page 67)
Note 21:	Lot 211 DP 840670	(page 68)
Note 22:	Lot 50 DP 840671	(page 71)
Note 23:	Lot 51 DP 840671	(page 74)
Note 24:	Lot 11 DP 1050120	(page 77)
Note 25:	Lot 2 DP 1109558	(page 96)
Note 26:	Lot 1 DP 1109558	(page 97)
Note 27:	Lot 318 DP 39722	(page 98)

Note 1:

Current Search

Folio Identifier 27/262501 (title attached)
DP 262501 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 27 DP 262501

Folio Identifier 27/262501

Certificate of Title Volume 14926 Folio 105

Certificate of Title Volume 3496 Folio 137

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors Lot 27 DP 262501

Year	Proprietor
	(Lot 27 DP 262501)
2001 – todate	Eraring Energy
1987 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 27 DP 262501 – CTVol 14926 Fol 105)
1982 – 1987	The Electricity Commission of New South Wales
	(Lots 15, 16 & 17 Section D DP 6747 – Area 11 Acres 2 Roods 15 ¼ Perches – CTVol 3496 Fol 137)
1972 – 1982	The Electricity Commission of New South Wales
1971 – 1972	Public Trustee
1945 – 1971	Elizabeth Amy Pike, widow
1923 – 1945	Edwin James Pike, ganger
	(Lots 15, 16 & 17 Section D DP 6747 and other lands, area 2000 Acres – CTVol 1069 Fol 19)
1923 – 1923	Edwin James Pike, ganger
1892 – 1923	The Excelsior Land Investment and Building Company and Bank Limited

Note 2:

Current Search

Folio Identifier 26/262501 (title attached)
DP 262501 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 26 DP 262501

Folio Identifier 26/262501

Certificate of Title Volume 14926 Folio 104

Certificate of Title Volume 11818 Folio 249

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(a)

(b)

Certificate of Title Volume 4457 Folio 63

Certificate of Title Volume 4466 Folio 3

Certificate of Title Volume 3276 Folio 160

Certificate of Title Volume 3276 Folio 160

Certificate of Title Volume 1069 Folio 19

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors Lot 26 DP 262501

Year	Proprietor
	(Lot 26 DP 262501)
2001 – todate	Eraring Energy
1987 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 26 DP 262501 – CTVol 14926 Fol 104)
1982 – 1987	The Electricity Commission of New South Wales
	(Lot 1 D DP 550601 – Area 7 Acres 0 Roods 17 Perches – CTVol 11818 Fol 249)
1972 – 1982	The Electricity Commission of New South Wales

See Notes (a) & (b)

Note (a)

	(Lots 8 & 9 and part of Lot 6 Section R DP 6747 – Area 11 Acres 0 Roods 39 ½ Perches – CTVol 4457 Fol 63)
1972 – 1972	The Electricity Commission of New South Wales
1970 – 1972	Jean Eager, widow
1945 – 1970	Frank John Eager, vegetable grower
1930 – 1945	Cecil Volen Hobart, farmer
	(Lots 6 to 9 Section R DP 6747 – Area 16 Acres 3 Roods 16 ½ Perches – CTVol 3276 Fol 160)
1930 – 1930	Cecil Volen Hobart, farmer
1924 – 1930	John James Weatherstone, carpenter
1923 – 1924	Norman Leslie Ballard, farmer
1922 – 1923	Archie Hillis Foster, orchardist Gladys Winifred Foster, wife
	(Lots 6 to 9 Section D DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1922 – 1922	Archie Hillis Foster, orchardist Gladys Winifred Foster, wife
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lot 7 and part of Lot 6 Section R DP 6747 – Area 5 Acres 2 Roods 17 Perches – CTVol 4466 Fol 3)
1972 – 1972	The Electricity Commission of New South Wales
1970 – 1972	Jean Eager, widow
1966 – 1970	Frank Eager, mine works Jean Eager, wife
1955 – 1966	Iris Maisie Roberts, spinster
1955 – 1955	Public Trustee
1931 – 1955	Leslington James Walter Weatherstone, painter
	(Lots 6 to 9 Section R DP 6747 – Area 16 Acres 3 Roods 16 ½ Perches – CTVol 3276 Fol 160)
1931 – 1931	Leslington James Walter Weatherstone, painter
1924 – 1931	John James Weatherstone, carpenter
1923 – 1924	Norman Leslie Ballard, farmer
1922 – 1923	Archie Hillis Foster, orchardist Gladys Winifred Foster, wife
	(Lots 6 to 9 Section D DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1922 – 1922	Archie Hillis Foster, orchardist Gladys Winifred Foster, wife
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note 3:

Current Search

Folio Identifier 25/262501 (title attached)
DP 262501 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 25 DP 262501

Folio Identifier 25/262501

Certificate of Title Volume 14926 Folio 103

Certificate of Title Volume 3178 Folio 24

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors Lot 25 DP 262501

Year	Proprietor
	(Lot 25 DP 262501)
2001 – todate	Eraring Energy
1987 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 25 DP 262501 – CTVol 14926 Fol 103)
1982 – 1987	The Electricity Commission of New South Wales
	(Lot 10 Section R DP 6747 – Area 4 Acres 3 Roods 23 ¾ Perches – CTVol 3178 Fol 24)
1977 – 1982	The Electricity Commission of New South Wales
1975 – 1977	Andrew James Brierley, technical officer
1954 – 1975	Nona Crofton Brierley, widow
1949 – 1954	Rollo Melbourne Brierley, engineer Nona Crofton Brierley, wife
1946 – 1949	Lance Clive Cornwall Dingle, coach painter
1923 – 1946	John Marshall, machinist
1921 – 1923	Archie Hillis Foster, orchardist Gladys Winifred Foster, wife
	(Lot 10 Section R DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1920 – 1921	Archie Hillis Foster, orchardist Gladys Winifred Foster, wife
1892 – 1920	The Excelsior Land Investment and Building Company and Bank Limited

Note 4:

Current Search

Folio Identifier 24/262501 (title attached)

DP 262501 (plan attached)

Dated 22nd May, 2013

Registered Proprietor:

ERARING ENERGY

**Title Tree
Lot 24 DP 262501**

Folio Identifier 24/262501

Certificate of Title Volume 14926 Folio 102

Certificate of Title Volume 13410 Folio 243

Certificate of Title Volume 3356 Folio 12

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors Lot 24 DP 262501

Year	Proprietor
	(Lot 24 DP 262501)
2001 – todate	Eraring Energy
1987 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 24 DP 262501 – CTVol 14926 Fol 102)
1982 – 1987	The Electricity Commission of New South Wales
	(Part of Lot 11 Section R DP 6747 – CTVol 13410 Fol 243)
1977 – 1982	The Electricity Commission of New South Wales
	(Lot 11 Section R DP 6747 – Area 5 Acres 0 Roods 6 ½ Perches – CTVol 3356 Fol 12)
1977 – 1977	The Electricity Commission of New South Wales
1974 – 1977	Judith Louise Ritchie, married woman
1954 – 1974	Nona Crofton Brierley, widow
1949 – 1954	Rollo Melbourne Brierley, engineer Nona Crofton Brierley, wife
1946 – 1949	Lance Clive Cornwall Dingle, coach painter
1922 – 1946	John Marshall, machinist
	(Lot 11 Section R DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1922 – 1922	John Marshall, machinist
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note 5:

Current Search

Folio Identifier 23/262501 (title attached)
DP 262501 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 23 DP 262501

Folio Identifier 23/262501

Certificate of Title Volume 14926 Folio 101

Certificate of Title Volume 3144 Folio 137

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors Lot 23 DP 262501

Year	Proprietor
	(Lot 23 DP 262501)
2001 – todate	Eraring Energy
1987 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 23 DP 262501 – CTVol 14926 Fol 101)
1982 – 1987	The Electricity Commission of New South Wales
	(Lots 15 & 24 Section R DP 6747 – Area 6 Acres 2 Roods 30 ³/₄ Perches - CTVol 3144 Fol 137)
1978 – 1982	The Electricity Commission of New South Wales
1955 – 1978	Frederick George Cole, labourer Doreen May Cole, wife
1953 – 1955	Matteo Genova, bricklayer
1946 – 1953	Stanley Sylvester Mettam, farmer
1945 – 1946	Selina Jayne, wife of retired farmer
1922 – 1945	John Stewart, miner Blanche Gertrude Stewart, wife
1920 – 1922	James Harry Bailey, labourer
	(Lots 15 & 24 Section R DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1920 – 1920	James Harry Bailey, labourer
1892 – 1920	The Excelsior Land Investment and Building Company and Bank Limited

Note 6:

Current Search

Folio Identifier 19/262501 (title attached)

DP 262501 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 19 DP 262501

Folio Identifier 19/262501

Certificate of Title Volume 14926 Folio 99

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(a)

(b)

Certificate of Title Volume 3069 Folio 226

Certificate of Title Volume 3969 Folio 243

Certificate of Title Volume 1069 Folio 19

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors
Lot 19 DP 262501

Year

Proprietor

Year	Proprietor
	(Lot 19 DP 262501)
2001 – todate	Eraring Energy
1987 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 19 DP 262501 – CTVol 14926 Fol 99)
1982 – 1987	The Electricity Commission of New South Wales

See Notes (a) & (b)

Note (a)

Year	Proprietor
	(Lots 20 & 21 Section P DP 6747 – Area 10 Acres 0 Roods 22 Perches - CTVol 3069 Fol 226)
1972 – 1982	The Electricity Commission of New South Wales
1960 – 1972	Leslie Gordon Gumbleton, plant attendant Freda Correl Gumbleton, wife

1960 – 1960	John Patrick Wilcock, carrier Mary Teresa France, married woman
1953 – 1960	John Patrick Wilcock, carrier Mary Teresa France, married woman Joseph Marcus Lyons, school teacher
1948 – 1953	Mary Ellen Wilcock, widow
1921 – 1948	John Wilcock, carter
1920 – 1921	Andrew Allan McThail, carpenter Elizabeth McThail, wife
	(Lots 20 & 21 Section P DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1920 – 1920	Andrew Allan McThail, carpenter Elizabeth McThail, wife
1892 – 1920	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lot 19 Section P DP 6747 – Area 5 Acres 0 Roods 32 Perches – CTVol 3969 Fol 243)
1975 – 1982	The Electricity Commission of New South Wales
1968 – 1975	Horace William Dann, wood machinist Alison Dann, wife
1938 – 1968	Margaret Elizabeth Jackson, spinster
1927 – 1938	Adam Shepherd, farmer
	(Lot 19 Section P DP 6747 and other lands, part of 2000 acres granted to Percy Simpson 1836, Parish of Coorumbung – CTVol 1069 Fol 19)
1927 – 1927	Adam Shepherd, farmer
1892 – 1927	The Excelsior Land Investment and Building Company and Bank Limited

Note 7:

Current Search

Folio Identifier 4/262501 (title attached)

DP 262501 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 4 DP 262501

Folio Identifier 4/262501

Certificate of Title Volume 14926 Folio 107

Certificate of Title Volume 9511 Folios 39 & 40

Certificate of Title Volume 7439 Folio 82

Certificate of Title Volume 4002 Folio 58

Certificate of Title Volume 3908 Folio 83

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors

Current Search

Folio Identifier 3/548546 (title attached)
DP 548546 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree Lot 3 DP 548546

Folio Identifier 3/548546

Certificate of Title Volume 11619 Folio 191

Certificate of Title Volume 8384 Folios 190 & 191

Certificate of Title Volume 5776 Folio 120

Certificate of Title Volume 5302 Folio 109

Certificates of Title Volume 1036 Folio 35 and Volume 1038 Folio 205

Summary of Proprietors Lot 3 DP 548546

Year

Proprietor

	(Lot 3 DP 548546)
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2001 – todate	Eraring Energy
1988 – 2001	Pacific Power, formerly Electricity Commission of New South Wales
	(Lot 3 DP 548546 – Area 37 Acres 3 Roods 32 ½ Perches – CTVol 11619 Fol 240)
1977 – 1988	The Electricity Commission of New South Wales
1971 – 1977	Mary Mabel Russell, kennel proprietor Allen Edward McGurgan, kennel proprietor
1971 – 1971	William James Payne, theatre exhibitor Clifford John Silverthorne, theatre exhibitor
	(Part of Portion 46, originally granted on CTVol 507 Fol 26, Parish of Awaba – Area 46 Acres 1 Rood 31 Perches – CTVol 8384 Fol’s 190 & 191)
1962 – 1971	William James Payne, theatre exhibitor Clifford John Silverthorne, theatre exhibitor
	(Portion 46, Parish of Awaba, originally granted to Thomas Fieldhouse and James Fieldhouse 1880 on CTVol 507 Fol 26 – Area 54 Acres 1 Rood 0 Perches – CTVol 5776 Fol 120)
1948 – 1962	William James Payne, theatre exhibitor Clifford John Silverthorne, theatre exhibitor
	(Portion 46, Parish of Awaba, originally granted to Thomas Fieldhouse and James Fieldhouse 1880 on CTVol 507 Fol 26 – Area 54 Acres 1 Rood 0 Perches – CTVol 5302 Fol 109)
1947 – 1948	William James Payne, theatre exhibitor Clifford John Silverthorne, theatre exhibitor
1942 – 1947	Leslie Montague Draper, railway employee
	(Portion 46, Parish of Awaba, originally granted to Thomas Fieldhouse and James Fieldhouse 1880 on CTVol 507 Fol 26 – Area 54 Acres 1 Rood 0 Perches – CTVol 1036 Fol 35 and CTVol 1038 Fol 205)
1924 – 1942	Leslie Montague Draper, railway employee
1924 – 1924	Charles Ireland, timber salesman, Victoria
1924 – 1924	Henry Fieldhouse, administrator of estate of James Fieldhouse

Note 9:

Current Search

Folio Identifier 1612/587100 (title attached)

DP 587100 (plan attached)

Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 1612 DP 587100

Folio Identifier 1612/587100

Certificate of Title Volume 11111 Folio 135

Summary of Proprietors
Lot 1612 DP 587100

Year	Proprietor
	(Lot 1612 DP 587100)
2001 – todate	Eraring Energy
1997 – 2001	The Electricity Commission of New South Wales
	(Portion 161, Parish of Coorumbung – Area 17 Acres 3 Roods 29 1/4 Perches – CTVol 11111 Fol 135)
1977 – 1997	The Electricity Commission of New South Wales, by transfer 1977 and resumption 5945840, 1982
1969 – 1977	Arvid August Gurg Wielen, grantee
Prior – 1969	CROWN LAND
(1977 – 1987)	<i>(lease shown on CTVol 11111 Fol 135)</i>

Note 10:

Current Search

Folio Identifier 3/621697 (title attached)
DP 621697 (plan attached)
Dated 22nd May, 2013

Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 3 DP 621697

Folio Identifier 3/621697

Certificate of Title Volume 14688 Folio 127

See Notes (a) to (f) inclusive

(a)

Certificate of Title Volume 2496 Folio 131

Certificate of Title Volume 1069 Folio 19

(c)

Certificate of Title Volume 4292 Folio 217

Certificate of Title Volume 4180 Folio 216

Certificate of Title Volume 1069 Folio 19

(e)

Certificate of Title Volume 8270 Folio 90

Certificate of Title Volume 7154 Folio 225

Certificate of Title Volume 2891 Folio 89

(b)

Certificate of Title Volume 3619 Folio 135

Certificate of Title Volume 1069 Folio 19

(d)

Certificate of Title Volume 5936 Folio 171

Certificate of Title Volume 4180 Folio 216

Certificate of Title Volume 1069 Folio 19

(f)

Certificate of Title Volume 10694 Folio 200

Certificate of Title Volume 9794 Fol's 41 & 42

Certificate of Title Volume 2134 Folio 142

**Summary of Proprietors
Lot 3 DP 621697**

Year	Proprietor
	(Lot 3 DP 621697)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1988 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 3 DP 621697 – CTVol 14688 Fol 127)
1982 – 1988	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales

See Notes (a) to (f) inclusive

Note (a)

	(Lot 52 DP 4800 – Area 1 Rood 21 ¼ Perches – CTVol 2496 Fol 131)
1976 – 1982	The Electricity Commission of New South Wales
1958 – 1976	Raymond Harry Richards, plumber
1927 – 1958	Walter Earl Matthews, roll turner
1925 – 1927	Clement Patrick Taylor, farmer
1914 – 1925	James Edward Deller, labourer

	(Lot 52 DP 4800 and other lands, part of the 2000 acres originally granted to Percy Simpson 1838 – CTVol 1069 Fol 19)
1914 – 1914	James Edward Deller, labourer
1892 – 1914	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lot 53 DP 4800 – Area 1 Rood 21 ¼ Perches – CTVol 3619 Fol 135)
1976 – 1982	The Electricity Commission of New South Wales
1970 – 1976	Arthur Reginald Long, truck driver Eileen Margaret Long, wife
1966 – 1960	Marion May Bentley, widow
1940 – 1966	Percy Herbert Bentley, railway employee
1924 – 1940	Henry Wilson, fisherman
	(Lot 53 DP 4800 and other lands, part of the 2000 acres originally granted to Percy Simpson 1838 – CTVol 1069 Fol 19)
1924 – 1924	Henry Wilson, fisherman
1892 – 1924	The Excelsior Land Investment and Building Company and Bank Limited

Note (c)

	(Lot 51 DP 4800 – Area 1 Rood 30 ½ Perches – CTVol 4292 Fol 217)
1976 – 1982	The Electricity Commission of New South Wales
1968 – 1976	Stanley George Richards, retired miner
1946 – 1968	George Richards, retired miner
1929 – 1946	Charlotte Anne Gordon, wife of cleaner
	(Lot 51 DP 4800, and other lands – CTVol 4180 Fol 216)
1929 – 1929	Charlotte Anne Gordon, wife of cleaner
1928 – 1929	The Excelsior Land Investment and Building Company and Bank Limited
	(Lot 51 DP 4800 and other lands, part of the 2000 acres originally granted to Percy Simpson 1838 – CTVol 1069 Fol 19)
1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited

Note (d)

	(Lot 55 DP 4800 – Area 1 Rood 24 Perches – CTVol 5936 Fol 171)
1977 – 1982	The Electricity Commission of New South Wales
1977 – 1977	William Maynard Douglas Muncaster, retired manager
1963 – 1977	Jean Mary Muncaster
1952 – 1963	Jean Mary Sutherland, femme sole
1949 – 1952	Eric Devereux, carrier

	Anita Florence Pierpoint, spinster (Lot 55 DP 4800 and other lands – CTVol 4180 Fol 216)
1948 – 1949	Eric Devereux, carrier Anita Florence Pierpoint, spinster
1928 – 1948	The Excelsior Land Investment and Building Company and Bank Limited (Lot 55 DP 4800 and other lands – CTVol 1069 Fol 19)
1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited

Note (e)

	(Lot 3 DP 393644 – Area 1 Rood 25 ¾ Perches – CTVol 8270 Fol 90)
1979 – 1982	The Electricity Commission of New South Wales
1972 – 1979	Ronald Murray, hairdresser Margaret Josephine Murray, wife
1970 – 1972	Colin William Mason, shopkeeper Fae Mason, wife
1961 – 1970	Roy Alfred Ernest Hunt, turner’s assistant Beatrice Mary Anne Hunt, wife
	(Lot 3 DP 393644 and other lands – Area 3 Roods 10 ¾ Perches – CTVol 7154 Fol 225)
1961 – 1961	Roy Alfred Ernest Hunt, turner’s assistant Beatrice Mary Anne Hunt, wife
1956 – 1961	Harold Garland Turnbull, estate agent
	(Part of Lots 56 to 59 DP 4800 – Area 1 Acre 3 Roods 0 ¼ Perches – CTVol 2891 Fol 89)
1955 – 1956	Harold Garland Turnbull, estate agent
1946 – 1955	Elsie Jane Henderson, spinster
1946 – 1946	Perpetual Trustee Company (Limited)
1923 – 1946	George Cockburn Henderson, gentleman
1918 – 1923	Alfred Ernest Parker, fisherman
	(Lot 56 DP 4800 and other lands – CTVol 1069 Fol 19)
1918 – 1918	Alfred Ernest Parker, fisherman
1892 – 1918	The Excelsior Land Investment and Building Company and Bank Limited

Note (f)

	(Part of Lot 5 DP 235035 – Area 1 Rood 23 ½ Perches – CTVol 10694 Fol 200)
1976 – 1982	The Electricity Commission of New South Wales, by transfer 1976 and resumption 1982

1971 – 1974	Olwyn Buchanan, widow
1967 – 1971	Roderick Stirling Buchanan, architect Olwyn Buchanan, wife
	(Lot 50 and part of Lot 49 DP 4800 – Area 1 Rood 23 ½ Perches – CTVol 9794 Fol's 41 & 42)
1964 – 1967	Roderick Stirling Buchanan, architect Olwyn Buchanan, wife
	(Lots 49 & 50 DP 4800 – Area 2 Roods 39 ¾ Perches – CTVol 2134 Fol 142)
1960 – 1964	Roderick Stirling Buchanan, architect Olwyn Buchanan, wife
1958 – 1960	Elsie May Casey, wife of mountain orchardist
1914 – 1958	James Robarts, fisherman Elsie May Robarts, wife
1911 – 1914	James Robarts, fisherman
	(Lots 49 & 50 DP 4800 and other lands – CTVol 1069 Fol 19)
1911 – 1911	Alfred Ernest Parker, fisherman
1892 – 1911	The Excelsior Land Investment and Building Company and Bank Limited

Note 11:

Current Search

Folio Identifier 2/621697 (title attached)
DP 621697 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 2 DP 621697

Folio Identifier 2/621697

Certificate of Title Volume 14688 Folio 126

See Notes (a) to (k) inclusive

(a)

Certificate of Title Volume 3787 Folio 174

Certificate of Title Volume 3715 Folio 162

Certificate of Title Volume 1069 Folio 19

(c)

Certificate of Title Volume 4330 Folio 58

Certificate of Title Volume 1069 Folio 19

(e)

Certificate of Title Volume 5743 Folio 201

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(g)

(b)

Certificate of Title Volume 4171 Folio 116

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(bi)

CTVol 4028 Fol 123

CTVol 1069 Fol 19

(d)

Certificate of Title Volume 5357 Folio 144

Certificate of Title Volume 4180 Folio 216

Certificate of Title Volume 1069 Folio 19

(f)

Certificate of Title Volume 6523 Folio 26

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(h)

(bii)

CTVol 4165 Fol 22

CTVol 1069 Fol 19

Certificate of Title Volume 11754 Folio 50

Certificate of Title Volume 11834 Folio 1

Certificate of Title Volume 4805 Folio 51

Certificate of Title Volume 2981 Folio 198

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(i)

(j)

Certificate of Title Volume 11911 Folio 209

Certificate of Title Volume 11954 Folio 199

Certificate of Title Volume 3254 Folio 128

Certificate of Title Volume 5893 Folio 75

Certificate of Title Volume 4180 Folio 216

Certificate of Title Volume 1069 Folio 19

(k)

Certificate of Title Volume 13267 Folio 135

Certificate of Title Volume 8346 Folios 236, 237 & 238

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

Summary of Proprietors Lot 2 DP 621697

Year

Proprietor

Year	Proprietor
	(Lot 2 DP 621697)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1988 – 1997	Eraring Power Company of New South Wales
	(Lot 2 DP 621697 – CTVol 14688 Fol 126)

1982 – 1988	Eraring Power Company of New South Wales
1982 – 1982	The Electricity Commission of New South Wales

See Notes (a) to (k) inclusive

Note (a)

	(Lots 15 & 16 DP 4800 – Area 3 Roods 3 ½ Perches – CTVol 3787 Fol 174)
1977 – 1982	The Electricity Commission of New South Wales
1973 – 1977	James Charles Rochester, turbine attendant
1972 – 1973	Peter Harold Gall, motor mechanic Christine Daphne Gall, wife
1964 – 1972	Joy Catling, spinster
1944 – 1964	John William Catling, mental hospital attendant Mary Clare Catling, wife
1938 – 1944	Henry James Catling, mental hospital attendant Maizie Irene Catling, wife
1925 – 1938	John Henry Pullar, wireless telegraphist
	(Lots 15 & 16 DP 4800 and other lands – Area 3 Roods 3 ½ Perches – CTVol 3715 Fol 162)
1925 – 1925	John Henry Pullar, wireless telegraphist
1925 – 1925	William Joseph Russell, gentleman
	(Lots 15 & 16 DP 4800 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1925 – 1925	William Joseph Russell, gentleman
1892 – 1925	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lots 64 yo 67 DP 7744 – Area 2 Acres 1 Rood 23 Perches – CTVol 4171 Fol 116)
1977 – 1982	The Electricity Commission of New South Wales
1976 – 1977	Martha Adeline Heaton, widow
1928 – 1976	Herbert Heaton, timber getter Martha Adeline Heaton, wife

See Notes (bi) & (bii)

Note (bi)

	(Lot 65 DP 7744 – Area 2 Roods 15 ¾ Perches – CTVol 4028 Fol 123)
1928 – 1928	Herbert Heaton, timber getter Martha Adeline Heaton, wife
1927 – 1928	Arthur Daniel Rayfield, timber getter
	(Lot 65 DP 7744 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1927 – 1927	Arthur Daniel Rayfield, timber getter
1892 – 1927	The Excelsior Land Investment and Building Company and Bank Limited

Note (bii)

	(Lots 64 and 66-67 DP 7744 – Area 1 Acre 3 Roods 7 ¼ Perches – CTVol 4165 Fol 22)
1928 – 1928	Herbert Heaton, timber getter Martha Adeline Heaton, wife
1928 – 1928	Herbert Heaton, timber getter
	(Lots 64 and 66-67 DP 7744 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1928 – 1928	Herbert Heaton, timber getter
1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited

Note (c)

	(Part of Portion 86, Parish of Coorumbung – Area 11 Acres 1 Rood 29 ¾ Perches – CTVol 4330 Fol 58)
1982 – 1982	The Electricity Commission of New South Wales, by resumption
1929 – 1982	The Council of the Shire of Lake Macquarie
1929 – 1929	The Excelsior Land Investment and Building Company and Bank Limited
	(Part of Portion 86, Parish of Coorumbung and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1892 – 1929	The Excelsior Land Investment and Building Company and Bank Limited

Note (d)

	(Lot 21 DP 4800 – Area 1 Rood 21 ¾ Perches – CTVol 5357 Fol 144)
1978 – 1982	The Electricity Commission of New South Wales
1970 – 1978	Alfred Eric Baldwin, farm manager
1965 – 1970	Doris Susan Heaton, widow
1950 – 1965	Mervyn Herbert Heaton, labourer
1946 – 1950	Arthur Henry Richards, retired optical mechanic
1942 – 1946	Henry James Catling, mental hospital attendant Maizie Irene Catling, wife
	(Lot 21 DP 4800 and other lands – CTVol 4180 Fol 216)
1942 – 1942	Henry James Catling, mental hospital attendant Maizie Irene Catling, wife
1928 – 1942	The Excelsior Land Investment and Building Company and Bank Limited
	(Lot 21 DP 4800 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited

Note (e)

	(Lots 18 & 19 Section 4 DP 2799 – Area 4 Acres 3 Roods 23 Perches – CTVol 5743 Fol 201)
1976 – 1982	The Electricity Commission of New South Wales
1962 – 1976	Phyllis May Barrett, married woman
1947 – 1962	Frederick William Barrett, labourer
	(Lots 18 & 19 Section 4 DP 2799 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1947 – 1947	Frederick William Barrett, labourer
1928 – 1947	Lake Lands Limited
	(Lots 18 & 19 Section 4 DP 2799 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited

1927 – 1928	Closer Settlement Limited
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Note (f)

	(Lot 12 DP 4800 – Area 3 Roods 32 Perches – CTVol 6523 Fol 26)
1976 – 1982	The Electricity Commission of New South Wales
1973 – 1976	John Leo Russell, retired Joan Russell, wife
1952 – 1973	John Frederick Orr, contractor
	(Lot 12 DP 4800 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1952 – 1952	John Frederick Orr, contractor
1928 – 1952	Lake Lands Limited
	(Lot 12 DP 4800 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (g)

	(Lot 172 DP 15150 – Area 1 Rood 3 ¾ Perches – CTVol 11754 Fol 50)
1976 – 1982	The Electricity Commission of New South Wales
1973 – 1976	Norman Leslie Davis, insurance salesman Neville Raymond Wheeler, real estate agent
1972 – 1973	Norman John Wilkinson, retailer Robyn Marie Wilkinson, wife
	(Lot 172 DP 15150 and other lands – Area 1 Acre 2 Roods 39 Perches – CTVol 4805 Fol 51)
1971 – 1972	Norman John Wilkinson, retailer Robyn Marie Wilkinson, wife
1971 – 1971	Morrisset Trading Pty Limited
1965 – 1971	Doris Susan Heaton, widow

1949 – 1965	Mervyn Herbert Heaton, dairy farmer
1936 – 1949	Ernest Ronald Heaton, railway employee
	(Part of Lots 59 to 63 DP 7744 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1936 – 1936	Ernest Ronald Heaton, railway employee
1928 – 1936	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (h)

	(Lot 18 DP 4800 – Area 1 Rood 21 ¾ Perches – CTVol 11834 Fol 1)
1977 – 1982	The Electricity Commission of New South Wales
1972 – 1977	Sarah Violet Belgrove, wife of attendant
	(Lots 17 & 18 DP 4800 – Area 3 Roods 3 ¾ Perches – CTVol 2981 Fol 198)
1949 – 1972	Sarah Violet Grace Belgrove, wife of attendant
1935 – 1949	Closet Settlement Limited
1919 – 1935	William Capper, butcher

Note (i)

	(Lot 20 DP 4800 – CTVol 11911 Fol 209)
1978 – 1982	The Electricity Commission of New South Wales
1972 – 1978	Morrisset Trading Pty Limited
	(Lot 20 DP 4800 – CTVol 3254 Fol 128)
1971 – 1972	Morrisset Trading Pty Limited
1965 – 1971	Doris Susan Heaton, widow
1954 – 1965	Mervyn Herbert Heaton, farmer
1936 – 1954	Edwin Lochrin Nagle, electrical engineer
1928 – 1936	Margaret Lochrin, widow
1921 – 1928	Alexander Lochrin, teacher

Note (j)

	(Lot 5 DP 243652 – Area 32 ½ Perches – CTVol 11954 Fol 199)
1977 – 1982	The Electricity Commission of New South Wales
1973 – 1977	Robert Lyle Hough, waterside worker
1972 – 1973	Stannic Securities Pty Limited
	(Lots 13 & 14 DP 4800 – Area 1 Acre 0 Roods 24 ½ Perches – CTVol 5893 Fol 75)
1971 – 1972	Stannic Securities Pty Limited
1969 – 1971	Herbert Reginald Saul, plumber Iama Elaine Saul, wife
1960 – 1969	Roderick Stirling Buchanan, architect Alwyn Buchanan, wife
1958 – 1960	Elsie May Casey, orchardist
1948 – 1958	James William Robarts, fisherman Elsie May Robarts, wife
	(Lots 13 & 14 DP 4800 and other lands – CTVol 4180 Fol 216)
1948 – 1948	James William Robarts, fisherman Elsie May Robarts, wife
1928 – 1948	The Excelsior Land Investment and Building Company and Bank Limited
	(Lots 13 & 14 DP 4800 and other lands, area 2000Acres – CTVol 1069 Fol 19)
1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited

Note (k)

	(Lots 163 & 164 DP 15150 – CTVol 13267 Fol 135)
1977 – 1982	The Electricity Commission of New South Wales
	(Lots 163 & 164 DP 15150 – Area 1 Acre 2 Roods 34 ½ Perches – CTVol 8346 Fol's 236, 237 & 238)
1977 – 1972	Norman John Wilkinson, retailer Robyn Marie Wilkinson, wife
1962 – 1977	Theodore Peter Comino, café proprietor Bessie Comino, wife Peter Comino, student
	(Lots 68 & 69 DP 7744 and other lands, Area 279 Acres)

	3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1961 – 1962	Theodore Peter Comino, café proprietor Bessie Comino, wife Peter Comino, student
1928 – 1961	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note 12:

Current Search

Folio Identifier 1/621697 (title attached)
DP 621697 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree

Lot 1 DP 621697

Folio Identifier 1/621697

Certificate of Title Volume 14688 Folio 125

See Notes (a) to (d) inclusive

(a)

Certificate of Title Volume 10470 Folio 125

Certificate of Title Vol 6798 Fol's 144 to 147

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(ai)

CTVol 4214 Fol 155

CTVol 4180 Fol 216

CTVol 1069 Fol 19

(b)

Certificate of Title Volume 12264 Folio 250

Certificate of Title Volume 2665 Folio 47

Certificate of Title Volume 1069 Folio 19

(aii)

CTVol 5712 Fol 145

CTVol 4810 Fol 216

CTVol 1069 Fol 19

(b)

(c)

Certificate of Title Volume 13615 Folio 191

Certificate of Title Volume 3761 Folio 113

Certificate of Title Volume 1069 Folio 19

(d)

Certificate of Title Volume 14610 Folio 120

Certificate of Title Volume 13615 Folio 190

Certificate of Title Volume 3761 Folio 113

Certificate of Title Volume 1069 Folio 19

Summary of Proprietors

Lot 1 DP 621697

Year	Proprietor
	(Lot 1 DP 621697)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1988 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621697 – CTVol 14688 Fol 125)
1982 – 1988	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales

See Notes (a) to (d) inclusive

Note (a)

	(Lots 4, 6 & 7 Section E DP 6747 – Area 10 Acres 1 Rood 10 ¼ Perches – CTVol 10470 Fol 125)
1982 – 1982	The Electricity Commission of New South Wales, by resumption 5945840, 1982
1967 – 1982	Francesco Zappia, farmer
	(Lots 4, 6 & 7 Section E DP 6747 – Area 10 Acres 1 Rood 10 ¼ Perches – CTVol 6798 Fol's 144 to 147)
1965 – 1967	Francesco Zappia, farmer
1965 – 1965	Natali Zappia, farmer
1954 – 1965	Natali Zappia, farmer Antonio Zappia, farmer Bruno Zappia, farmer Francesco Zappia, farmer

See Notes (ai) & (aia)

Note (ai)

	(Lots 6 & 7 Section E DP 6747 – CTVol 4214 Fol 155)
1954 – 1954	Natali Zappia, farmer Antonio Zappia, farmer Bruno Zappia, farmer Francesco Zappia, farmer
1949 – 1954	Girolomo Venticinque
1928 – 1949	Albert Edward Horn, bushman
	(Lots 6 & 7 Section E DP 6747 and other lands – CTVol 4180 Fol 216)
1928 – 1928	Albert Edward Horn, bushman
1928 – 1928	The Excelsior Land Investment and Building Company and Bank Limited
	(Lots 6 & 7 Section E DP 6747 and other lands – CTVol 1069 Fol 19)

1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited
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Note (ai)

	(Lot 4 Section E DP 6747 – Area 4 Acres 1 Rood 2 ½ Perches – CTVol 5712 Fol 145)
1954 – 1954	Natali Zappia, farmer Antonio Zappia, farmer Bruno Zappia, farmer Francesco Zappia, farmer
1951 – 1954	Girolomo Venticinque
1947 – 1951	Albert Edward Horn, bushman
	(Lot 4 Section E DP 6747 and other lands – CTVol 4180 Fol 216)
1928 – 1947	Albert Edward Horn, bushman
1928 – 1928	The Excelsior Land Investment and Building Company and Bank Limited
	(Lots 6 & 7 Section E DP 6747 and other lands – CTVol 1069 Fol 19)
1892 – 1928	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lot 5 Section E DP 6747 – CTVol 12264 Fol 250)
1978 – 1982	The Electricity Commission of New South Wales, by transfer 1978 and resumption 5945480, 1982
1973 – 1978	David Grant Lindsay, medical practitioner Patricia Mary Lindsay, wife
1973 – 1973	Harry Knapper, engineer Eileen Knapper, wife
	(Lot 5 Section E DP 6747 – Area 3 Acres 0 Roods 12 ½ Perches – CTVol 2665 Fol 47)
1970 – 1973	Harry Knapper, engineer Eileen Knapper, wife

1968 – 1970	Victor Sydney Charles Whiley, miner Elma May Whiley, wife
1967 – 1968	Alice Millicent Clark, widow
1965 – 1967	Alfred Clark, carpenter Alice Millicent Clarke, wife
1951 – 1965	Mervyn Alfred Poyser, school teacher
1949 – 1951	Lindsay Gordon Hercus, farmer Lorna Meryl Hercus, wife
1944 – 1945	Paul Gray, gardener
1940 – 1944	Jane Sarah Wheeler, widow
1918 – 1940	Joseph Francis Wheeler, farmer
1916 – 1918	The Excelsior Land Investment and Building Company and Bank Limited (Lot 5 Section E DP 6747 and other lands – CTVol 1069 Fol 19)
1892 – 1916	The Excelsior Land Investment and Building Company and Bank Limited

Note (c)

	(Lot 4 DP 590371 – CTVol 13615 Fol 191)
1978 – 1982	The Electricity Commission of New South Wales
	(Lots 2 & 3 Section E DP 6747 – Area 8 Acres 0 Roods 25 Perches – CTVol 3761 Fol 113)
1978 – 1978	The Electricity Commission of New South Wales
1950 – 1978	Charles Thomas Bunn, boilermaker Audrey Alberta Bunn, wife
1944 – 1950	Leonard Smyth, storeman
1942 – 1944	Harry Arthur Pobje, gardener
1925 – 1942	Henry Thomas Pobje, farmer
	(Lots 2 & 3 Section E DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1925 – 1925	Henry Thomas Pboje, farmer

1892 – 1925	The Excelsior Land Investment and Building Company and Bank Limited
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Note (d)

	(Lot 112 DP 621052 – CTVol 14610 Fol 120)
1981 – 1982	The Electricity Commission of New South Wales
	(Part of Lot 3 DP 590371 – CTVol 13615 Fol 190)
1981 – 1981	The Electricity Commission of New South Wales
1978 – 1981	Charles Thomas Bunn, boilermaker Audrey Alberta Bunn, wife
	(Lots 2 & 3 Section E DP 6747 – Area 8 Acrs 0 Roods 25 Perches – CTVol 3761 Fol 113)
1978 – 1978	Charles Thomas Bunn, boilermaker Audrey Alberta Bunn, wife
1944 – 1978	Leonard Smyth, storeman
1942 – 1944	Harry Arthur Pobje, gardener
1925 – 1942	Henry Thomas Pobje, farmer
	(Lots 2 & 3 Section E DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1925 – 1925	Henry Thomas Pboje, farmer
1892 – 1925	The Excelsior Land Investment and Building Company and Bank Limited

Note 13:

Current Search

Folio Identifier 21/734860 (title attached)
DP 734860 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree

Lot 21 DP 734860

Folio Identifier 21/734869

Government Gazette 21/11/1986 Folio 5706

CROWN LAND

Summary of Proprietors Lot 21 DP 734860

Year	Proprietor
	(Lot 21 DP 734860)
2001 – todate	Eraring Energy
1986 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
	(Lot 21 DP 734860)
1986 – 1986	The Electricity Commission of New South Wales, Government Gazette 21/11/1986 Folio 5706, resumed or appropriated for Northern Gas Turbine Station
Prior - 1986	Crown Land

Note 14:

Current Search

Folio Identifier 20/734860 (title attached)

DP 734860 (plan attached)

Dated 22nd May, 2013

Registered Proprietor:

ERARING ENERGY

Title Tree

Lot 20 DP 734860

Folio Identifier 20/734869

Government Gazette 21/11/1986 Folio 5706

CROWN LAND

Summary of Proprietors Lot 20 DP 734860

Year	Proprietor
	(Lot 20 DP 734860)
2001 – todate	Eraring Energy
1986 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
	(Lot 20 DP 734860)
1986 – 1986	The Electricity Commission of New South Wales, Government Gazette 21/11/1986 Folio 5706, resumed or appropriated for Northern Gas Turbine Station

Note 15:

Current Search

Folio Identifier 301/806475 (title attached)
DP 806475 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree Lot 301 DP 806475

Folio Identifier 301/806475

Folio Identifier 30/262501

Certificate of Title Volume 14688 Folio 130

See Notes (a) to (k) inclusive

(a)

Certificate of Title Volume 3262 Folio 176

Certificate of Title Volume 1069 Folio 19

(c)

Certificate of Title Volume 4125 Folio 57

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(e)

Certificate of Title Volume 6472 Folio 239

Certificate of Title Volume 4596 Folio 115

Certificate of Title Volume 4081 Folio 1

(g)

Certificate of Title Volume 7668 Folio 130

(b)

Certificate of Title Volume 4023 Folio 200

Certificate of Title Volume 3908 Folio 83

Certificate of Title Volume 1069 Folio 19

(d)

Certificate of Title Volume 6287 Folio 25

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(f)

Certificate of Title Volume 7235 Folio 51

Certificate of Title Volume 4250 Folio 221

Certificate of Title Volume 4081 Folio 1

(h)

Certificate of Title Volume 9910 Folio 88

Certificate of Title Volume 4012 Folio 130

Certificate of Title Volume 3365 Folio 124

Certificate of Title Volume 3908 Folio 83

Certificate of Title Volume 1069 Folio 19

Certificate of Title Volume 1069 Folio 19

(i)

(j)

Certificate of Title Volume 10874 Folio 174

Certificate of Title Volume 10968 Folio 250

Certificate of Title Volume 6720 Folio 156

Certificate of Title Volume 3365 Folio 124

Certificate of Title Volume 1069 Folio 19

(k)

Certificate of Title Volume 11111 Folio 135

Summary of Proprietors Lot 301 DP 806475

Year	Proprietor
	(Lot 301 DP 806475)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1990 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 30 DP 262501)
1987 – 1990	Eraring Power Company of New South Wales Limited
	(Lot 30 DP 262501 – CTVol 14688 Fol 130)
1982 – 1987	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales

See Notes (a) to (k) inclusive

Note (a)

	(Lots 7, 8 & 9 Section T DP 6747 – Area 9 Acres – CTVol 3262 Fol 176)
1975 – 1982	The Electricity Commission of New South Wales
1975 – 1975	Donald John Elder, solicitor
1959 – 1975	Maxwell George Trath, auxiliary plant attendant
1955 – 1959	Robert David Beavan, farmer
1944 – 1955	John Richard Turton, storekeeper
1922 – 1944	Thomas James McDonald, storekeeper
1921 – 1922	Vera Alice Tabitha Leggett, wife of storekeeper
	(Lots 7, 8 & 9 Section T DP6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1921 – 1921	Vera Alice Tabitha Leggett, wife of storekeeper
1892 – 1921	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lots 10 & 11 Section K DP 6747 – Area 6 Acres – CTVol 4023 Fol 200)
1970 – 1982	The Electricity Commission of New South Wales
1958 – 1970	Boyd Stanley Johnson, solicitor
1957 – 1958	Robert David Beavan, farmer
1946 – 1957	John Richard Turton, storekeeper
1927 – 1946	John Cook, miner
	(Lots 10 & 11 Section K DP 6747 and other lands – CTVol 3908 Fol 83)
1927 – 1927	John Cook, miner
1926 – 1927	Wilfred Hezlet Cary, estate agent
	(Lots 10 & 11 Section K DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	Wilfred Hezlet Cary, estate agent
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (c)

	(Lots 2 & 3 Section K DP 6747 – Area 6 Acres – CTVol 4125 Fol 57)
1970 – 1982	The Electricity Commission of New South Wales
1947 – 1970	Robert Gordon Bohn, roof fixer
1930 – 1942	Public Trustee
1928 – 1930	William Smith, engineer
	(Lots 2 & 3 Section K DP 6747 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches - CTVol 4116 Fol 192)
1928 – 1928	William Smith, engineer
1928 – 1928	Lake Lands Limited
	(Lots 2 & 3 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (d)

	(Lots 4, 5 & 6 Section K DP 6747 – Area 9 Acres – CTVol 6287 Fol 25)
1971 – 1982	The Electricity Commission of New South Wales
1951 – 1971	Alfred John Keith Ingle, moulder
	(Lots 4, 5 & 6 Section K DP 6747 – Area 579 Acres 3 Roods 37 ¼ Perches - CTVol 4116 Fol 192)
1951 – 1951	Alfred John Keith Ingle, moulder
1928 – 1951	Lake Lands Limited
	(Lots 2 & 3 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (e)

	(Lot 1 Section K DP 6747 – Area 3 Acres – CTVol 6472 Fol 239)
1970 – 1982	The Electricity Commission of New South Wales
1966 – 1970	Kenneth Randolph Fenton, foreman weaver Thelma Olivia Patricia Fenton, wife
1966 – 1966	Jessie Margaret Mettam, married woman
1952 – 1966	John Kenneth Parkes, master mariner
	(Lot 1 Section K DP 6747 and other lands – Area 16 Acres 3 Roods 38 Perches - CTVol 4596 Fol 115)
1933 – 1952	John Kenneth Parkes, master mariner
	(Lot 1 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1933 – 1933	John Kenneth Parkes, master mariner
1933 – 1933	Lake Lands Limited
1927 – 1933	Closer Settlement Limited

Note (f)

	(Lots 8 & 9 Section K DP 6747 – Area 6 Acres – CTVol 7235 Fol 51)
1970 – 1982	The Electricity Commission of New South Wales
1957 – 1970	Boyd Stanley Johnson, solicitor
	(Lots 8 & 9 Section K DP 6747 – Area 6 Acres - CTVol 4250 Fol 221)
1956 – 1957	Boyd Stanley Johnson, solicitor
1956 – 1956	The Council of the Shire of Lake Macquarie
1929 – 1956	Stewart Stephenson Burgher, farm labourer George Seather Burgher, farm labourer
	(Lots 8 & 9 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1929 – 1929	Stewart Stephenson Burgher, farm labourer George Seather Burgher, farm labourer
1927 – 1929	Closer Settlement Limited

Note (g)

	(Lot 9 Section K DP 6747 – CTVol 7668 Fol 130)
1970 – 1982	The Electricity Commission of New South Wales
1959 – 1970	Boyd Stanley Johnson, solicitor
	(Lots 9 & 12 Section K DP 6747 – Area 6 Acres - CTVol 4012 Fol 130)
1958 – 1959	Boyd Stanley Johnson, solicitor
1957 – 1958	Robert David Beavan, farmer
1947 – 1957	John Richard Turton, storekeeper
1927 – 1947	Joseph Cook, miner
	(Lot 9 Section K DP 6747 and other lands – Area 611 Acres 3 Roods 27 ¼ Perches – CTVol 3908 Fol 83)
1927 – 1927	Joseph Cook, miner
1926 – 1921	Wilfred Hezlet Cary, estate agent
	(Lot 9 Section K DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	Wilfred Hezlet Cary, estate agent
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (h)

	(Lot 10 Section T DP 6747 – Area 3 Acres - CTVol 9910 Fol 88)
1973 – 1982	The Electricity Commission of New South Wales, by resumption 5945839, 1982 and transfer 1973
1972 – 1973	Carlyle George Flynn, linesman
1972 – 1972	Public Trustee
1965 – 1972	Percy Douglas Ballardie, retired shipwright
1965 – 1965	Ian Ronald McKenzie, moulder
	(Lots 10 & 11 Section T DP 6747 and other lands – Area 6 Acres - CTVol 3365 Fol 124)
1965 – 1965	Ian Ronald McKenzie, moulder
1946 – 1965	Margaret McKenzie, wife of caretaker
1925 – 1946	Frederick Victor Rowe, orchardist Ada Louisa Rowe, wife
1922 – 1925	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
	(Lot 10 Section T DP 6747 and other lands – Area 2000 Acres –

	CTVol 1069 Fol 19)
1922 – 1922	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (i)

	(Lot 11 Section T DP 6747 – Area 3 Acres - CTVol 10874 Fol 174)
1976 – 1982	The Electricity Commission of New South Wales, by transfer 1976 and resumption 5945840
1968 – 1976	Thomas William Fulton, carpenter Betty Jean Fulton
	(Lot 11 Section T DP 6747 – Area 3 Acres - CTVol 6720 Fol 156)
1968 – 1968	Thomas William Fulton, carpenter Betty Jean Fulton
1963 – 1968	Clarence John Chandler, labourer Una Dawson Chandler, wife
1960 – 1963	Josiah Sidney Theodore Rawleson, fettler
1953 – 1960	Kenneth Whitfield, farmer
	(Lot 11 Section T DP 6747 and other lands – Area 6 Acres – CTVol 3365 Fol 124)
1953 – 1953	Kenneth Whitfield, farmer
1946 – 1953	Margaret McKenzie, wife of caretaker

1925 – 1946	Frederick Victor Rowe, orchardist Ada Louisa Rowe, wife
1922 – 1925	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
	(Lot 10 Section T DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1922 – 1922	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (j)

	(Part of Portion 158, Parish of Coorumbung – Area 8 Acres 3 Roods 23 ¾ Perches – CTVol 10968 Fol 250)
1971 – 1982	The Electricity Commission of New South Wales, by transfer 1971 and resumption 5945840
1969 – 1971	Arvid August George Mielen, grantee
Prior – 1969	CROWN LAND

Note (k)

	(Portion 161, Parish of Coorumbung – Area 17 Acres 3 Roods 29 ¼ Perches – CTVol 1111 Fol 135)
1971 – 1982	The Electricity Commission of New South Wales, by transfer 1977 and resumption 5945840, 1982
1969 – 1971	Arvid August George Mielen, grantee
Prior – 1969	CROWN LAND
(1977 – 1987)	<i>(lease shown on CTVol 11111 Fol 135)</i>

Note 16:

Current Search

Folio Identifier 302/806475 (title attached)
DP 806475 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

**Title Tree
Lot 302 DP 806475**

Folio Identifier 302/806475

Folio Identifier 30/262501

See Notes (a) to (k) inclusive

(a)

Certificate of Title Volume 3262 Folio 176

Certificate of Title Volume 1069 Folio 19

(c)

Certificate of Title Volume 4125 Folio 57

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(e)

Certificate of Title Volume 6472 Folio 239

Certificate of Title Volume 4596 Folio 115

Certificate of Title Volume 4081 Folio 1

(g)

Certificate of Title Volume 7668 Folio 130

Certificate of Title Volume 4012 Folio 130

Certificate of Title Volume 3908 Folio 83

Certificate of Title Volume 1069 Folio 19

(b)

Certificate of Title Volume 4023 Folio 200

Certificate of Title Volume 3908 Folio 83

Certificate of Title Volume 1069 Folio 19

(d)

Certificate of Title Volume 6287 Folio 25

Certificate of Title Volume 4116 Folio 192

Certificate of Title Volume 4081 Folio 1

(f)

Certificate of Title Volume 7235 Folio 51

Certificate of Title Volume 4250 Folio 221

Certificate of Title Volume 4081 Folio 1

(h)

Certificate of Title Volume 9910 Folio 88

Certificate of Title Volume 3365 Folio 124

Certificate of Title Volume 1069 Folio 19

(b)

(j)

Certificate of Title Volume 10874 Folio 174

Certificate of Title Volume 10968 Folio 250

Certificate of Title Volume 6720 Folio 156

Certificate of Title Volume 3365 Folio 124

Certificate of Title Volume 1069 Folio 19

(k)

Certificate of Title Volume 11111 Folio 135

Summary of Proprietors Lot 302 DP 806475

Year

Proprietor

Year	Proprietor
	(Lot 302 DP 806475)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1990 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 30 DP 262501)
1987 – 1990	Eraring Power Company of New South Wales Limited
	(Lot 30 DP 262501 – CTVol 14688 Fol 130)
1982 – 1987	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales

See Notes (a) to (k) inclusive

Note (a)

	(Lots 7, 8 & 9 Section T DP 6747 – Area 90 Acres – CTVol 3262 Fol 176)
1975 – 1982	The Electricity Commission of New South Wales

1975 – 1975	Donald John Elder, solicitor
1959 – 1975	Maxwell George Trath, auxiliary plant attendant
1955 – 1959	Robert David Beavan, farmer
1944 – 1955	John Richard Turton, storekeeper
1922 – 1944	Thomas James McDonald, storekeeper
1921 – 1922	Vera Alice Tabitha Leggett, wife of storekeeper
	(Lots 7, 8 & 9 Section T DP6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1921 – 1921	Vera Alice Tabitha Leggett, wife of storekeeper
1892 – 1921	The Excelsior Land Investment and Building Company and Bank Limited

Note (b)

	(Lots 10 & 11 Section K DP 6747 – Area 6 Acres – CTVol 4023 Fol 200)
1970 – 1982	The Electricity Commission of New South Wales
1958 – 1970	Boyd Stanley Johnson, solicitor
1957 – 1958	Robert David Beavan, farmer
1946 – 1957	John Richard Turton, storekeeper
1927 – 1946	John Cook, miner
	(Lots 10 & 11 Section K DP 6747 and other lands – CTVol 3908 Fol 83)
1927 – 1927	John Cook, miner
1926 – 1927	Wilfred Hezlet Cary, estate agent
	(Lots 10 & 11 Section K DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	Wilfred Hezlet Cary, estate agent
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (c)

	(Lots 2 & 3 Section K DP 6747 – Area 6 Acres – CTVol 4125 Fol 57)
1970 – 1982	The Electricity Commission of New South Wales
1947 – 1970	Robert Gordon Bohn, roof fixer
1930 – 1942	Public Trustee
1928 – 1930	William Smith, engineer
	(Lots 2 & 3 Section K DP 6747 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches - CTVol 4116 Fol 192)
1928 – 1928	William Smith, engineer
1928 – 1928	Lake Lands Limited
	(Lots 2 & 3 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (d)

	(Lots 4, 5 & 6 Section K DP 6747 – Area 9 Acres – CTVol 6287 Fol 25)
1971 – 1982	The Electricity Commission of New South Wales
1951 – 1971	Alfred John Keith Ingle, moulder
	(Lots 4, 5 & 6 Section K DP 6747 – Area 579 Acres 3 Roods 37 ¼ Perches - CTVol 4116 Fol 192)
1951 – 1951	Alfred John Keith Ingle, moulder
1928 – 1951	Lake Lands Limited
	(Lots 2 & 3 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (e)

	(Lot 1 Section K DP 6747 – Area 3 Acres – CTVol 6472 Fol 239)
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1970 – 1982	The Electricity Commission of New South Wales
1966 – 1970	Kenneth Randolph Fenton, foreman weaver Thelma Olivia Patricia Fenton, wife
1966 – 1966	Jessie Margaret Meltam, married woman
1952 – 1966	John Kenneth Parkes, master mariner
	(Lot 1 Section K DP 6747 and other lands – Area 16 Acres 3 Roods 38 Perches - CTVol 4596 Fol 115)
1933 – 1952	John Kenneth Parkes, master mariner
	(Lot 1 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1933 – 1933	John Kenneth Parkes, master mariner
1933 – 1933	Lake Lands Limited
1927 – 1933	Closer Settlement Limited

Note (f)

	(Lots 8 & 9 Section K DP 6747 – Area 6 Acres – CTVol 7235 Fol 51)
1970 – 1982	The Electricity Commission of New South Wales
1957 – 1970	Boyd Stanley Johnson, solicitor
	(Lots 8 & 9 Section K DP 6747 – Area 6 Acres - CTVol 4250 Fol 221)
1956 – 1957	Boyd Stanley Johnson, solicitor
1956 – 1956	The Council of the Shire of Lake Macquarie
1929 – 1956	Stewart Stephenson Burgher, farm labourer George Seather Burgher, farm labourer
	(Lots 8 & 9 Section K DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1929 – 1929	Stewart Stephenson Burgher, farm labourer George Seather Burgher, farm labourer
1927 – 1929	Closer Settlement Limited

Note (g)

	(Lot 9 Section K DP 6747 – CTVol 7668 Fol 130)
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1970 – 1982	The Electricity Commission of New South Wales
1959 – 1970	Boyd Stanley Johnson, solicitor
	(Lots 9 & 12 Section K DP 6747 – Area 6 Acres - CTVol 4012 Fol 130)
1958 – 1959	Boyd Stanley Johnson, solicitor
1957 – 1958	Robert David Beavan, farmer
1947 – 1957	John Richard Turton, storekeeper
1927 – 1947	Joseph Cook, miner
	(Lot 9 Section K DP 6747 and other lands – Area 611 Acres 3 Roods 27 ¼ Perches – CTVol 3908 Fol 83)
1927 – 1927	Joseph Cook, miner
1926 – 1921	Wilfred Hezlet Cary, estate agent
	(Lot 9 Section K DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	Wilfred Hezlet Cary, estate agent
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (h)

	(Lot 10 Section T DP 6747 – Area 3 Acres - CTVol 9910 Fol 88)
1973 – 1982	The Electricity Commission of New South Wales, by resumption 5945839, 1982 and transfer 1973
1972 – 1973	Carlyle George Flynn, linesman
1972 – 1972	Public Trustee
1965 – 1972	Percy Douglas Ballardie, retired shipwright
1965 – 1965	Ian Ronald McKenzie, moulder
	(Lots 10 & 11 Section T DP 6747 and other lands – Area 6 Acres - CTVol 3365 Fol 124)
1965 – 1965	Ian Ronald McKenzie, moulder
1946 – 1965	Margaret McKenzie, wife of caretaker
1925 – 1946	Frederick Victor Rowe, orchardist Ada Louisa Rowe, wife
1922 – 1925	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
	(Lot 10 Section T DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1922 – 1922	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (i)

	(Lot 11 Section T DP 6747 – Area 3 Acres - CTVol 10874 Fol 174)
1976 – 1982	The Electricity Commission of New South Wales, by transfer 1976 and resumption 5945840
1968 – 1976	Thomas William Fulton, carpenter Betty Jean Fulton
	(Lot 11 Section T DP 6747 – Area 3 Acres - CTVol 6720 Fol 156)
1968 – 1968	Thomas William Fulton, carpenter Betty Jean Fulton
1963 – 1968	Clarence John Chandler, labourer Una Dawson Chandler, wife
1960 – 1963	Josiah Sidney Theodore Rawleson, fettler
1953 – 1960	Kenneth Whitfield, farmer
	(Lot 11 Section T DP 6747 and other lands – Area 6 Acres – CTVol 3365 Fol 124)
1953 – 1953	Kenneth Whitfield, farmer
1946 – 1953	Margaret McKenzie, wife of caretaker
1925 – 1946	Frederick Victor Rowe, orchardist Ada Louisa Rowe, wife
1922 – 1925	Harold Jefferson Davis, carpenter Aphrodite Rowena Geraldine Davis, wife
	(Lot 10 Section T DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1922 – 1922	Harold Jefferson Davis, carpenter

	Aphrodite Rowena Geraldine Davis, wife
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (j)

	(Part of Portion 158, Parish of Coorumbung – Area 8 Acres 3 Roods 23 ¾ Perches – CTVol 10968 Fol 250)
1971 – 1982	The Electricity Commission of New South Wales, by transfer 1971 and resumption 5945840
1969 – 1971	Arvid August George Mielen, grantee
Prior – 1969	CROWN LAND

Note (k)

	(Portion 161, Parish of Coorumbung – Area 17 Acres 3 Roods 29 ¼ Perches – CTVol 1111 Fol 135)
1971 – 1982	The Electricity Commission of New South Wales, by transfer 1977 and resumption 5945840, 1982

1969 – 1971	Arvid August George Mielen, grantee
Prior – 1969	CROWN LAND
(1977 – 1987)	(lease shown on CTVol 11111 Fol 135)

Note 17:

Current Search

Folio Identifier 1/816174 (title attached)
DP 816174 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 1 DP 816174

Folio Identifier 1/816174

Folio Identifier 1/32492

Certificate of Title Volume 14688 Folio 128

See Notes (a) to (e) inclusive

(a)

(b)

Certificate of Title Volume 1030 Folio 165

Certificate of Title Volume 1031 Folio 112

(c)

(d)

Certificate of Title Volume 1035 Folio 141

Certificate of Title Volume 1035 Folio 186

(e)

Certificate of Title Volume 6652 Folio 122

PA35939

Summary of Proprietors Lot 1 DP 816174

Year	Proprietor
	(Lot 1 DP 816174)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1992 – 1997	Eraring Power Company of New South Wales
	(Lot 1 DP 32492)
1990 – 1992	Eraring Power Company of New South Wales
	(Lot 4 DP 621697 – CTVol 14688 Fol 128)
1982 – 1990	Eraring Power Company of New South Wales
1982 – 1982	The Electricity Commission of New South Wales

See Notes (a) to (e) inclusive

Note (a)

	(That piece or parcel of land, situate on Dora Creek and Lake Macquarie, Parish of Morrisset, Lot 1 of subdivision of Portions 11 & 12, originally granted to Henry Denney 1862 – Area 8 Acres 1 Rood 0 Perches – CTVol 1030 Fol 165)
1979 – 1982	The Electricity Commission of New South Wales
1977 – 1979	Florence June Cavell Graham, married woman
1947 – 1977	John Tyler, farmer Dorothy Margaret Tyler, wife

1928 – 1947	Violet Denney, widow
1891 – 1928	William John Denney, teamster

Note (b)

	(That piece or parcel of land, situate on Dora Creek and Lake Macquarie, Parish of Morrisset, Lot 3 of subdivision of Portions 11 & 12, originally granted to Henry Denney 1862 – Area 8 Acres 1 Rood 0 Perches – CTVol 1031 Fol 112)
1971 – 1982	The Electricity Commission of New South Wales
1957 – 1971	Robert Edward Isaac Black, farmer
1957 – 1957	Richard Henderson Woodlands, managing editor Alma Jean Woodlands, spinster
1943 – 1957	Alma Lilian Woodlands, wife of managing director
1927 – 1943	Richard Henderson, retired inspector of schools
1922 – 1927	Alma Lilian Woodlands, wife of newspaper proprietor
1909 – 1922	George Cockburn Henderson, professor of history
1899 – 1909	Henry Joseph Denney, freeholder
1891 – 1899	Sarah Cain, wife of hotelkeeper

Note (c)

	(That piece or parcel of land, situate on Dora Creek and Lake Macquarie, Parish of Morrisset, Lot 2 of subdivision of Portions 11 & 12, originally granted to Henry Denney 1862 – Area 8 Acres 1 Rood 0 Perches – CTVol 1035 Fol 141)
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1971 – 1982	The Electricity Commission of New South Wales
1957 – 1971	Robert Edward Isaac Black, farmer
1957 – 1957	Richard Henderson Woodlands, managing editor Alma Jean Woodlands, spinster
1943 – 1957	Alma Lilian Woodlands, wife of managing director
1927 – 1943	Richard Henderson, retired inspector of schools
1922 – 1927	Alma Lilian Woodlands, wife of newspaper proprietor
1909 – 1922	George Cockburn Henderson, professor of history
1899 – 1909	Henry Joseph Denney, freeholder
1891 – 1899	Sarah Cain, wife of hotelkeeper

Note (d)

	(That piece or parcel of land, situate on Dora Creek and Lake Macquarie, Parish of Morrisset, Lot 4 of subdivision of Portions 11 & 12, originally granted to Henry Denney 1862 – Area 8 Acres 1 Rood 0 Perches – CTVol 1035 Fol 186)
1971 – 1982	The Electricity Commission of New South Wales
1957 – 1971	Robert Edward Isaac Black, farmer
1957 – 1957	Richard Henderson Woodlands, managing editor Alma Jean Woodlands, spinster
1943 – 1957	Alma Lilian Woodlands, wife of managing director
1927 – 1943	Richard Henderson, retired inspector of schools
1922 – 1927	Alma Lilian Woodlands, wife of newspaper proprietor
1909 – 1922	George Cockburn Henderson, professor of history
1891 – 1909	Henry Joseph Denney, freeholder

Note (e)

	(Part of Portion 2A, Parish of Morrisset – Area 30 Acres 0 Roods 9 ½ Perches, part of 31 Acres 3 Roods 0 Perches originally granted to Henry Worley 1859 – CTVol 6652 Fol 122)
1980 – 1982	The Electricity Commission of New South Wales
1960 – 1980	Bret Hilder, mariner

1953 – 1960	Violet Moncrieff, wife of water board employee
1953 – 1953	Charles Robert Parker, retired fisherman
	(Part of Portion 2A, Parish of Morrisset – Area 30 Acres 0 Roods 9 ½ Perches, part of 31 Acres 3 Roods 0 Perches originally granted to Henry Worley 1859 – PA 35939)
1943 – 1953	Charles Robert Parker, retired fisherman
1918 – 1943	Elsie Mildred Parker
1918 – 1918	Charles Barton Thompson

Note 18:

Current Search

Folio Identifier 1/817425 (title attached)
DP 817425 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree Lot 1 DP 817425

Folio Identifier 1/817425

PA 63554

Certificate of Title Volume 14665 Folio 78

Certificate of Title Volume 5420 Folio 138

Certificate of Title Volume 5095 Folio 145

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CTVol 3474 Fol's 184 & 185

CTVol 4048 Fol 211

CTVol 4694 Fol's 104 & 105

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Certificate of Title Volume 1294 Folios 24, 25 & 26

**Summary of Proprietors
Lot 1 DP 817425**

Year	Proprietor
	(Lot 1 DP 817425)
2001 – todate	Eraring Energy
1992 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
	(Lot 1 DP 621688 – CTVol 14665 Fol 78)
1982 – 1992	The Electricity Commission of New South Wales
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 5420 Fol 138)
1981 – 1982	The Electricity Commission of New South Wales
1944 – 1944	His Most Gracious Majesty King George VI
1944 – 1944	Hugh Frederic Osborn, assistant engineer
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 5095 Fol 145)
1944 – 1944	Hugh Frederic Osborn, assistant engineer
1939 – 1944	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 3474 Fol's 184 & 185, CTVol 4048 Fol 21 and CTVol 4694 Fol's 104 & 105)
1939 – 1939	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith

1935 – 1939	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith Hugh Frederic Osborn, assistant engineer
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	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 1294 Fol's 24, 25 & 26)
1927 – 1935	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith
1927 – 1927	Hammond Maxwell Meredith Noelle Holmes Meredith Minna Meredith Ellen Meredith
1926 – 1927	Perpetual Trustee Company Limited Minna Meredith Ellen Millar Holmes
1899 – 1926	Elizabeth Philips Holmes, spinster Minna Meredith, spinster Ellen Millar Holmes, spinster

Note 19:

Current Search

Folio Identifier 100/828283 (title attached)
DP 828283 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

**Title Tree
Lot 100 DP 828283**

Folio Identifier 100/828283

PA 63387

CROWN LAND

**Summary of Proprietors
Lot 100 DP 828283**

Year

Proprietor

	(Lot 100 DP 828283)
2001 – todate	Eraring Energy
2001 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1993 – 2001	The Electricity Commission of New South Wales
Prior – 1993	CROWN LAND
(1996 – 2008)	<i>(lease to Ulan Coal Mines Limited shown on folio identifier 100/828283 and historical search identifier 100/828283)</i>

Note 20:

Current Search

Folio Identifier 101/828283 (title attached)
DP 828283 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree Lot 101 DP 828283

Folio Identifier 100/828283

PA 63387

CROWN LAND

Summary of Proprietors Lot 101 DP 828283

Year

Proprietor

	(Lot 101 DP 828283)
2001 – todate	Eraring Energy

2001 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1993 – 2001	The Electricity Commission of New South Wales
Prior – 1993	CROWN LAND
(1996 – 2008)	<i>(lease to Ulan Coal Mines Limited shown on folio identifier 100/828283 and historical search identifier 100/828283)</i>

Note 21:

Current Search

Folio Identifier 211/840670 (title attached)
DP 840670 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree

Lot 211 DP 840670

Folio Identifier 211/840670

Folio Identifier 21/840668

Folio Identifier 2/737496

Folio Identifier 1/621688

Certificate of Title Volume 14665 Folio 78

Certificate of Title Volume 5420 Folio 138

Certificate of Title Volume 5095 Folio 145

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CTVol 3474 Fol's 184 & 185

CTVol 4048 Fol 211

CTVol 4694 Fol's 104 & 105

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Certificate of Title Volume 1294 Folios 24, 25 & 26

**Summary of Proprietors
Lot 211 DP 840670**

Year	Proprietor
	(Lot 211 DP 840670)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1994 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 21 DP 840668)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 2 DP 737496)
1991 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621888)
1986 – 1991	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621688 – CTVol 14665 Fol 78)
1982 – 1986	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales
	(Part of Portion 45 and other lands, Parish of Awaba – Area 384 Acres 2 Roods 0 Perches, originally granted to Joseph Broadbent Holmes – CTVol 5420 Fol 138)
1964 – 1982	The Electricity Commission of New South Wales
1944 – 1944	His Most Gracious Majesty King George VI
1944 – 1944	Hugh Frederic Osborn, assistant engineer
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 5095 Fol 145)
1944 – 1944	Hugh Frederic Osborn, assistant engineer
1939 – 1944	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 3474 Fol's 184 & 185, CTVol 4048 Fol 211 and CTVol 4694 Fol's 104 & 105)
1939 – 1939	Hugh Frederic Osborn, assistant engineer

	Noelle Holmes Meredith Hammond Maxwell Meredith
1935 – 1939	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith Hugh Frederic Osborn, assistant engineer

	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 1294 Fol's 24, 25 & 26)
1927 – 1935	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith
1927 – 1927	Hammond Maxwell Meredith Noelle Holmes Meredith Minna Meredith Ellen Meredith
1926 – 1927	Perpetual Trustee Company Limited Minna Meredith Ellen Millar Holmes
1899 – 1926	Elizabeth Philips Holmes, spinster Minna Meredith, spinster Ellen Millar Holmes, spinster

Note 22:

Current Search

Folio Identifier 50/840671 (title attached)
DP 840671 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 50 DP 840671

Folio Identifier 50/840671

Folio Identifier 212/840670

Folio Identifier 21/840668

Folio Identifier 2/737496

Folio Identifier 1/621688

Certificate of Title Volume 14665 Folio 78

Certificate of Title Volume 5420 Folio 138

Certificate of Title Volume 5095 Folio 145

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CTVol 3474 Fol's 184 & 185

CTVol 4048 Fol 211

CTVol 4694 Fol's 104 & 105

Certificate of Title Volume 1294 Folios 24, 25 & 26

Summary of Proprietors Lot 50 DP 840671

Year	Proprietor
	(Lot 50 DP 840671)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1994 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 212 DP 840670)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 21 DP 840668)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 2 DP 737496)
1991 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621888)
1986 – 1991	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621688 – CTVol 14665 Fol 78)
1982 – 1986	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales
	(Part of Portion 45 and other lands, Parish of Awaba – Area 384 Acres 2 Roods 0 Perches, originally granted to Joseph Broadbent Holmes – CTVol 5420 Fol 138)
1964 – 1982	The Electricity Commission of New South Wales
1944 – 1944	His Most Gracious Majesty King George VI
1944 – 1944	Hugh Frederic Osborn, assistant engineer
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 5095 Fol 145)
1944 – 1944	Hugh Frederic Osborn, assistant engineer
1939 – 1944	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVool 3474 Fol's 184 & 185, CTVol 4048 Fol 211 and CTVol 4694 Fol's 104 & 105)
1939 – 1939	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith

	Hammond Maxwell Meredith
1935 – 1939	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith Hugh Frederic Osborn, assistant engineer

	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 1294 Fol's 24, 25 & 26)
1927 – 1935	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith
1927 – 1927	Hammond Maxwell Meredith Noelle Holmes Meredith Minna Meredith Ellen Meredith
1926 – 1927	Perpetual Trustee Company Limited Minna Meredith Ellen Millar Holmes
1899 – 1926	Elizabeth Philips Holmes, spinster Minna Meredith, spinster Ellen Millar Holmes, spinster

Note 23:

Current Search

Folio Identifier 51/840671 (title attached)
DP 840671 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree
Lot 51 DP 840671

Folio Identifier 51/840671

Folio Identifier 212/840670

Folio Identifier 21/840668

Folio Identifier 2/737496

Folio Identifier 1/621688

Certificate of Title Volume 14665 Folio 78

Certificate of Title Volume 5420 Folio 138

Certificate of Title Volume 5095 Folio 145

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CTVol 3474 Fol's 184 & 185

CTVol 4048 Fol 211

CTVol 4694 Fol's 104 & 105

Certificate of Title Volume 1294 Folios 24, 25 & 26

Summary of Proprietors Lot 51 DP 840671

Year	Proprietor
	(Lot 51 DP 840671)
2001 – todate	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1994 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 212 DP 840670)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 21 DP 840668)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 2 DP 737496)
1991 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621888)
1986 – 1991	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621688 – CTVol 14665 Fol 78)
1982 – 1986	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales
	(Part of Portion 45 and other lands, Parish of Awaba – Area 384 Acres 2 Roods 0 Perches, originally granted to Joseph Broadbent Holmes – CTVol 5420 Fol 138)
1964 – 1982	The Electricity Commission of New South Wales
1944 – 1944	His Most Gracious Majesty King George VI
1944 – 1944	Hugh Frederic Osborn, assistant engineer
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 5095 Fol 145)
1944 – 1944	Hugh Frederic Osborn, assistant engineer
1939 – 1944	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 3474 Fol's 184 & 185, CTVol 4048 Fol 211 and CTVol 4694 Fol's 104 & 105)
1939 – 1939	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith

1935 – 1939	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith Hugh Frederic Osborn, assistant engineer
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	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 1294 Fol's 24, 25 & 26)
1927 – 1935	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith
1927 – 1927	Hammond Maxwell Meredith Noelle Holmes Meredith Minna Meredith Ellen Meredith
1926 – 1927	Perpetual Trustee Company Limited Minna Meredith Ellen Millar Holmes
1899 – 1926	Elizabeth Philips Holmes, spinster Minna Meredith, spinster Ellen Millar Holmes, spinster

Note 24:

Current Search

Folio Identifier 11/1050120 (title attached)
DP 1050120 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

**Title Tree
Lot 11 DP 1050120**

Folio Identifier 11/1050120

See Notes (a) & (b)

(a)

Folio Identifier 29/262501

Certificate of Title Volume 14688 Folio 129

See Notes (ai) to (axxv) inclusive

(ai)

CTVol 3144 Fol 137

CTVol 1069 Fol 19

(aiv)

CTVol 3934 Fol 23

(aii)

CTVol 3387 Fol 227

CTVol 1069 Fol 19

(av)

CTVol 4232 Fol 132

(aiii)

CTVol 3671 Fol 113

CTVol 1069 Fol 19

(avi)

CTVol 5838 Fol 94

CTVol 1069 Fol 19

CTVol 3908 Fol 83

CTVol 3908 Fol 83

CTVol 1069 Fol 19

CTVol 1069 Fol 19

(avii)

(aviii)

(aix)

CTVol 6170 Fol 199

CTVol 6509 Fol 146

CTVol 6697 Fol 161

CTVol 4081 Fol 1

CTVol 3449 Fol 245

CTVol 4116 Fol 192

CTVol 1069 Fol 19

CTVol 4081 Fol 1

(ax)

(axi)

(axii)

CTVol 6901 Fol 100

CTVol 7110 Fol 135

CTVol 7238 Fol 4

CTVol 4627 Fol 78

CTVol 4116 Fol 192

CTVol 4116 Fol 192

CTVol 3849 Fol 90

CTVol 4081 Fol 19

CTVol 4081 Fol 1

CTVol 1069 Fol 19

(axiii)

(axiv)

(axv)

CTVol 7613 Fol 226

CTVol 7865 Fol 46

CTVol 8028 Fol 115

CTVol 4116 Fol 192

CTVol 4687 Fol 111

CTVol 7463 Fol 168

CTVol 4081 Fol 1

(axvi)

(axvii)

(axviii)

CTVol 8471 Fol 185

CTVol 9615 Fol 170

CTVol 9884 Fol 20

CTVol 6377 Fol 33

CTVol 5025 Fol 56

CTVol 7463 Fol 168

CTVol 4081 Fol 1

CTVol 3908 Fol 83

(axix)

(axx)

(axxi)

CTVol 10084 Fol 206

CTVol 10733 Fol 180

CTVol 11149 Fol 241

CTVol 5025 Fol 56

CTVol 2921 Fol 36

CTVol 3281 Fol 182

CTVol 1069 Fol 19

(axxii)

(axxiii)

(axxiv)

CTVol 11496 Fol 110

CTVol 11818 Fol 249

CTVol 12581 Fol 30

CTVol 6451 Fol 182

/ \

CTVol 3955 Fol 215

CTVol 6377 Fol 33

(axxiia)

(axxiib)

CTVol 3908 Fol 83

CTVol 4081 Fol 1

CTVol 4457 Fol 63 CTVol 4466 Fol 3

CTVol 3276 Fol 160 CTVol 3276 Fol 160

(axxv)

CTVol 13355 Fol 157

CTVol 3522 Fol 213

CTVol 1069 Fol 19

(b)

Folio Identifier 52/840671

Folio Identifier 212/840670

Folio Identifier 21/840668

Folio Identifier 2/737496

Folio Identifier 1/621688

Certificate of Title Volume 14665 Folio 78

Certificate of Title Volume 5420 Folio 138

Certificate of Title Volume 5095 Folio 145

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CTVol 3474 Fol's 184 & 185

CTVol 4048 Fol 211

CTVol 4694 Fol's 104 & 105

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Certificate of Title Volume 1294 Folios 24, 25 & 26

**Summary of Proprietors
Lot 11 DP 1050120**

Year	Proprietor
	(Lot 11 DP 1050120)
2003 – todate	Eraring Energy

See Notes (a) & (b)

Note (a)

	(Lot 29 DP 262501)
2001 – 2003	Eraring Energy
1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1987 – 1997	Eraring Power Company of New South Wales
	(Lot 29 DP 262501 – CTVol 14688 Fol 129)
1982 – 1987	Eraring Power Company of New South Wales
1982 – 1982	The Electricity Commission of New South Wales

See Notes (ai) to (axxviii) inclusive

Note (ai)

	(Lots 15 & 24 Section R DP 6747 – Area 6 Acres 2 Roods 30 ³/₄ Perches – CTVol 3144 Fol 137)
1978 – 1982	The Electricity Commission of New South Wales
1955 – 1978	Frederick George Cole, labourer Doreen May Cole, wife
1953 – 1955	Matteo Genova, bricklayer
1946 – 1953	Stanley Sylvester Mettam, farmer
1945 – 1946	Selina Jane, wife of retired farmer
1922 – 1945	John Stewart, miner Blanche Gertrude Stewart, wife
1920 – 1922	James Harry Bailey, labourer
	(Lots 15 & 24 Section R DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1920 – 1920	James Harry Bailey, labourer
1892 – 1920	The Excelsior Land Investment and Building Company and Bank Limited

Note (aii)

	(Lot 1 Section D DP 6747 – Area 2 Acres 2 Roods 26 ½ Perches – CTVol 3387 Fol 227)
1977 – 1982	The Electricity Commission of New South Wales
1966 – 1977	Eddie Reginald Hawkes, trades assistant Lily Ellen Hawkes, wife
1966 – 1966	Alfred Edward Bastow, cleaner
1959 – 1966	Alfred Edward Bastow, cleaner May Bastow, wife
1957 – 1959	John James Ryan, pensioner
1954 – 1957	Nora May Hardaleen Poyser, married woman
1952 – 1954	Douglas Donald Peak, labourer
1952 – 1952	Horace Hilton Greenwood, iron worker
1941 – 1952	Joseph Tarrant, coal trimmer
1923 – 1941	Martha Banger, wife of farmer
1922 – 1923	John O’Connell, labourer
	(Lot 1 Section D DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1922 – 1922	John O’Connell, labourer
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (aiii)

	(Lots 2 & 3 Section E DP 6747 – Area 9 Acres 0 Roods 25 Perches – CTVol 3761 Fol 113)
1978 – 1982	The Electricity Commission of New South Wales
1950 – 1978	Charles Thomas Bunn, boilermaker Audrey Alberta Bunn, wife
1944 – 1950	Leonard Smyth, storeman
1942 – 1944	Harry Arthuyr Pobje, gardener
1925 – 1942	Henry Thomas Pobje, farmer
	(Lots 2 & 3 Section E DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1925 – 1925	Henry Thomas Pobje, farmer
1892 – 1925	The Excelsior Land Investment and Building Company and Bank Limited

Note (aiv)

	(Lots 16 to 20 Section F DP 6747 – Area 18 Acres 2 Roods – CTVol 3934 Fol 23)
1970 – 1982	The Electricity Commission of New South Wales
1966 – 1970	Lillian Catherine Vincent, widow
1956 – 1966	William Henry Vincent, builder foreman Lillian Catherine Vincent, wife
1953 – 1956	Muriel Isobel Blake, wife of pensioner
1926 – 1953	Thomas Johnston, clerk
	(Lots 16 to 20 Section F DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	Thomas Johnston, clerk
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (av)

	(Lot 11 Section D DP 6747 – Area 4 Acres 2 Roods 18 Perches – CTVol 4232 Fol 132)
1974 – 1982	The Electricity Commission of New South Wales
1970 – 1974	Neville David McNamara, wood machinist
1951 – 1970	James Patrick McNamara, fettle Elsie Lena McNamara, wife
1929 – 1951	Martha Alice Martin, married woman
	(Lot 11 Section D DP 6747 and other lands – Area 611 Acres 3 Roods 27 ¼ Perches – CTVol 3908 Fol 83)
1928 – 1929	Martha Alice Martin, married woman
1928 – 1928	Wilfred Hezlet Cary, estate agent
	(Lot 11 Section D DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1928	Wilfred Hezlet Cary, estate agent
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (avi)

	(Lot 28 Section R DP 6747 – Area 6 Acres 0 Roods 11 ¾ Perches – CTVol 5838 Fol 94)
1977 – 1982	The Electricity Commission of New South Wales
1954 – 1977	Mona Crofton Brierley, widow
1949 – 1954	Rollo Melbourne Brierley, engineer Mona Crofton Brierley, wife
1948 – 1949	Lance Clive Cornwall Dingle, coach painter
	(Lot 28 Section R DP 6747 and other lands – Area 611 Acres 3 Roods 27 ¼ Perches – CTVol 3908 Fol 83)
1947 – 1948	Lance Clive Cornwall Dingle, coach painter
1926 – 1947	Wilfred Hezlet Cary, estate agent
	(Lot 28 Section R DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	Wilfred Hezlet Cary, estate agent
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (avii)

	(Lots 17, 18 & 19 Section H DP 6747 – Area 26 Acres 3 Roods 28 Perches – CTVol 6170 Fol 199)
1974 – 1982	The Electricity Commission of New South Wales
1960 – 1974	Heinz Richard Miethke, boilermaker
1950 – 1960	Doreen Doris Bunney, wife of steel worker
	(Lots 17, 18 & 19 Section H DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1950 – 1950	Doreen Doris Bunney, wife of steel worker
1927 – 1950	Closer Settlement Limited

Note (aviii)

	(Lot 1 Section H DP 6747 – Area 4 Acres 1 Rood 15 Perches – CTVol 6509 Fol 146)
1970 – 1982	The Electricity Commission of New South Wales
1952 – 1970	John William Turner, farmer
	(Lot 1 Section H DP 6747 and other lands – Area 21 Acres 3 Roods 31 Perches – CTVol 3449 Fol 245)
1947 – 1952	John William Turner, farmer
1945 – 1947	James Augustine Broderick, farmer
1944 – 1945	Winifred Turner, wife of farmer
1930 – 1944	Albert Henry Overton, telegraph linesman
1925 – 1930	Edward George Simpson, farmer
1923 – 1925	Archibald Hamilton Johnson, orchardist
	(Lot 1 Section H DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1923 – 1923	Archibald Hamilton Johnson, orchardist
1892 – 1923	The Excelsior Land Investment and Building Company and Bank Limited

Note (avix)

	(Lot 13 Section P DP 6747 – Area 5 Acres 0 Roods 32 Perches – CTVol 6697 Fol 161)
1971 – 1982	The Electricity Commission of New South Wales
1953 – 1971	Bernard Harry Myers, market gardener
	(Lot 13 Section P DP 6747 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1953 – 1953	Bernard Harry Myers, market gardener
1928 – 1953	Lake Lands Limited
	(Lot 13 Section P DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (ax)

	(Lot 24 Section O DP 6747 – Area 3 Acres 1 Rood 31 ¾ Perches – CTVol 6901 Fol 100)
1972 – 1982	The Electricity Commission of New South Wales
1954 – 1972	Robert Alan Oldfield, french polisher
	(Lot 24 Section O DP 6747 and other lands – Area 51 Acres 0 Roods 34 Perches – CTVol 4627 Fol 78)
1954 – 1954	Robert Alan Oldfield, French polisher
1953 – 1954	Joseph Marcus Lyons, school teacher John Patrick Wilcock, carrier Mary Teresa France, married woman
1948 – 1953	Mary Ellen Wilcock, widow
1937 – 1948	John Wilcock, farmer
1934 – 1937	Rose Ann Dagleish, married woman
	(Lot 24 Section O DP 6747 and other lands – Area 51 Acres 0 Roods 34 Perches – CTVol 3849 Fol 90)
1934 – 1934	Rose Ann Dagleish, married woman
1926 – 1934	David Fitzgerald Treehy, farmer
	(Lot 24 Section O DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1926 – 1926	David Fitzgerald Treehy, farmer
1892 – 1926	The Excelsior Land Investment and Building Company and Bank Limited

Note (axi)

	(Lot 12 Section H DP 6747 – CTVol 7110 Fol 135)
1970 – 1982	The Electricity Commission of New South Wales
1966 – 1970	Johan Zerbus, power plant operator Maureen Zerbus, wife
1964 – 1966	William Albert Christopher Anton Christensen, film producer
1956 – 1964	Harold Vincent Cartwright, acting foreman
	(Lot 12 Section H DP 6747 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1956 – 1956	Harold Vincent Cartwright, acting foreman
1928 – 1956	Lake Lands Limited
	(Lot 12 Section H DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (axii)

	(Lot 27 Section R DP 6747 – CTVol 7238 Fol 4)
1971 – 1982	The Electricity Commission of New South Wales
1957 – 1971	Ernst Sydney Scott, metal polisher Doris Mearl Scott, wife
	(Lot 27 Section R DP 6747 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1956 – 1957	Ernst Sydney Scott, metal polisher Doris Mearl Scott, wife
1928 – 1956	Lake Lands Limited
	(Lot 27 Section R DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (axiii)

	(Lot 24 Section F DP 6747 – CTVol 7613 Fol 226)
1976 – 1982	The Electricity Commission of New South Wales
1958 – 1976	Antoni Leszek Kadylo, chartered engineer Nellie Kadylo, wife
	(Lot 24 Section F DP 6747 and other lands – Area 279 Acres 3 Roods 37 ¼ Perches – CTVol 4116 Fol 192)
1958 – 1958	Antoni Leszek Kadylo, chartered engineer Nellie Kadylo, wife
1928 – 1958	Lake Lands Limited
	(Lot 24 Section F DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1928 – 1928	Lake Lands Limited
1927 – 1928	Closer Settlement Limited

Note (axiv)

	(Lot 2 Section D DP 6747 – CTVol 7865 Fol 46)
1975 – 1982	The Electricity Commission of New South Wales
1975 – 1975	Dorothy Anderson, widow
1960 – 1975	Charles Edward Anderson, retired Dorothy Anderson, wife
	(Lot 2 Section D DP 6747 and other lands – CTVol 4687 Fol 111)
1959 – 1960	Charles Edward Anderson, retired Dorothy Anderson, wife
1935 – 1959	Wyee Limited

Note (axv)

	(Lot 8 Section G DP 6747 – CTVol 8028 Fol 115)
1971 – 1982	The Electricity Commission of New South Wales
1960 – 1971	Alfred William Olson, auxiliary plan attendant Aileen Doreen Olson, wife
	(Lot 8 Section G DP 6747 and other lands – CTVol 7463 Fol 168)
1960 – 1960	Alfred William Olson, auxiliary plant attendant Aileen Doreen Olson, wife
1958 – 1960	Princelands Limited

Note (axvi)

	(Lots 1 & 2 Section G DP 6747 – CTVol 8471 Fol 185)
1970 – 1982	The Electricity Commission of New South Wales
1963 – 1970	May Louise Coward, widow
	(Lots 1 & 2 Section G DP 6747 and other lands – CTVol 6377 Fol 33)
1963 – 1963	May Louise Coward, widow
1951 – 1963	Closer Settlement Limited
	(Lots 1 & 2 Section G DP 6747 and other lands – Area 533 Acres 1 Road 13 Perches – CTVol 4081 Fol 1)
1927 – 1951	Closer Settlement Limited

Note (axvii)

	(Lot 3 DP 505714 – Area 2 Acres 1 Rood 10 Perches – CTVol 9615 Fol 170)
1976 – 1982	The Electricity Commission of New South Wales
1973 – 1976	Gavin John Wood, fitter
1971 – 1973	Morrisset Trading Pty Limited
1964 – 1971	Closer Settlement Limited
	(Lots 5 & 6 Section C DP 6747 and other lands – CTVol 5025 Fol 56)
1939 – 1964	Closer Settlement Limited

Note (axviii)

	(Lot 6 Section P DP 6747 – Area 2 Acres 3 Roods 28 Perches – CTVol 9884 Fol 20)
1972 – 1982	The Electricity Commission of New South Wales
1965 – 1972	Bruce Treloar, manager
	(Lot 6 Section P DP 6747 and other lands – CTVol 7463 Fol 168)
1964 – 1965	Bruce Treloar
1958 – 1964	Princelands Limited
	(Lots 5 & 6 Section P DP 6747 and other lands – CTVol 3908 Fol 83)
1957 – 1958	Princelands Limited
1926 – 1957	Wilfred Hezler Cary, estate agent

Note (axix)

	(Lot 26 Section P DP 6747 – Area 5 Acres 0 Roods 32 Perches – CTVol 10084 Fol 206)
1971 – 1982	The Electricity Commission of New South Wales
1969 – 1971	Melville Tennyson Bell, pastry cook Elaine Ettie Bell, wife
1965 – 1969	Hubert Edmund Vandersluys, shopkeeper
	(Lot 26 Section P DP 6747 and other lands – CTVol 5025 Fol 56)
1965 – 1965	Hubert Edmund Vandersluys, shopkeeper
1939 – 1965	Closer Settlement Limited

Note (axx)

	(Lots 13, 14 & 15 Section G DP 6747 – Area 15 Acres – CTVol 10732 Fol 170)
1970 – 1982	The Electricity Commission of New South Wales
1968 – 1970	Raymond Bruce Boundy, labourer
	(Lots 13, 14 & 15 Section G DP 6747 and other lands – Area 20 Acres – CTVol 2921 Fol 36)
1956 – 1968	Raymond Bruce Boundy, labourer
1938 – 1956	David Smythe Thomas, clerk
1919 – 1938	Andrew James Pope, orchardist

Note (axxi)

	(Lot 102 DP 537344 – Area 5 Acres 1 Rood 24 Perches – CTVol 11149 Fol 241)
1974 – 1982	The Electricity Commission of New South Wales
1969 – 1974	Sidney Thomas Williams, pumpman Elizabeth Mavis Williams, wife
	(Lots 6 to 10 Section F DP 6747 – Area 18 Acres 2 Roods 0 Perches – CTVol 3281 Fol 182)
1952 – 1969	Sidney Thomas Williams, pumpman Elizabeth Mavis Williams, wife
1950 – 1952	Leonard Smyth, poultry farmer
1922 – 1950	Percy Frederick Dowse, bushman
	(Lots 6 to 10 Section F DP 6747 and other lands – Area 2000 Acres – CTVol 1069 Fol 19)
1922 – 1922	Percy Frederick Dowse, bushman
1892 – 1922	The Excelsior Land Investment and Building Company and Bank Limited

Note (axxii)

	(Lot 32 Section P DP 6747 – Area 5 Acres 0 Roods 32 Perches – CTVol 11496 Fol 110)
1973 – 1982	The Electricity Commission of New South Wales
1972 – 1973	Margaret Ivy Wright, married woman Maureen Ruby Holland, spinster
1971 – 1972	John Nicholls, invalid pensioner
	(Lot 32 Section P DP 6747 – Area 5 Acres 0 Roods 32 Perches – CTVol 6451 Fol 182)
1952 – 1971	John Nicholls, invalid pensioner
	(Lot 32 Section P DP 6747 and other lands – Area 130 Acres 0 Roods 18 ¾ Perches – CTVol 6377 Fol 33)
1951 – 1952	John Nicholls, invalid pensioner
1951 – 1951	Closer Settlement Limited
	(Lot 32 Section P DP 6747 and other lands – Area 533 Acres 1 Rood 13 Perches – CTVol 4081 Fol 1)
1927 – 1951	Closer Settlement Limited

Note (axxiii)

	(Lot 1 DP 550601 – Area 7 Acres 0 Roods 17 Perches – CTVol 11818 Fol 249)
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1972 – 1982	The Electricity Commission of New South Wales
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See Notes (axxiia) and (axxiib)

Note (axxiia)

	(Lots 8 & 9 and part of Lot 6 Section R DP 6747 – Area 11 Acres 0 Roods 39 ½ Perches – CTVol 4457 Fol 63)
1972 – 1972	The Electricity Commission of New South Wales
1970 – 1970	Jean Eager, widow
1945 – 1970	Frank John Eager, vegetable grower
1930 – 1945	Cecil Voler Hobart, farmer
	(Lots 6 to 9 Section R DP 6747 – Area 16 Acres 3 Roods 16 ½ Perches – CTVol 3076 Fol 160)
1930 – 1930	Cecil Voler Hobart, farmer
1924 – 1930	John James Weatherstone, carpenter
1923 – 1924	Norman Leslie Ballard
1922 – 1923	Archie Hills Foster, orchardist Gladys Winifred Foster, wife

Note (axxiib)

	(Part of Lot 6 Section R DP 6747 and other lands – Area 5 Acres 2 Roods 17 Perches – CTVol 4466 Fol 3)
1972 – 1972	The Electricity Commission of New South Wales
1970 – 1970	Jean Eager, widow
1966 – 1970	Frank John Eager, mine worker
1955 – 1966	Iris Maisie Roberts, spinster
1955 – 1955	Public Trustee
1931 – 1955	Leslington James Walter Weatherstone, painter
	(Part of Lots 6 to 9 Section R DP 6747 – Area 16 Acres 3 Roods 16 ½ Perches – CTVol 3076 Fol 160)
1931 – 1931	Leslington James Walter Weatherstone, painter
1924 – 1931	John James Weatherstone, carpenter
1923 – 1924	Norman Leslie Ballard
1922 – 1923	Archie Hills Foster, orchardist Gladys Winifred Foster, wife

Note (axxiv)

	(Lot 1 DP 572569 – CTVol 12581 Fol 30)
1974 – 1982	The Electricity Commission of New South Wales

	(Lot 8 Section D DP 6747 – Area 4 Acres 2 Roods 31 Perches – CTVol 3955 Fol 215)
1974 – 1974	The Electricity Commission of New South Wales
1969 – 1974	John Carson Judd, school teacher Frances Helen Judd, wife
1965 – 1969	Richard Cecil George Coady, labourer
1950 – 1965	William Simmons, dairy farmer
1949 – 1950	Lillian May Lowe, wife of milk carter
1948 – 1949	James Reginald Owen, milk vendor
1947 – 1948	Albert Keith Noble, poultry farmer
1945 – 1947	Thomas William Snape, member RAF
1945 – 1945	Henry Patrick Wilson, fettler
1927 – 1945	George Arthur Rory
	(Lot 8 Section D DP 6747 and other lands – Area 611 Acres 3 Roods 27 ¼ Perches – CTVol 3908 Fol 83)
1926 – 1927	George Arthur Ray
1926 – 1926	Wilfred Hezlet Cary

Note (axxv)

	(Part of Lots 1 & 2 Section O DP 6747 – CTVol 13355 Fol 157)
1977 – 1982	The Electricity Commission of New South Wales
	(Lots 1 & 2 Section O DP 6747 – Area 7 Acres 2 Roods 37 ½ Perches – CTVol 3522 Fol 213)
1977 – 1977	The Electricity Commission of New South Wales
1963 – 1977	Aubrey Hamilton White, electrician Dorothy Lillian White, wife
1962 – 1963	Lillian Elizabeth Lawless, widow
1954 – 1962	Lillian Elizabeth Lawless, wife Philip Graham Lawless, farmer
1948 – 1954	Lillian Elizabeth Jennings, widow
1944 – 1948	Thomas Jennings, munitions worker Lillian Elizabeth Jennings, wife
1944 – 1944	Walter James Turner, poultry farmer
1935 – 1944	Ernest Merrington, poultry farmer
1923 – 1935	John Henry Bryson, carpenter

Note (b)

	(Lot 52 DP 840671)
2001 – todate	Eraring Energy

1997 – 2001	Pacific Power (formerly Electricity Commission of New South Wales)
1997 – 1997	Eraring Holdings Pty Limited
1994 – 1997	Eraring Power Company of New South Wales Limited
	(Lot 212 DP 840670)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 21 DP 840668)
1994 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 2 DP 737496)
1991 – 1994	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621888)
1986 – 1991	Eraring Power Company of New South Wales Limited
	(Lot 1 DP 621688 – CTVol 14665 Fol 78)
1982 – 1986	Eraring Power Company of New South Wales Limited
1982 – 1982	The Electricity Commission of New South Wales
	(Part of Portion 45 and other lands, Parish of Awaba – Area 384 Acres 2 Roods 0 Perches, originally granted to Joseph Broadbent Holmes – CTVol 5420 Fol 138)
1964 – 1982	The Electricity Commission of New South Wales
1944 – 1944	His Most Gracious Majesty King George VI
1944 – 1944	Hugh Frederic Osborn, assistant engineer
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 5095 Fol 145)
1944 – 1944	Hugh Frederic Osborn, assistant engineer
1939 – 1944	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith
	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 3474 Fol's 184 & 185, CTVol 4048 Fol211 and CTVol 4694 Fol's 104 & 105)
1939 – 1939	Hugh Frederic Osborn, assistant engineer Noelle Holmes Meredith Hammond Maxwell Meredith
1935 – 1939	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith Hugh Frederic Osborn, assistant engineer

	(Those pieces or parcels of land, being part of Portions 12, 29, 31, 48, 45 & 74 – Area 384 Acres 2 Roods 0 Perches – CTVol 1294 Fol's 24, 25 & 26)
--	--

1927 – 1935	Owen Maxwell Meredith Noelle Holmes Meredith Hammond Maxwell Meredith
1927 – 1927	Hammond Maxwell Meredith Noelle Holmes Meredith Minna Meredith Ellen Meredith
1926 – 1927	Perpetual Trustee Company Limited Minna Meredith Ellen Millar Holmes
1899 – 1926	Elizabeth Philips Holmes, spinster Minna Meredith, spinster Ellen Millar Holmes, spinster

Note 25:

Current Search

Folio Identifier 1/1109558 (title attached)
DP 1109558 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree Lot 1 DP 1109558

Folio Identifier 1/1109558

CROWN LAND

Summary of Proprietors Lot 1 DP 1109558

Year	Proprietor
	(Lot 1 DP 1109558)
2007 – todate	Eraring Energy
Prior – 2007	The State of New South Wales

Note 27:

Current Search

Folio Identifier 318/39722 (title attached)
DP 39722 (plan attached)
Dated 22nd May, 2013
Registered Proprietor:
ERARING ENERGY

Title Tree Lot 318 DP 39722

Folio Identifier 318/39722

Certificate of Title Volume 15035 Folio 181

CROWN LAND

Summary of Proprietors Lot 318 DP 39722

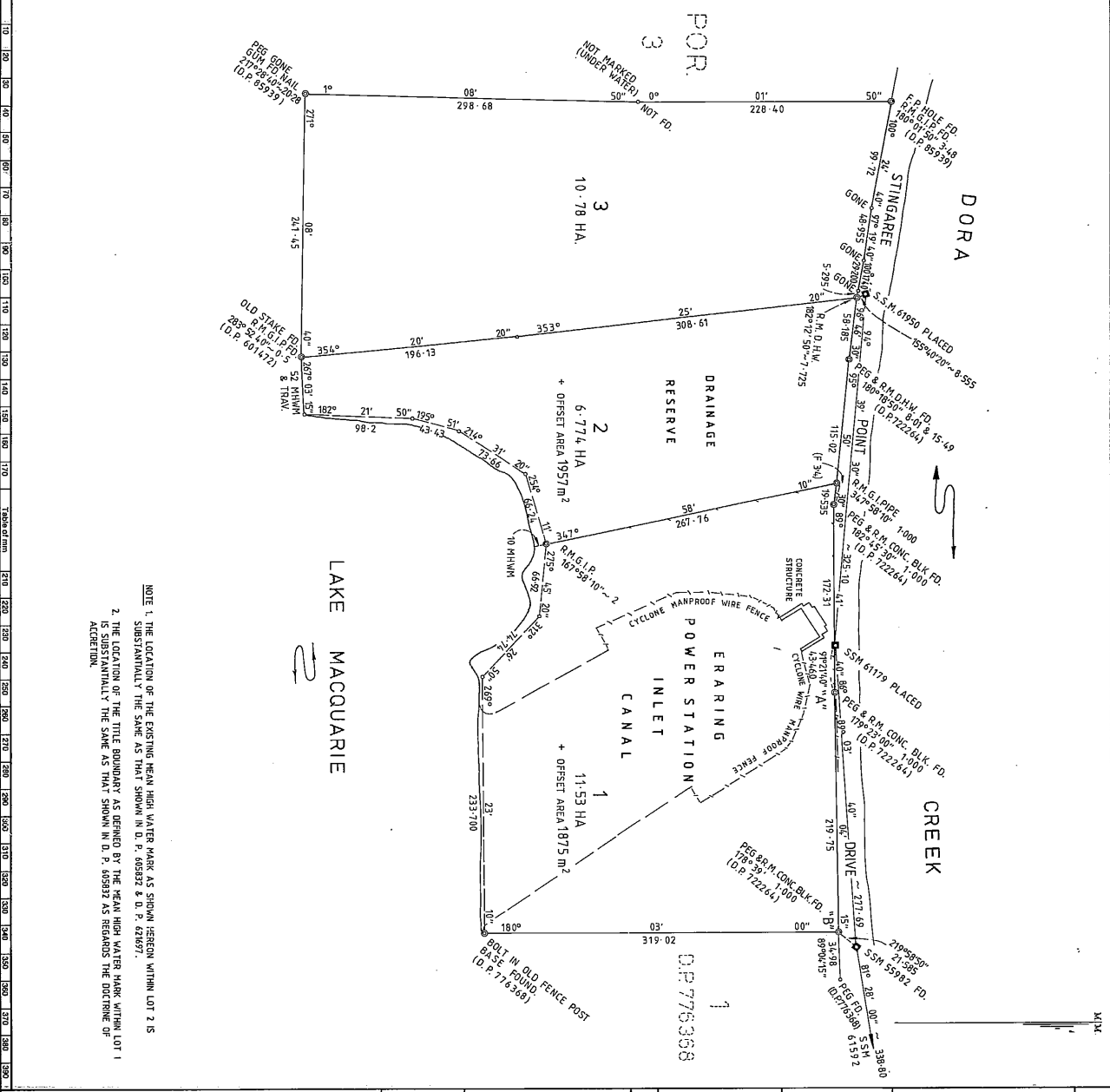
Year	Proprietor
	(Lot 318 DP 39722)
2001 – todate	Eraring Energy
1991 – 2001	The Electricity Commission of New South Wales
1989 – 1991	The Broken Hill Proprietary Company Limited
	(Lot 318 DP 39722 – CTVol 15035 Fol 181)
1983 – 1989	The Broken Hill Proprietary Company Limited
Prior – 1983	CROWN LAND

PLAN FORM 2

Plan Drawing only to appear in this space

SIGNED FOR AND ON BEHALF OF ERARING POWER COMPANY OF NEW SOUTH WALES LIMITED
 DIRECTOR
 SECRETARY
 29/2/92

Crown Lands Office Approval
 PLAIN APPROVED
 Land Officer
 Field Book
 Council Clerk's Certificate
 I hereby certify that
 The requirements for the regulation of public utility works have been complied with by the applicant in relation to the proposed
 Date
 Signature No.
 Signature
 Council Clerk's Certificate



NOTE 1. THE LOCATION OF THE EXISTING MEAN HIGH WATER MARK AS SHOWN HEREON WITHIN LOT 2 IS SUBSTANTIALLY THE SAME AS THAT SHOWN IN D.P. 405922 & D.P. 424897.
 2. THE LOCATION OF THE TITLE BOUNDARY AS DENIED BY THE MEAN HIGH WATER MARK WITHIN LOT 1 IS SUBSTANTIALLY THE SAME AS THAT SHOWN IN D.P. 405922 AS HEREBY THE DOCTRINE OF ACCRETION.

WARNING: CHEASING OR FOLDING WILL LEAD TO REJECTION

10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200
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This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day: 19th March 1992



OFFICE USE ONLY
 DP 816174
 Registered: 18-3-1992
 C.A. TORRENS
 Title System: TORRENS
 Purpose: SUBDIVISION
 Ref. Map: U4-975-72 & 81 #
 Lot Plan: DP 621697
 PLAN OF SUBDIVISION OF LOT 4 IN D.P. 621697, (LOT 1 IN DP 92492)

Man/Shire: LAKE MACQUARIE
 City: MORISSET
 Locality: DORA CREEK
 Parish: MORISSET
 County: NORTHUMBERLAND
 This is sheet 1 of my plan in
 (Number/Title/Implication): 1/1/1

I, PAUL GERARD CORY, of the ELECTRICITY COMMISSION OF N.S.W., a surveyor, engaged under the Surveyors Act, 1923, as amended, to survey certain land the survey reservation in this plan OF SUBDIVISION. I have surveyed and measured the land and have prepared this plan in accordance with the provisions of the Surveyors Act, 1923 and my regulations. I have also prepared a plan of the land and have deposited it with the Registrar General of New South Wales. I have also prepared a plan of the land and have deposited it with the Registrar General of New South Wales. I have also prepared a plan of the land and have deposited it with the Registrar General of New South Wales.

Plains used in preparation of survey/acomplishes
 PANEL FOR USE ONLY for statements of public reserves, drainage reserves, easements or restrictions as to use.
 THE ELECTRICITY COMMISSION OF N.S.W.
 PROPERTY - SURVEY GROUP
 ERARING POWER STATION
 IT IS INTENDED TO CREATE LOT 2 AS DRAINAGE RESERVE.

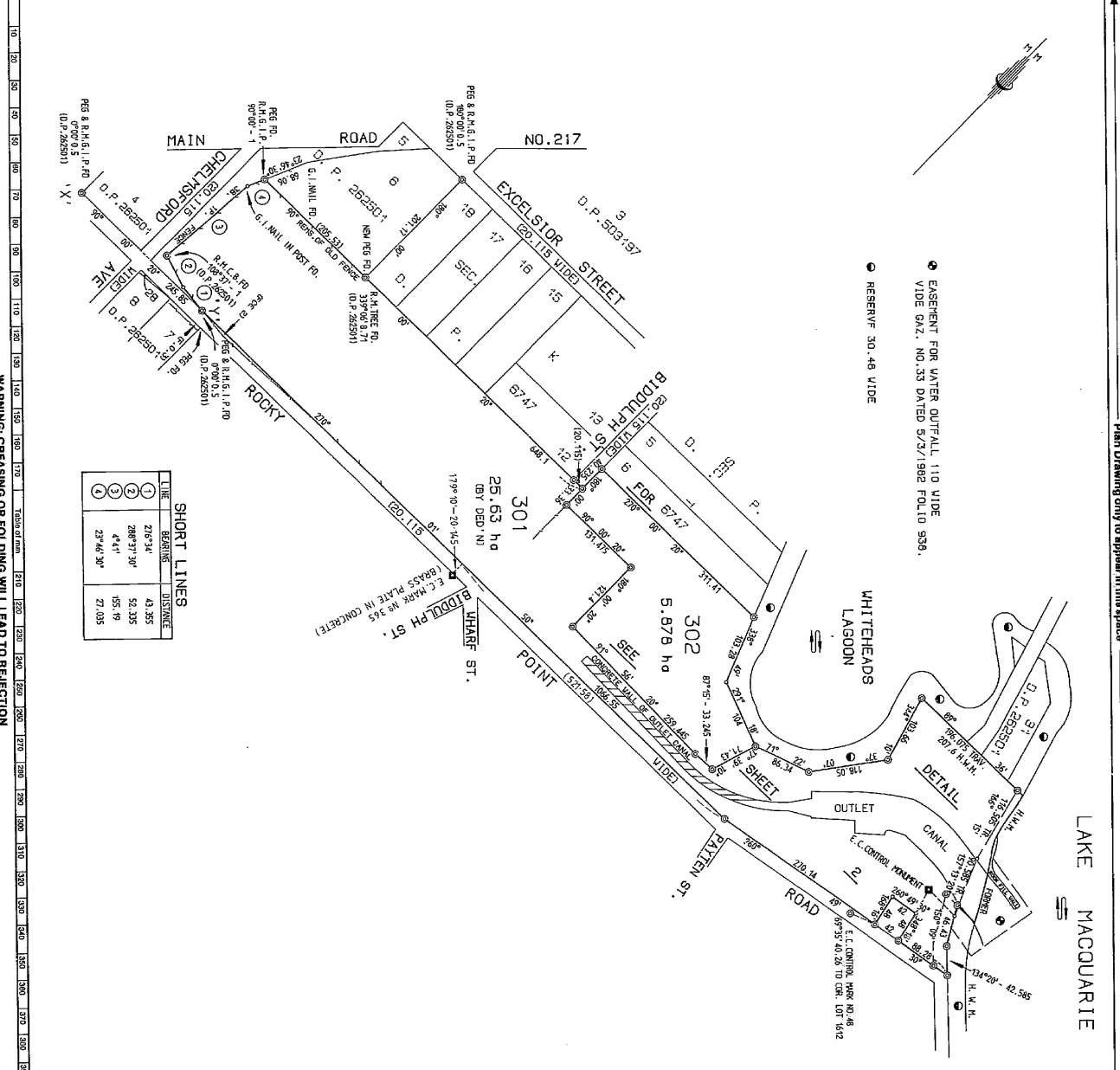
S.1, B9/225
 P.18156

PLAN FORM 2
 SIGNATURE AND SEALS ONLY

Alan Curtis
 Registered Professional Engineer
 No. 12345
 State of New South Wales

Council Clerk's Certificate
 I hereby certify that the requirements of the Local Government Act, 1988 (under which the requirements for the registration of plans) and the requirements of the Planning and Environment Act, 1980 (under which the requirements for the registration of plans) have been complied with by the applicant in relation to the plan submitted for registration and that the plan is a valid plan for the purposes of the said Act and that the plan is a valid plan for the purposes of the said Act and that the plan is a valid plan for the purposes of the said Act.

Council Clerk
 Date



SHORT LINES

LINE	BEARING	DISTANCE
1	216°34'	43.355
2	288°37'30"	52.335
3	4°41'	155.19
4	23°46'30"	27.035

Plan Drawing only to appear in this space

LAKE MACQUARIE

OFFICE USE ONLY

DP 806475
 Registered: 4.12.1990
 C.A. TORRENS
 Title System: TORRENS
 Purpose: SUBDIVISION
 Ref. Map: U4532-52#
 Last Plan: DP 262501

PLAN OF SUBDIVISION OF
 LOT 30 D.P. 262501
 (C.T. VOL. 14688 FOL. 130)
 (F.L. 30/262501)

Lengths are in metres. Reduction Ratio: 1:4000

44m-ohm
 City LAKE MACQUARIE
 Locality: ERARING
 Parish: COORUBUNG
 County: NORTHLIMBERLAND

This is sheet 1 of map plan in 2 sheets
 (Delete if inapplicable)

1. **BARRETT ALAN CURTIS**, Registered Professional Engineer, No. 12345, State of New South Wales, is a duly qualified surveyor under the Surveyors Act, 1928 as amended, and is hereby certified that the survey set out in this plan of subdivision is a true and correct survey in accordance with the provisions of the said Act and of the regulations made thereunder and that the plan is a valid plan for the purposes of the said Act and that the plan is a valid plan for the purposes of the said Act.

Signature of Surveyor
 Date of Survey

Plans used in preparation of survey/compilation:
 D.P. 262501, D.P. 587100, D.P. 262501, K158071600

THE ELECTRICITY COMMISSION OF N.S.W.
ERARING POWER STATION
 LOT 302 PROPOSED TO BE SOLD

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to use.

S. 1. 86/138
 P. 17909-1

WARNING: CHEASING OR FOLDING WILL LEAD TO REFLECTION

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 10th December, 1990



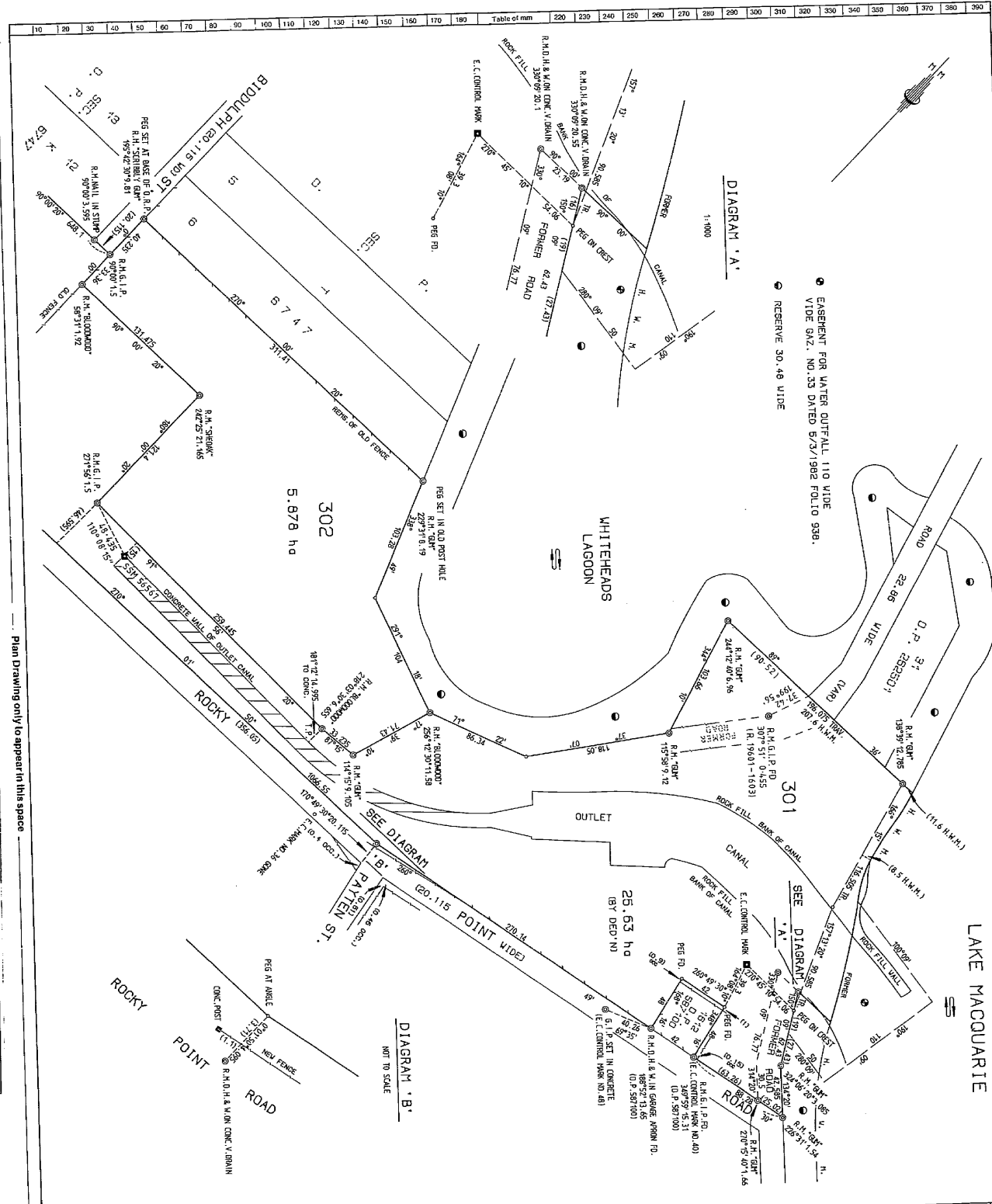


PLAN FORM 3

To be used in conjunction with Plan Form 2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

OFFICE USE ONLY



Plan Drawing only to appear in this space

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day: 10th December, 1990



DP 806475 Registered: 12.12.1990 This is a plan 2, class 2, as defined in the Land Act 1988, and amended by the Land Act 1999. Surveyor registered under Survey Act 1989 <i>[Signature]</i> This is a plan of the land of the State of New South Wales as shown on the certificate No.	
Council Name Form 2, where space is available in any classed use Plan Form 2.	
MUNICIPALITY: CITY: PARISH: COUNTY:	LAKE MACQUARIE COORUBUNG NORTHUMBERLAND
THE ELECTRICITY COMMISSION OF N.S.W. ERARING POWER STATION LOT 302 PROPOSED TO BE SOLD	
SUPERVISOR'S REFERENCE: P179009-2 S. J. BR/136 Reduction Ratio: 2000	

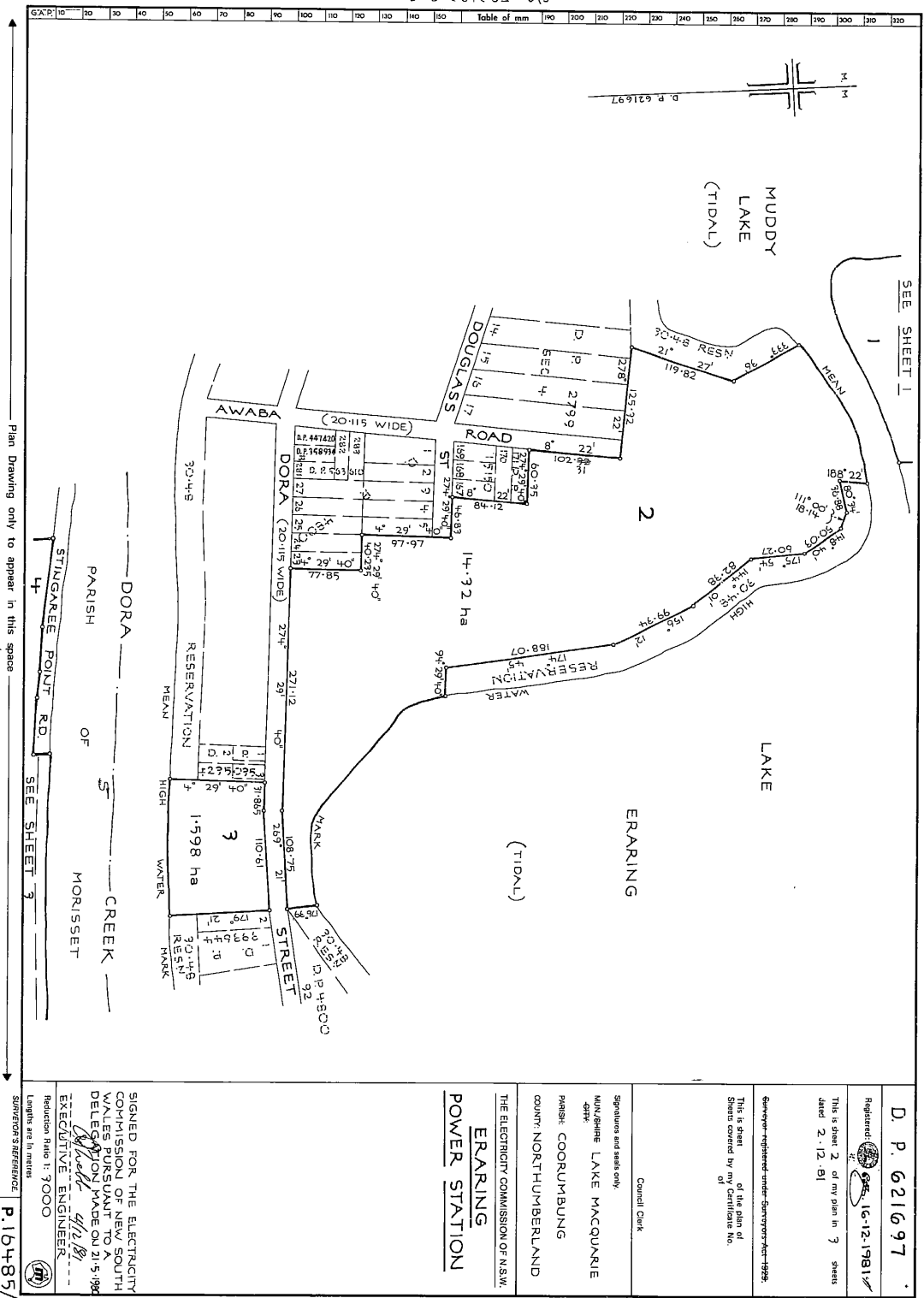
2

PLAN FORM 3

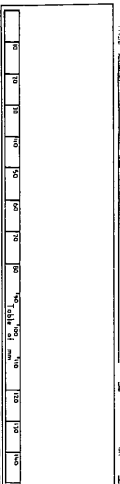
To be used in conjunction with Plan Form 2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

OFFICE USE ONLY



Plan Drawing only to appear in this space



I, Bruce Richard Dowling, Under Secretary for Lands and Registrar General for New South Wales, certify that this document is a photograph made as a permanent record of a document in my custody this day.

17th December, 1981

D. P. 621697

Registered: 16-12-1981
 This is sheet 2 of my plan in 3 sheets
 dated 2.12.81

Surveyor registered under Surveyors Act 1993
 of the State of New South Wales
 Shown covered by my Certificate No.

Council Clerk

Signatures and seals only:
 MAN/SHIRE LAKE MACQUARIE
 DISTRICT
 PARISH: COORUMBUNG
 COUNTY: NORTHUMBERLAND

THE ELECTRICITY COMMISSION OF N.S.W.
 ERARING
 POWER STATION

SIGNED FOR THE ELECTRICITY COMMISSION OF NEW SOUTH WALES PURSUANT TO A DELEGATION MADE ON 21.5.1984
 EXECUTIVE ENGINEER
 Reduction ratio 1: 7000
 Lengths are in metres
 SURVEYOR'S REFERENCE: P.16485/2

D. P. 621697

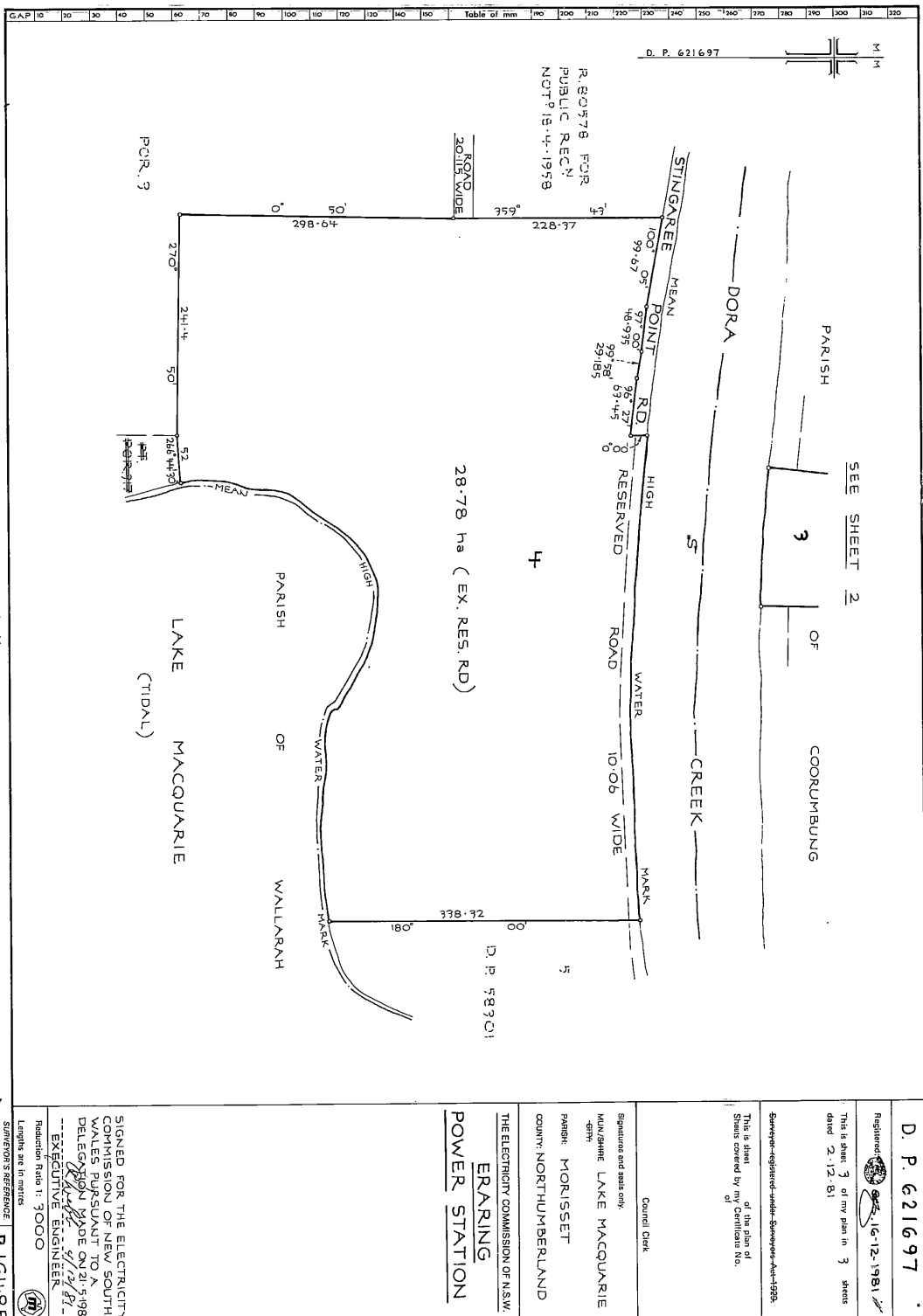
3

PLAN FORM 3

To be used in conjunction with Plan Form 2

WARNINGS CREASING OR FOLDING WILL LEAD TO REJECTION

OFFICE USE ONLY



Plan Drawing only to appear in this space

D. P. 621697

Registered 16-12-1981
 This is sheet 3 of my plan in 3 sheets
 dated 2-12-81

Signature-registered under Queensland Act-1925.
 This is sheet 3 of the plan of
 Shewts covered by my Certificate No. of

General Clerk

Signature and seals only.

MUNSHINE LAKE MACQUARIE
 DISTRICT

PARISH: MORISSETT
 COUNTY: NORTHUMBERLAND

THE ELECTRICITY COMMISSION OF N.S.W.
 ERARING
 POWER STATION

SIGNED FOR THE ELECTRICITY COMMISSION OF NEW SOUTH WALES PURSUANT TO A DELEGATION MADE ON 21-9-1980
 D. P. 58301
 EXECUTIVE ENGINEER
 Reduction Ratio: 3000
 Lengths are in metres
 Surveyor's reference: P.16485/3

Sumner's reference

P.16485/3

I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.
 17th December, 1981



FEET	INCHES	METRES
1	6 1/4	0.465
1	7	0.488
4	7	1.195
32	3 1/2	9.81
32	3 1/2	9.84
36	8 1/4	11.18
66	-	20.115
69	6 1/4	21.24
94	-	28.465
99	5 3/4	30.4425
100	-	30.48
115	11 1/2	32.305
122	10 3/4	37.446
129	8	37.532
130	9 1/2	39.6225
136	6 1/2	42.305
155	11 1/2	47.535
179	2 1/2	54.62
209	8	63.91
210	-	64.01
229	7 1/4	69.198
256	10 1/2	108.78
406	6	123.85
443	4 1/4	135.18
487	1 1/4	148.47
700	1	213.39
1590	9 1/2	484.87
1784	1 3/4	543.18
20	6 3/4	6.27
LINKS		METRES
130		26.15
AC RD	P	HA
3 2 52 1/2		1.4995
37 3 52 1/2		15.436

Plan Form 2—This form must NOT be used where it is intended to dedicate public roads or public reserves or create drainage reserves, easements, or restrictions as to user—See Form 3.

DP 548546 WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION.

RESERVED (6.6' wide) ROAD

950' P.C.

ROAD

DP548546

4.8 p.h.

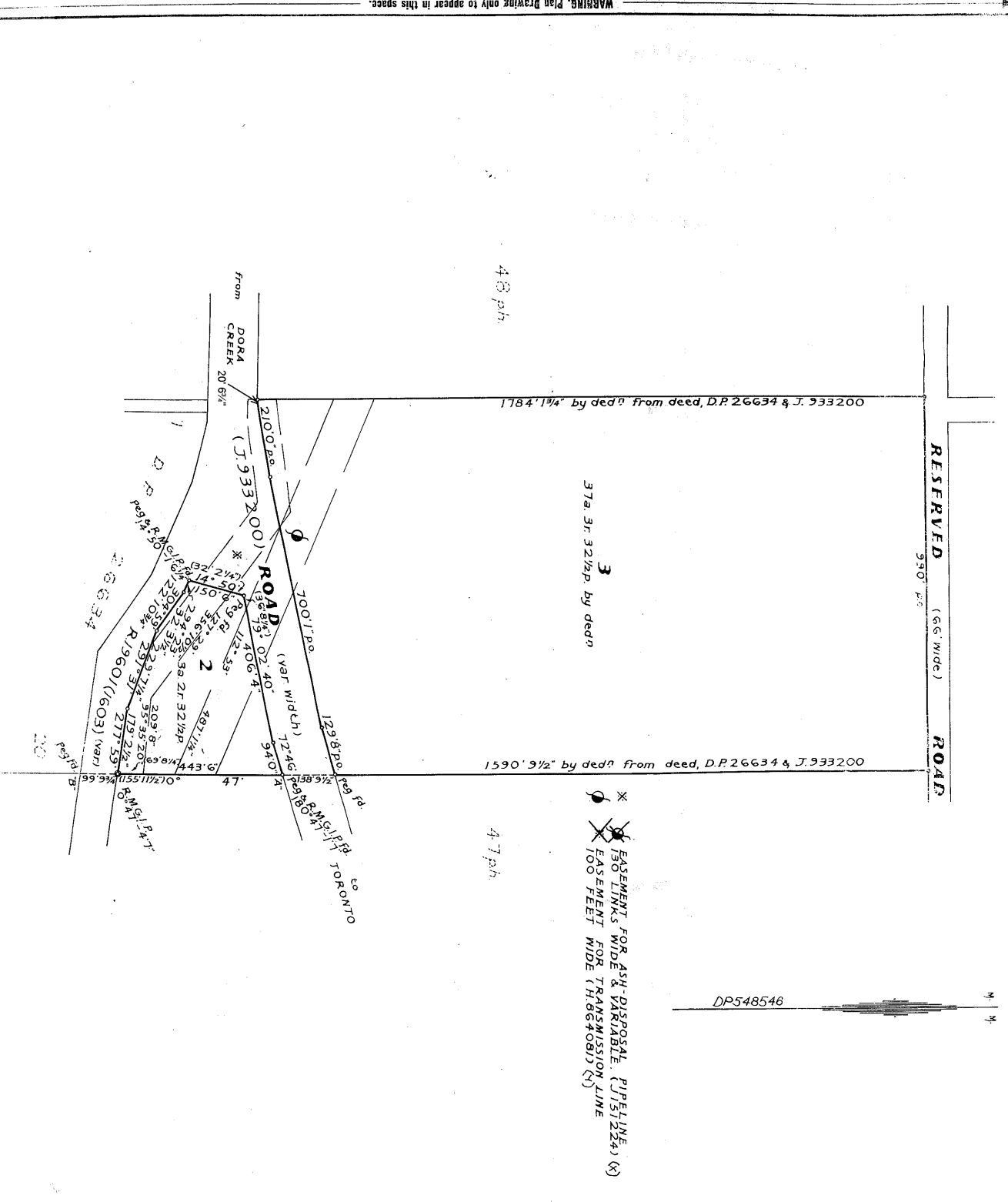
4.7 p.h.

EASEMENT FOR ASH-DISPOSAL PIPELINE (J151254) (X)
 EASEMENT FOR TRANSMISSION LINE
 TOO FEET WIDE (H.864081) (X)

378.57 32 1/2 P. by deed

1784' 1 3/4" by deed from deed, D.P. 26634 & J. 933200

1590' 9 1/2" by deed from deed, D.P. 26634 & J. 933200



WARNING: Plan Drawing only to appear in this space.

Registered: 24-5-1971 AM

DP548546 (E)

System: Torrens

Purpose: Subdivision

Ref. Map: Panish

Last Plan: Panish

PLAN OF
Part of Portion 46

Scale: 200 Feet to an inch

Shire: Lake Macquarie

Locality: Miyuna Bay

Parish: Awaba

County: Northumberland

This is sheet 1 of my plan in sheets

Signature: W. J. Re.

Surveyor registered under Surveyors Act, 1920, or amended, Datum line of Abnuk, 24-5-1971

Council Clerk's Certificate

I hereby certify that—

(a) the requirements of the Local Government Act, 1959 (other than the requirements for the registration of plans), and

(b) the requirements of section 318 of the Metropolitan Water Sewerage and Drainage Act, 1938, have been complied with by the applicant in relation to the proposed "new road" or "subdivision" set out herein.

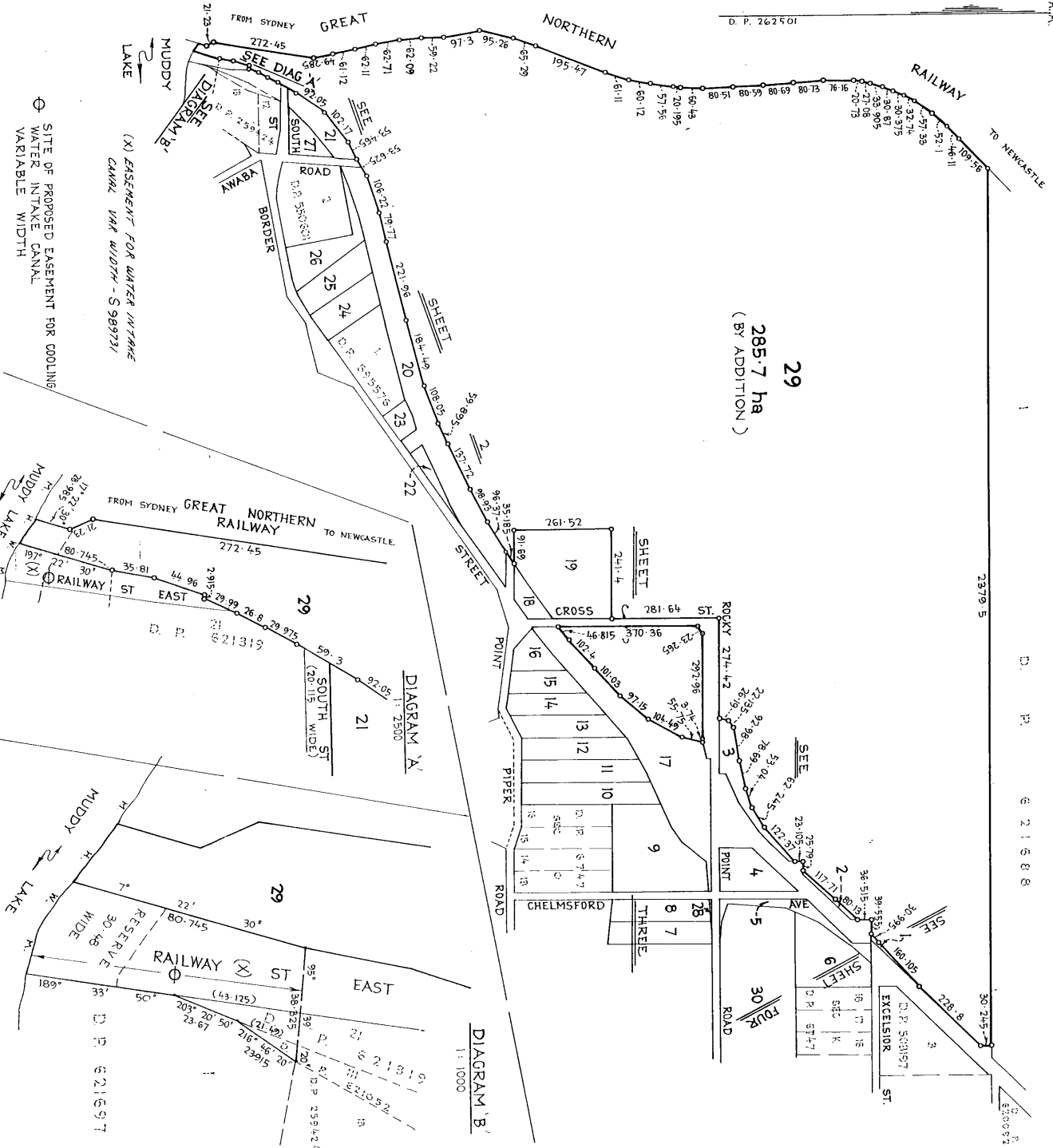
Subdivision No. _____

Date: _____

(Signature) _____ Council Clerk

*This part of certificate to be deleted when the application is only for the opening of a new road or where the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board. Delete if inapplicable.

D. P. 262501 (E) Registered 24-12-1981 Title System: TORRENS LAND Purpose: ACQUISITION Ref Maps: U4535-1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



Council Clerk's Certificate
I hereby certify that -
(a) the requirements of the Local Government Act, 1939
(b) the requirements of the Local Government Act, 1958
(c) the requirements of the Local Government Act, 1980
(d) the requirements of the Local Government Act, 1989
(e) the requirements of the Local Government Act, 1995
(f) the requirements of the Local Government Act, 1999
(g) the requirements of the Local Government Act, 2005
(h) the requirements of the Local Government Act, 2009
(i) the requirements of the Local Government Act, 2015
(j) the requirements of the Local Government Act, 2019
(k) the requirements of the Local Government Act, 2023
(l) the requirements of the Local Government Act, 2025

29
285.7 ha
(BY ADDITION)
SHEET 19
SHEET 20
SHEET 21
SHEET 22
SHEET 23
SHEET 24
SHEET 25
SHEET 26
SHEET 27
SHEET 28
SHEET 29
SHEET 30
Muddy Lake
Great Northern Railway
Yamba Road
Chelmsford Road
Railway St
East St
South St
Pier Road
Four Road
Three Road
Cross Street
Rocky Point
Diagrams A and B
Various bearings and distances

D. P. 262501 (E)
Registered 24-12-1981
Title System: TORRENS LAND
Purpose: ACQUISITION
Ref Maps: U4535-1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

REFERENCE	MARKS
1 R.M.G.I.P. 269° 46' 30" ~ 2.34	12 R.M.G.I.P.FD 172° 31' ~ #4
2 R.M.G.I.P. 359° 48' 30" ~ 2	13 R.M.C. BLK 79° 48' 30" ~ 13.945
3 R.M.G.I.P.FD 215° 47' ~ 0.395	14 R.M.G.I.P.FD 303° 12' 30" ~ 0.9
4 P.M.C.B.FD. 279° 14' ~ 0.46	15 P.M.C.B.FD. 257° 26' 20" ~ 28.5
5 R.M.G.I.P. PIPE 289° 48' 30" ~ 0.5	16 R.M.G.I.P.FD 325° 00' 40" ~ 0.495
6 R.M.G.I.P. PIPE 232° 18' ~ 0.67	
7 R.M.G.I.P. PIPE 240° 20' ~ 0.605	
8 R.M.G.I.P. PIPE 60° 20' ~ 23.675	
9 R.M.G.I.P. PIPE 52° 18' ~ 26.44	
10 P.M.C.B.FD. 4° 23' 20" ~ 0.466	
11 R.M.G.I.P.FD 170° 20' ~ 1.7	
	D.P. 550601

NOTE:
FENCED BOUNDARIES OF LOTS 20 & 21, ADJOINS
ANGLES MARKED BY G.I.NAIL IN POST, UNLESS OTHERWISE INDICATED
(A) CONDITIONS & RESVNS IN CROWN GRANT
(B) SEC. 604, L.G. ACT, 1919
(C) COVT. J.798833

LOT AREAS
20 7.347 ha
21 4.265 ha
22 4.385 m ²
23 5.382 m ²
24 1.536 ha
25 1.661 ha
26 1.797 ha
27 8358 m ²

REFERENCE	MARKS
12 R.M.G.I.P.FD 172° 31' ~ #4	172° 31' ~ #4
13 R.M.C. BLK 79° 48' 30" ~ 13.945	79° 48' 30" ~ 13.945
14 R.M.G.I.P.FD 303° 12' 30" ~ 0.9	303° 12' 30" ~ 0.9
15 P.M.C.B.FD. 257° 26' 20" ~ 28.5	257° 26' 20" ~ 28.5
16 R.M.G.I.P.FD 325° 00' 40" ~ 0.495	325° 00' 40" ~ 0.495

NOTE:
FENCED BOUNDARIES OF LOTS 20 & 21, ADJOINS
ANGLES MARKED BY G.I.NAIL IN POST, UNLESS OTHERWISE INDICATED
(A) CONDITIONS & RESVNS IN CROWN GRANT
(B) SEC. 604, L.G. ACT, 1919
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22 4.385 m ²
23 5.382 m ²
24 1.536 ha
25 1.661 ha
26 1.797 ha
27 8358 m ²

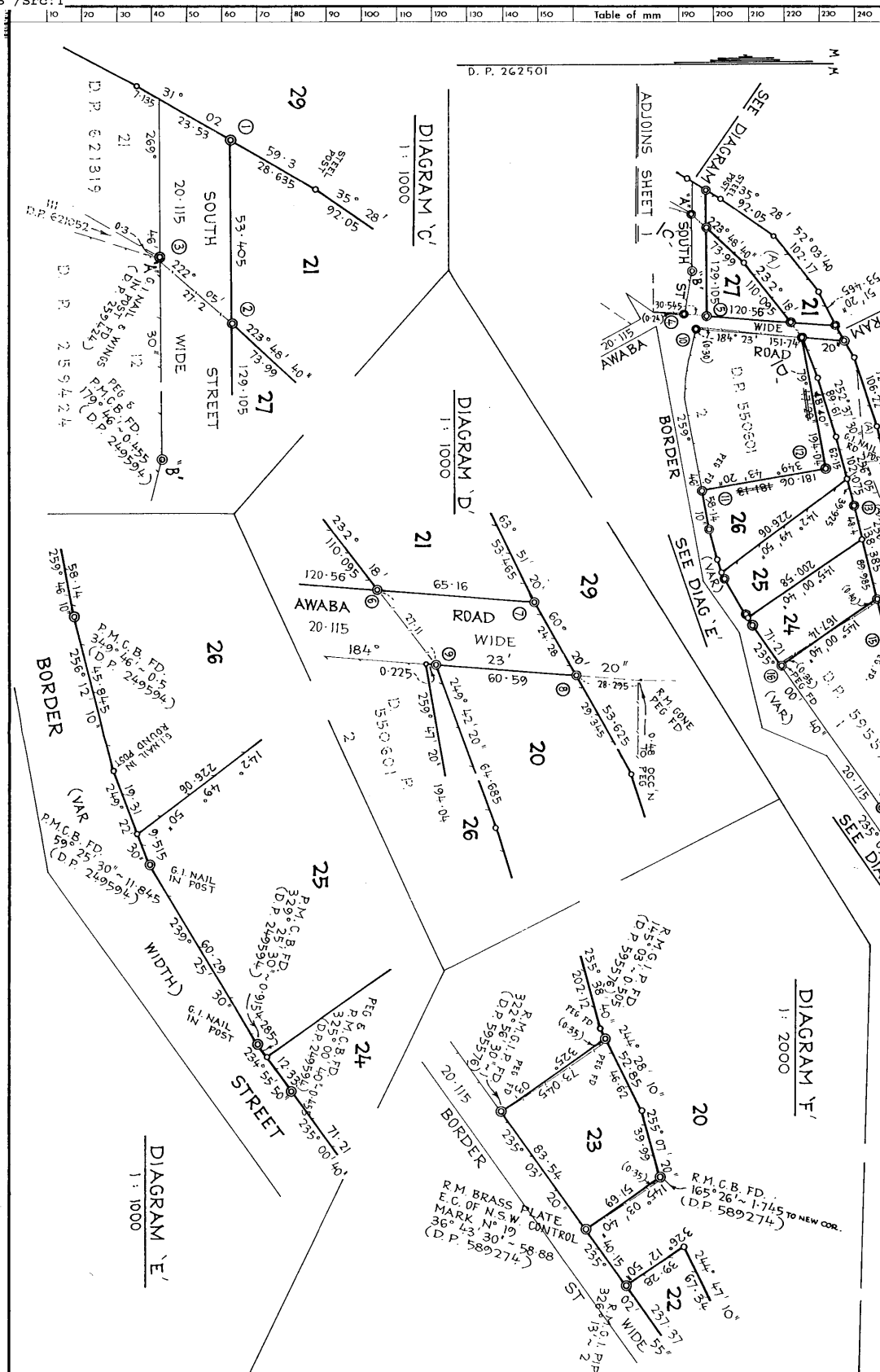
NOTE:
FENCED BOUNDARIES OF LOTS 20 & 21, ADJOINS
ANGLES MARKED BY G.I.NAIL IN POST, UNLESS OTHERWISE INDICATED
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NOTE:
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ANGLES MARKED BY G.I.NAIL IN POST, UNLESS OTHERWISE INDICATED
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FENCED BOUNDARIES OF LOTS 20 & 21, ADJOINS
ANGLES MARKED BY G.I.NAIL IN POST, UNLESS OTHERWISE INDICATED
(A) CONDITIONS & RESVNS IN CROWN GRANT
(B) SEC. 604, L.G. ACT, 1919
(C) COVT. J.798833



D. P. 262501

Registered 21-12-1981

This is sheet 2 of my plan in 4 sheets dated

Surveyor registered under Surveyors Act 1929.

Signatures and seals only.

Council Clerk

MIN. LAKE MACQUARIE

PARRISH COORUMBUNG

COUNTY NORTHUMBERLAND

THE ELECTRICITY COMMISSION OF N.S.W.

ERRARING POWER STATION

PLAN OF SUBDIVISION OF LOTS 1-12 SEC. B. D.P. 6747, LOTS 1-4 SEC. C D.P. 6747, LOTS 2 & 3 D.P. 505714, LOTS 1-7, PT 9, PT 10, 11-16 & PT 17 SEC. D. D.P. 6747, LOT 1 D.P. 572569, LOTS 121-122 D.P. 514085, LOTS 1-6 & 11-20 SEC. F. D.P. 6747, LOTS 101, 102 D.P. 537344, LOTS 1-15 SEC. G D.P. 6747, LOTS 1-5, PT 8, 12, 15-19 SEC. H D.P. 6747, LOTS 1 & 2 D.P. 5046937, LOT 2 D.P. 504938, LOT 1 D.P. 620059, LOT 1 SEC. J. D.P. 6747, LOTS 1 & 2 D.P. 505964, LOT 1 D.P. 503197, LOTS 1-11, 19 & 20 SEC. K. D.P. 6747, LOTS 1, 3 & 4, D.P. 506411, LOTS 1 & 2 SEC. L. D.P. 6747, PT. LOTS 1-6, 7-12 & 17-24 SEC. O. D.P. 6747, LOTS 1-21, 23-34, SEC. P. D.P. 6747, LOTS 1 & 2, D.P. 521425, LOTS 1-5, PT. LOTS 10 & 11, LOTS 16-23 & LOTS 25-29 SEC. R. D.P. 6747, LOTS 1-4, 7 D.P. 589274, LOT 2 D.P. 595576, LOTS 7-11 SEC. T. D.P. 6747, LOT 10 D.P. 587100, FOR 158 PH. COORUMBUNG, PT. LOT 1 D.P. 550601, LOTS 1-4, D.P. 620061, LOT 2 D.P. 620092, LOT 1 D.P. 620247, LOTS 22, 23 D.P. 621319 AND PROPOSED EASEMENT FOR COOLING WATER INTAKE CANAL OVER RAILWAY ST. EAST, LOT 21 D.P. 621319 & LOT 111 D.P. 621052 AND PROPOSED EASEMENT FOR WATER OUTFALL CONDUIT OVER LOTS 3 & 4, PT. RAILWAY AND PROPOSED EASEMENT FOR WATER OUTFALL OVER LAKE MACQUARIE

Reduction Ratio 1: 5000

Lengths are in metres

Surveyor's Reference: P. 16532/2

PLAN FORM 3

To be used in conjunction with Plan Form 2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

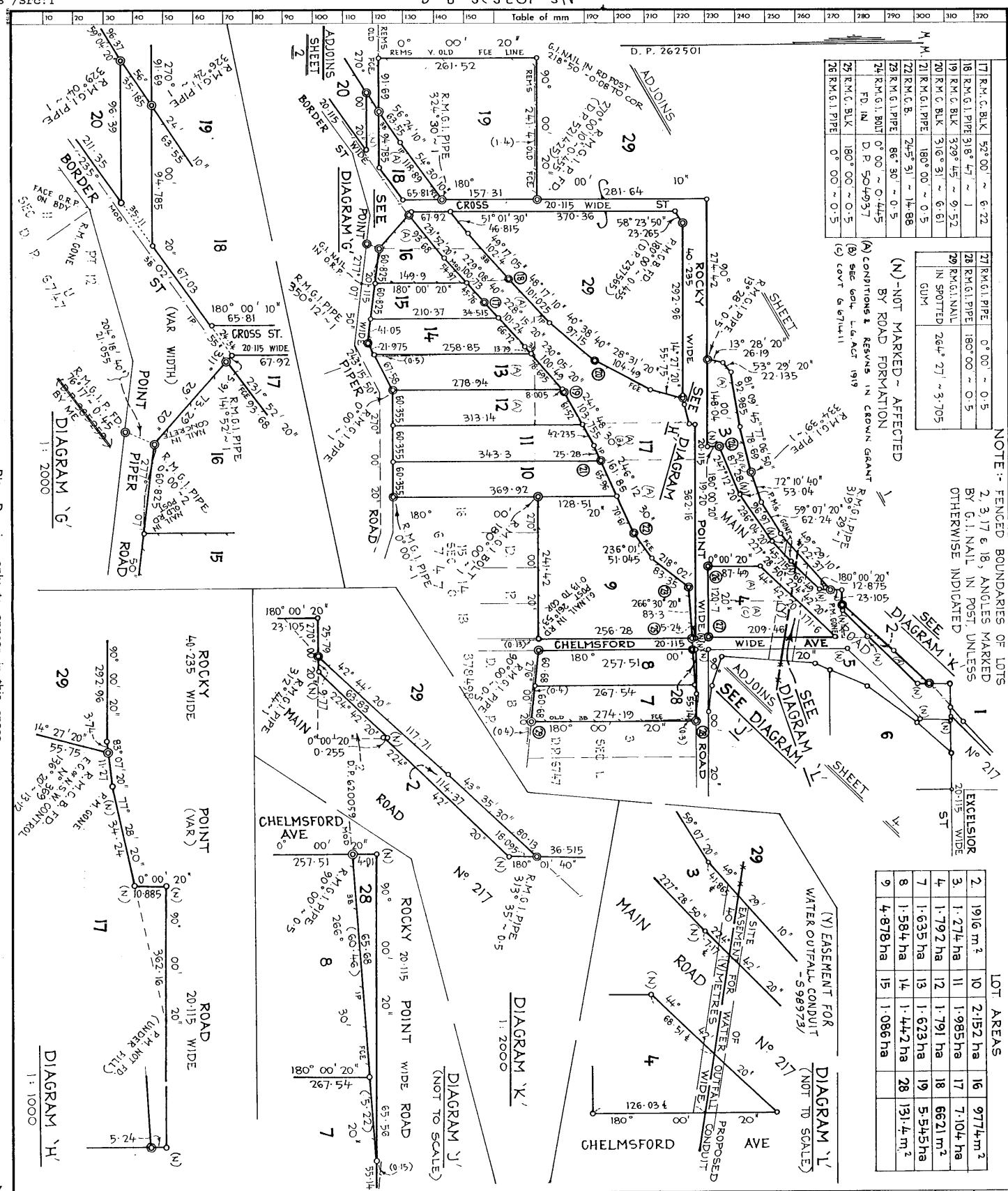
OFFICE USE ONLY

17 R.M.G.I. PIPE	52° 00' ~ 6-22
18 R.M.G.I. PIPE	318° 47' ~ 1
19 R.M.G.I. PIPE	329° 45' ~ 9-32
20 R.M.G.I. PIPE	316° 31' ~ 6-61
21 R.M.G.I. PIPE	180° 00' ~ 0-5
22 R.M.G.I. PIPE	275° 31' ~ 14-88
23 R.M.G.I. PIPE	86° 30' ~ 0-5
24 R.M.G.I. PIPE	0° 00' ~ 0-44.5
25 R.M.G.I. PIPE	180° 00' ~ 0-5
26 R.M.G.I. PIPE	0° 00' ~ 0-5

(N) - NOT MARKED - AFFECTED BY ROAD FORMATION
 (A) CONDITIONS & REVISIONS IN CROWN GRANT
 (B) SEC 604, L.C. ACT 1919
 (C) COV'T 6/27/11

NOTE: - FENCED BOUNDARIES OF LOTS 2, 3, 7 & 18, ANGLES MARKED BY G.I. NAIL IN POST, UNLESS OTHERWISE INDICATED

LOT AREAS	2	3	4	7	8	9	10	11	12	13	14	15	16	17	18	19	28
1916 m ²	1-274 ha	1-792 ha	1-635 ha	1-584 ha	4-878 ha	2-152 ha	1-985 ha	1-791 ha	1-623 ha	1-442 ha	1-086 ha	9774 m ²	7-104 ha	6621 m ²	5-545 ha	131.4 m ²	



D. P. 262501 (E)

Registered: 24-12-1981

This is sheet 3 of my plan in 4 sheets dated

Surveyor registered under Surveyors Act 1929

This is sheet of the plan of Sheets covered by my Certificate No. of

Signatures and seals only.

Council Clerk

MUN. LAKE MACQUARIE

PARISH: COORUMBUNG

COUNTY: NORTHUMBERLAND

THE ELECTRICITY COMMISSION OF N.S.W.

ERRATING POWER STATION

S. I. 81/160

Reduction Ratio 1: 5000

Lengths are in metres

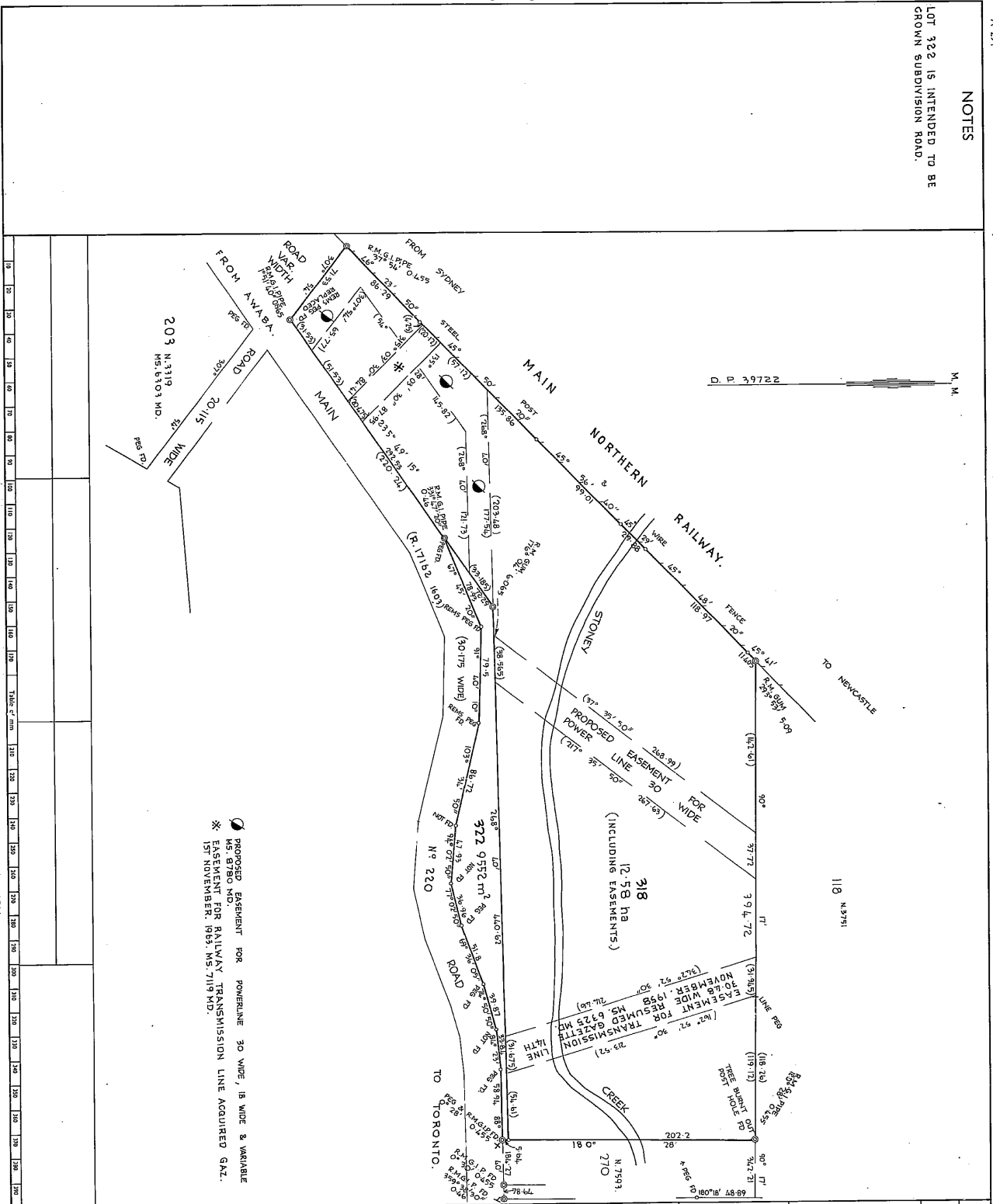
SUPERVISOR'S REFERENCE P. 16532/3

D B 30555

A 294

NOTES

LOT 322 IS INTENDED TO BE CROWN SUBDIVISION ROAD.



WARNING: CREAMING OR FOLDING WILL LEAD TO REJECTION

PROPOSED EASEMENT FOR POWERLINE 30 WIDE, 18 WIDE & VARIABLE MS. 8780 MD.
 * EASEMENT FOR RAILWAY TRANSMISSION LINE ACQUIRED GAZ. 1ST NOVEMBER, 1985, MS. 7119 MD.

I, Bruce Richard Douglas, Registrar General for New South Wales, certify that this document was made and is a permanent record of a document in my custody, this 12th day of October, 1979

0	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200	210	220	230	240	250	260	270	280	290	300	310	320	330	340	350	360	370	380	390	400	410	420	430	440	450	460	470	480	490	500
---	----	----	----	----	----	----	----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

OFFICE USE ONLY

D.P. 39722.

Registered: 11-10-1979
 This system: CROWN LAND
 Purpose: CROWN GRANT
 ISSUE
 Ref. Map: PARISH #

PLAN OF SUBDIVISION OF CROWN LAND.

REDUCTION RATIO: 1: 2000
 LENGTHS ARE IN METRES

LAND DISTRICT: NEWCASTLE
 PARISH: AWABA

COUNTY: NORTHUMBERLAND
 THIS IS SHEET 1 OF MY PLAN IN SHEETS
 (DELETE IF INAPPLICABLE)

LAND BOARD OFFICE DEPT HUNTERLAND
 ANTHONY JOHN QUINN

PLAN APPROVED: 11/10/79
 H. S. M. 119

REFERENCE MARKS

AMENITY TAKEN FROM: X.Y.(N7593)

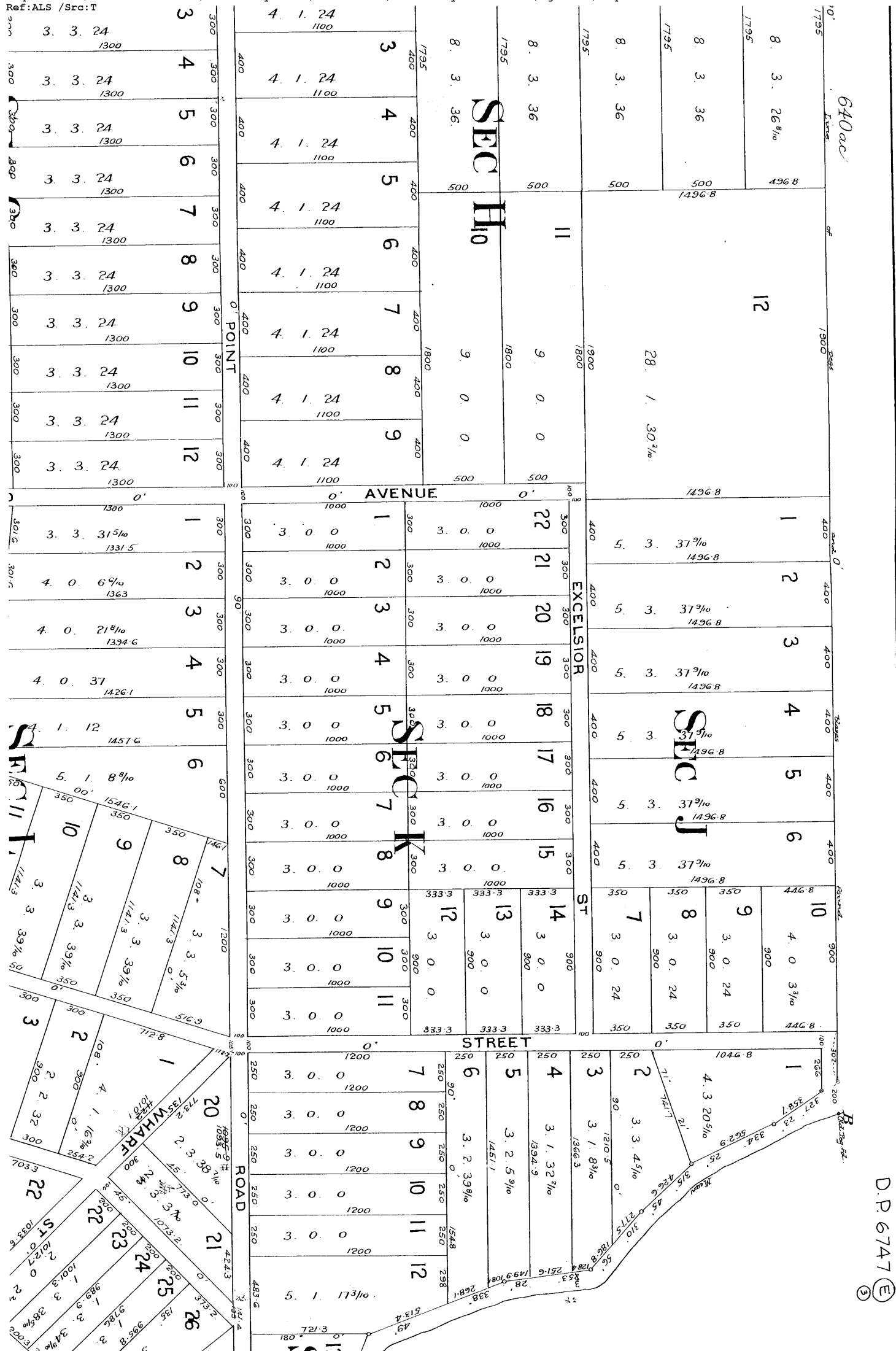
FIELD BOOK: D7972.MD. PAGE: 1-6

PLAN APPROVED: 11/10/79

D B 30555

640ac

D.P. 6747 (E) (3)



SEC H

SEC J

SEC K

SEC I

POINT

EXCELSIOR

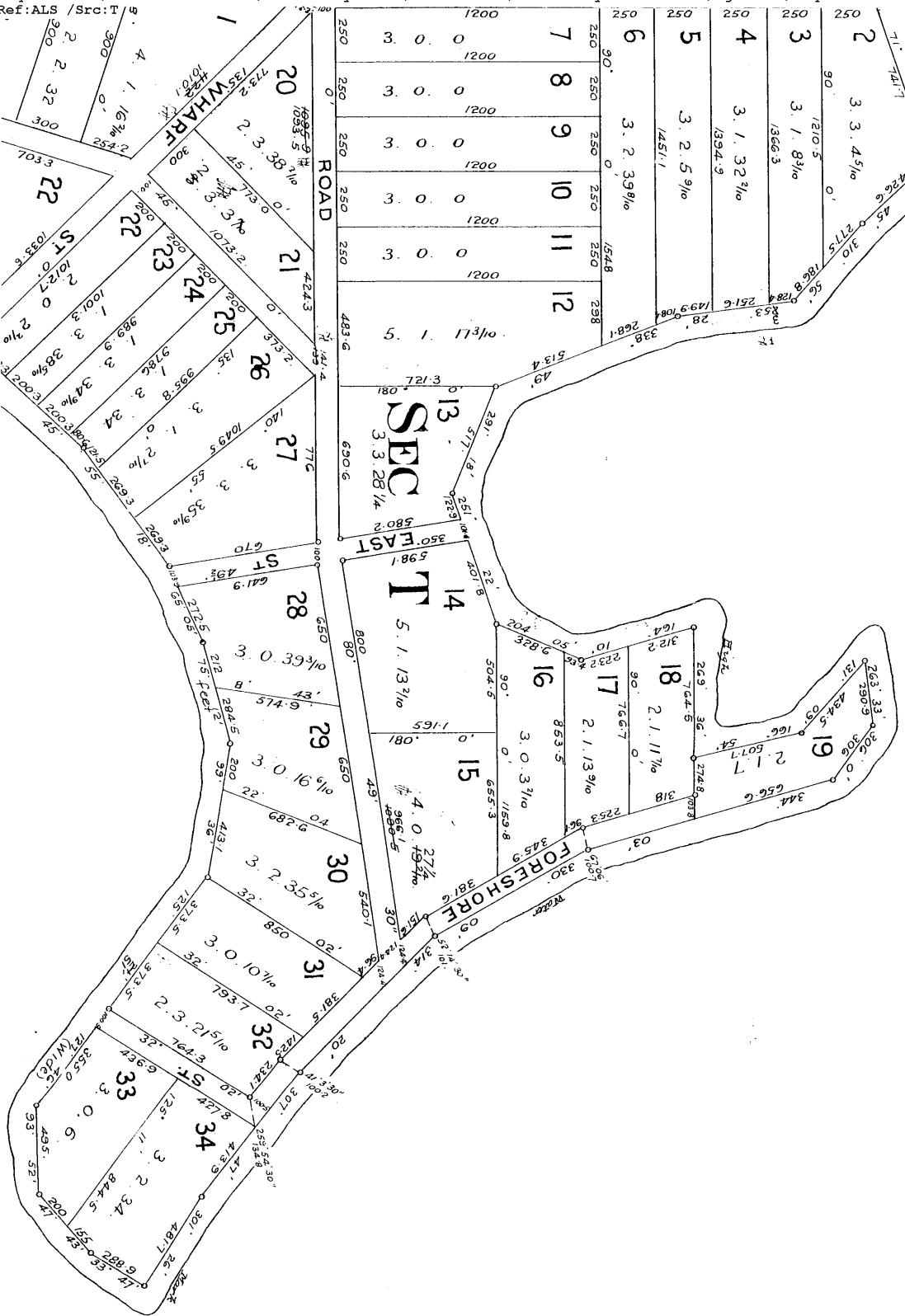
ST

STREET

WHARF

ST

ROAD

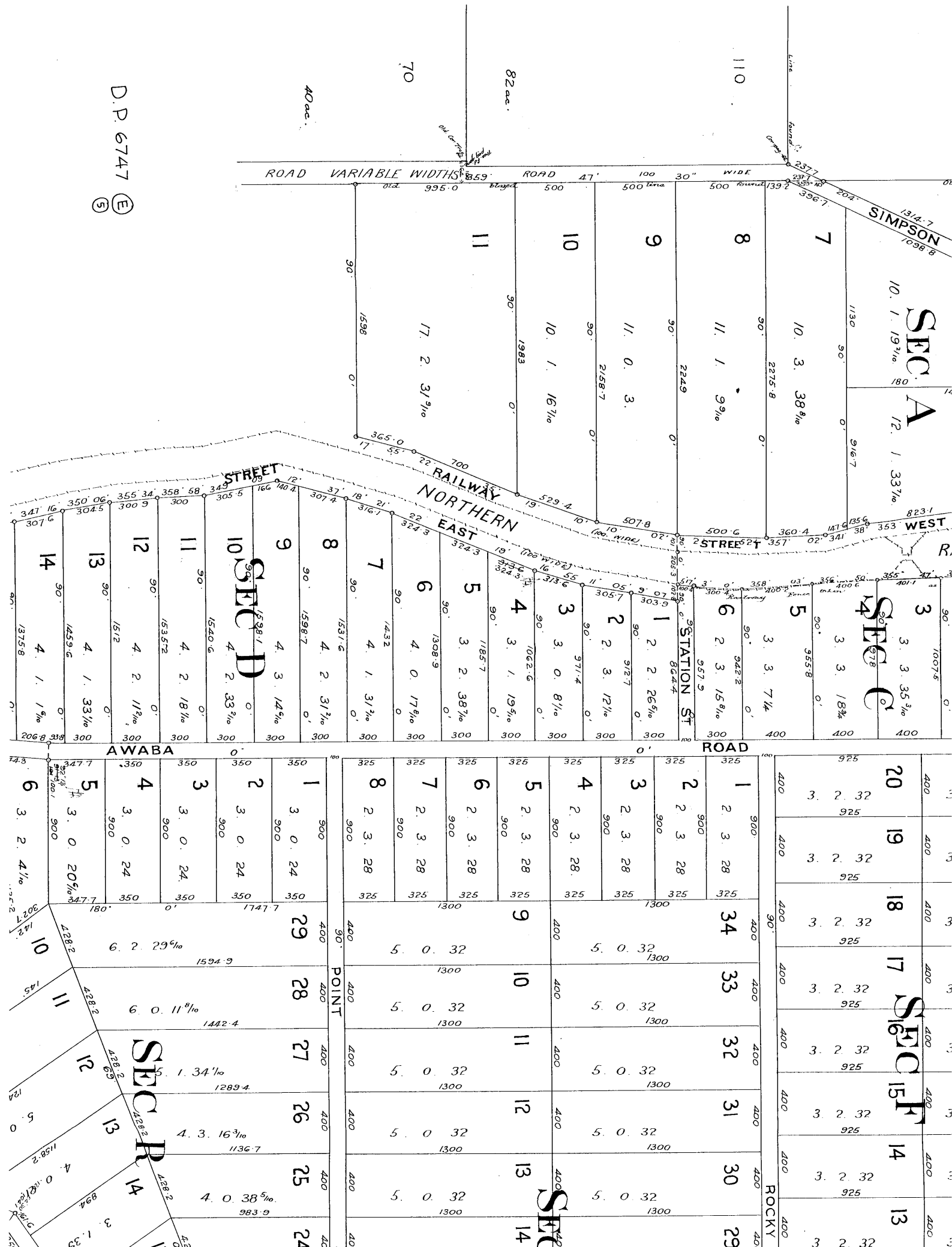


6747
DP6747 (E) (4)

R I E

D.P. 6747

(5) (E)



SEC A
10. 1. 19 3/16
12. 1. 33 7/16

SEC B
3. 3. 35 3/16
3. 3. 18 3/4

SEC C
3. 3. 7 1/4
3. 3. 15 8/16

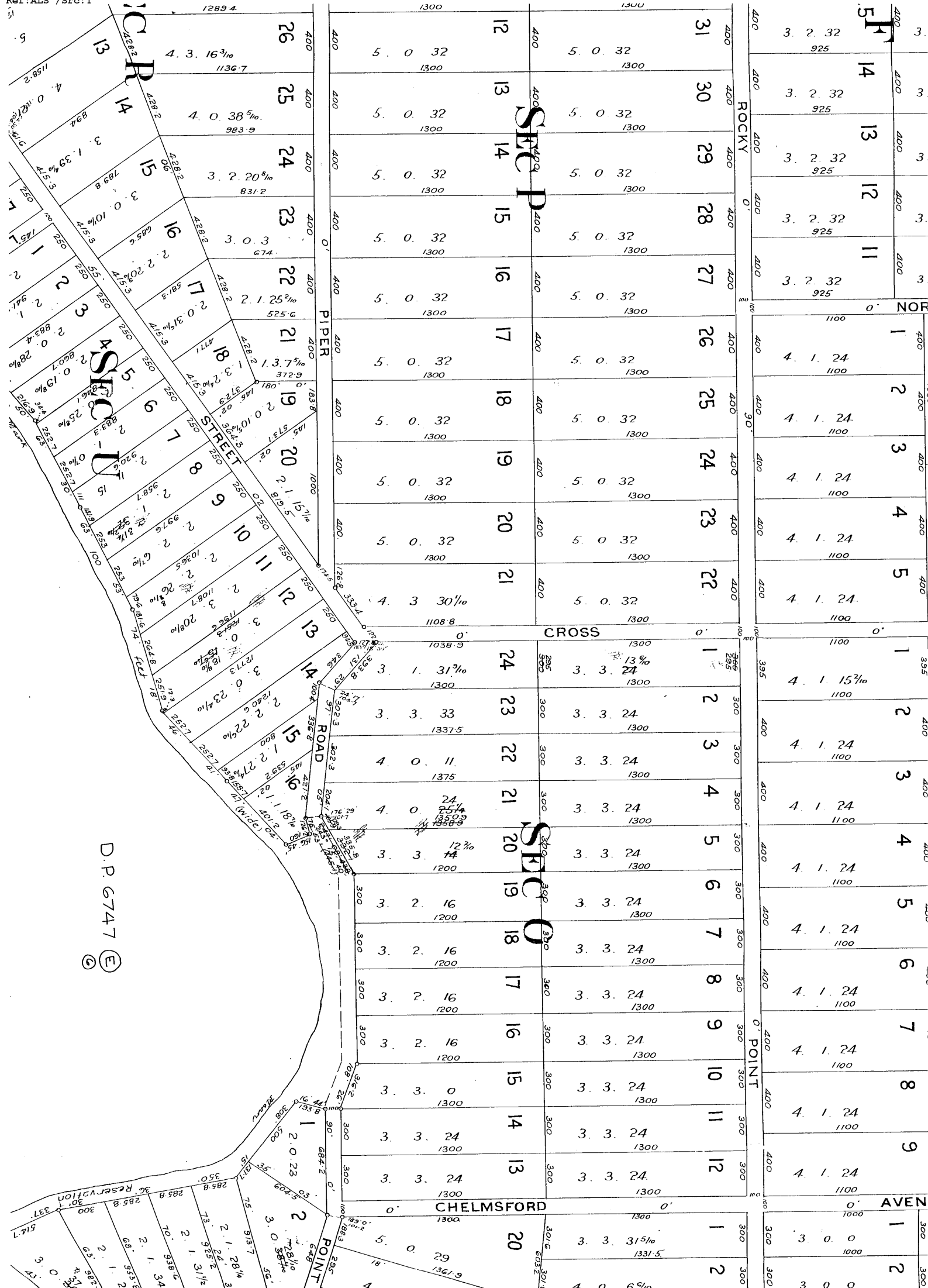
SEC D
4. 2. 33 3/16
4. 2. 18 1/16

SEC E
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3. 2. 32
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SEC F
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POINT

SEC R
1. 33
4. 3. 16 3/16
4. 0. 38 5/16





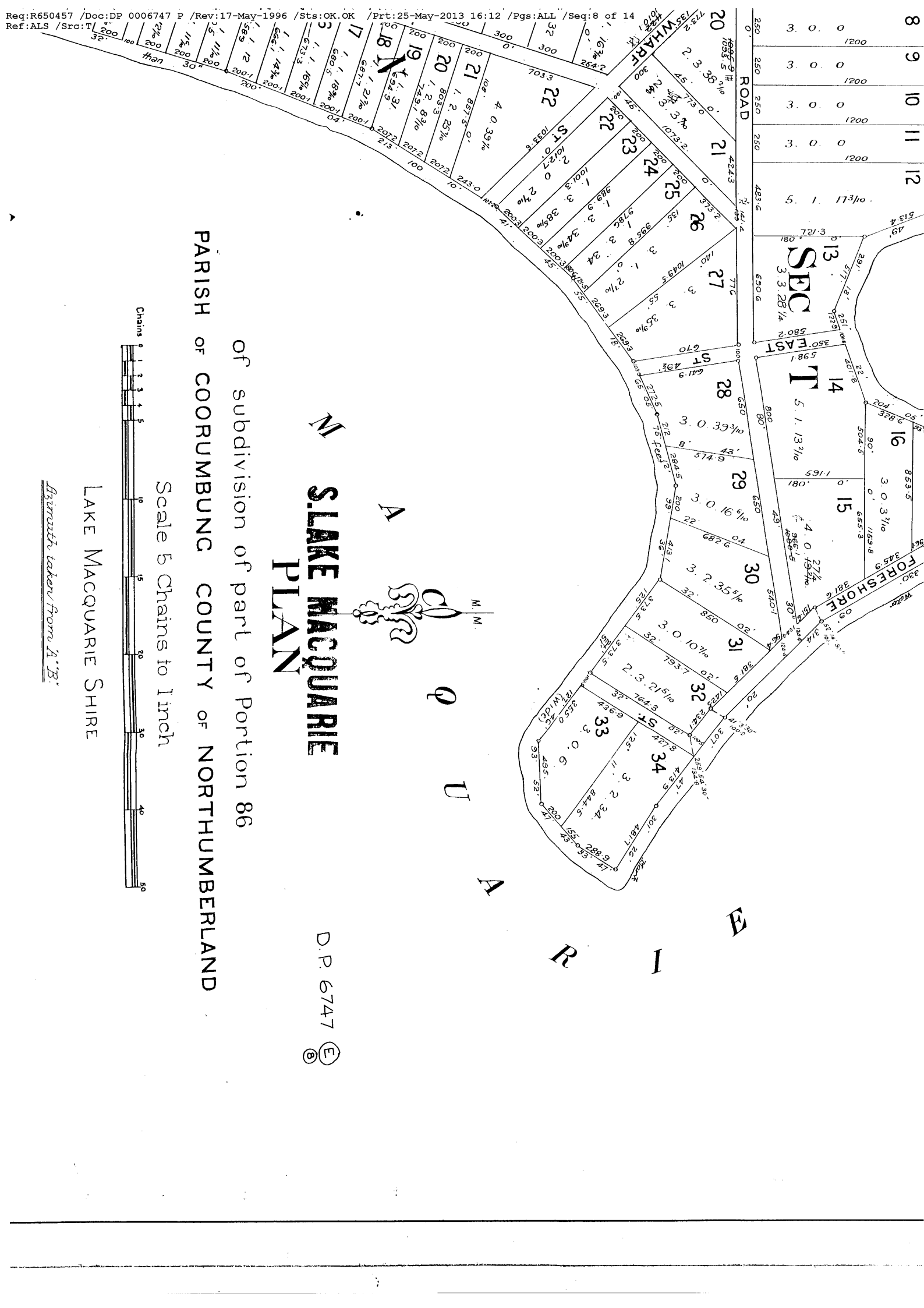
Chains 1 2 3 4 5
 Scale 5 CH

of subdivision of p
 PARISH OF COORUMBUNG C

W. SLAKE PI

D.P. 6747 (E)

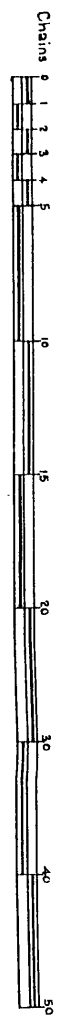
LAKE MACC
 Asmuth's taken



**N
 S LAKE MACQUARIE
 PLAN**

of subdivision of part of Portion 86
 PARISH OF COORUMBUNG COUNTY OF NORTHUMBERLAND

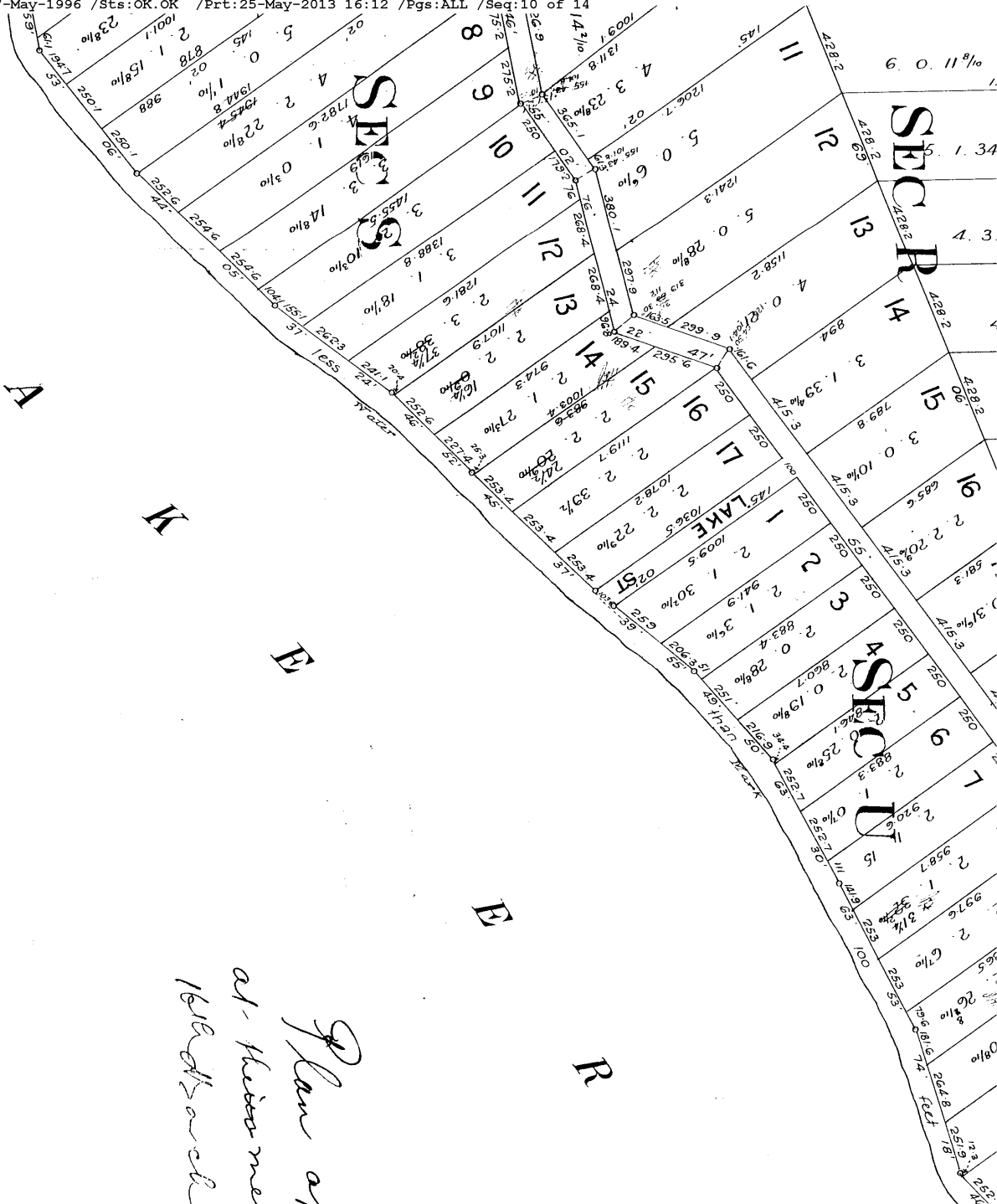
Scale 5 Chains to 1 inch



LAKE MACQUARIE SHIRE

Asimuth taken from "A.B."

D.P. 6747 (E)



L

A

K

E

E

R

R

A

R

D.P. 6747 (E) (9)

Committee on March 1992
Stewart H. Farrow
Shirley K. Farrow

*Plan approved by Council
at their meeting held on Saturday
16th March 1992*

I

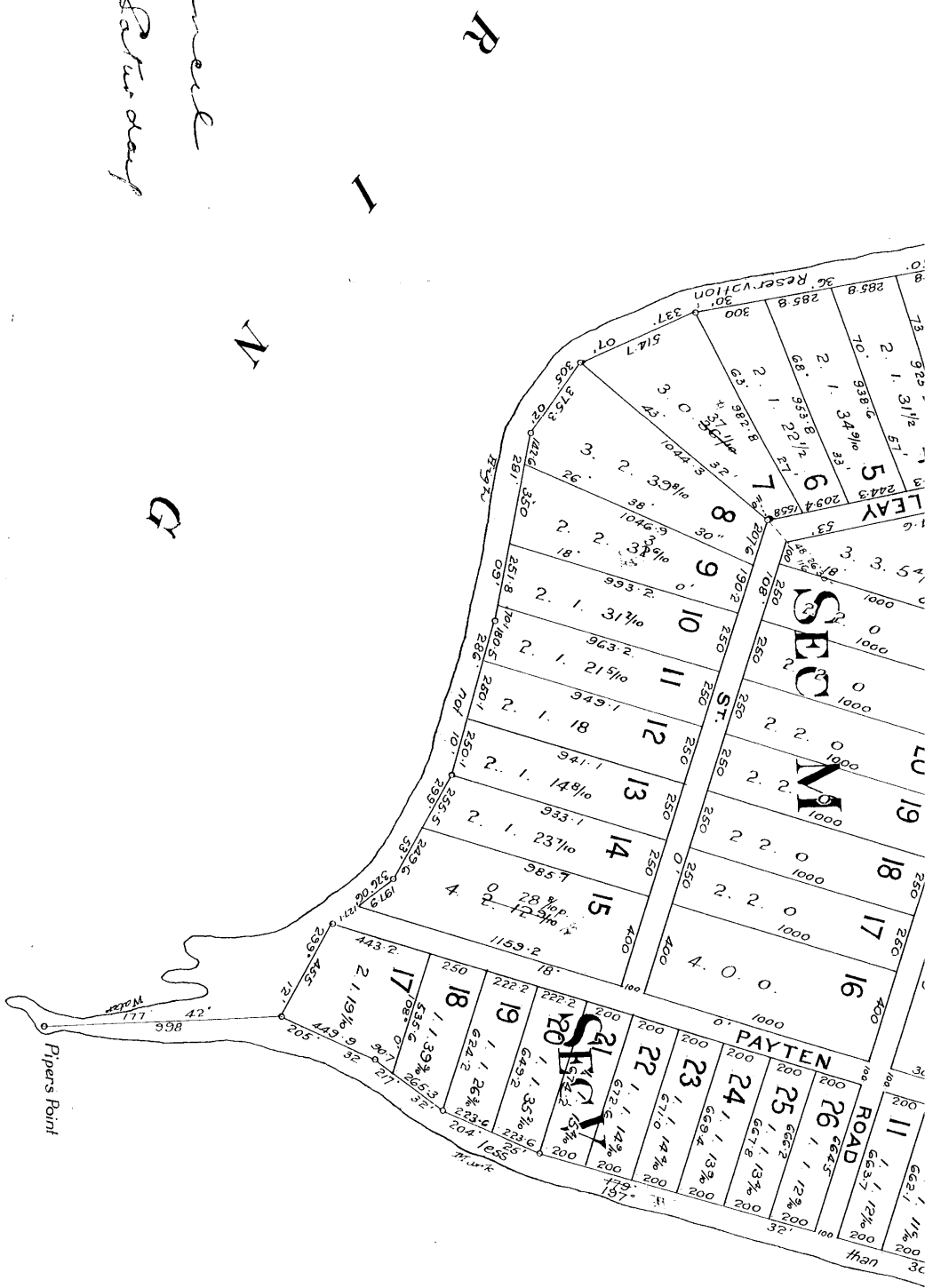
T. J. ...
...

My Journal
on Saturday

William Heath
President
11-3-12

D.P. 6747

ⓔ ⓑ



200
32'
200
100
200
100
than
30

L
A
K
E



Scale 5 chains to 1 inch

LAKE MACQUARIE SHIRE

Asimuth taken from 'A'B'

I, Alfred Francis Hall of Newcastle Licensed Surveyor Specially Licensed under the Real Property Act, do hereby solemnly and sincerely declare that the boundaries and measurements of this Plan are correct for the purposes of the said Act and that the said Plan and the Survey have been prepared by me or under my immediate supervision; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900

Subscribed and declared before me this 28th day of March A.D. 1912

Alfred Francis Hall

Declarant 19 March 1912

Alfred Francis Hall

Alfred Francis Hall

Licensed Surveyor

Date of Survey - 14th - 1910

D.P. 6747 (E)

(12)

CONVERSION TABLE ADDED IN
 REGISTRAR GENERAL'S DEPARTMENT
 DP 6747 CONTINUED

LINKS	METRES
860	170.99
861	171.7
862	172.5
863	173.3
864	174.1
865	174.9
866	175.7
867	176.5
868	177.3
869	178.1
870	178.9
871	179.7
872	180.5
873	181.3
874	182.1
875	182.9
876	183.7
877	184.5
878	185.3
879	186.1
880	186.9
881	187.7
882	188.5
883	189.3
884	190.1
885	190.9
886	191.7
887	192.5
888	193.3
889	194.1
890	194.9
891	195.7
892	196.5
893	197.3
894	198.1
895	198.9
896	199.7
897	200.5
898	201.3
899	202.1
900	202.9

CONVERSION TABLE ADDED IN
 REGISTRAR GENERAL'S DEPARTMENT
 DP 6747 CONTINUED

LINKS	METRES
901	1108.7
902	1109.6
903	1110.5
904	1111.4
905	1112.3
906	1113.2
907	1114.1
908	1115.0
909	1115.9
910	1116.8
911	1117.7
912	1118.6
913	1119.5
914	1120.4
915	1121.3
916	1122.2
917	1123.1
918	1124.0
919	1124.9
920	1125.8
921	1126.7
922	1127.6
923	1128.5
924	1129.4
925	1130.3
926	1131.2
927	1132.1
928	1133.0
929	1133.9
930	1134.8
931	1135.7
932	1136.6
933	1137.5
934	1138.4
935	1139.3
936	1140.2
937	1141.1
938	1142.0
939	1142.9
940	1143.8
941	1144.7
942	1145.6
943	1146.5
944	1147.4
945	1148.3
946	1149.2
947	1150.1
948	1151.0
949	1151.9
950	1152.8
951	1153.7
952	1154.6
953	1155.5
954	1156.4
955	1157.3
956	1158.2
957	1159.1
958	1160.0
959	1160.9
960	1161.8
961	1162.7
962	1163.6
963	1164.5
964	1165.4
965	1166.3
966	1167.2
967	1168.1
968	1169.0
969	1169.9
970	1170.8
971	1171.7
972	1172.6
973	1173.5
974	1174.4
975	1175.3
976	1176.2
977	1177.1
978	1178.0
979	1178.9
980	1179.8
981	1180.7
982	1181.6
983	1182.5
984	1183.4
985	1184.3
986	1185.2
987	1186.1
988	1187.0
989	1187.9
990	1188.8
991	1189.7
992	1190.6
993	1191.5
994	1192.4
995	1193.3
996	1194.2
997	1195.1
998	1196.0
999	1196.9
1000	1197.8

CONVERSION TABLE ADDED IN
 REGISTRAR GENERAL'S DEPARTMENT
 DP 6747 CONTINUED

LINKS	METRES
1001	223.03
1002	223.06
1003	223.09
1004	223.12
1005	223.15
1006	223.18
1007	223.21
1008	223.24
1009	223.27
1010	223.30
1011	223.33
1012	223.36
1013	223.39
1014	223.42
1015	223.45
1016	223.48
1017	223.51
1018	223.54
1019	223.57
1020	223.60
1021	223.63
1022	223.66
1023	223.69
1024	223.72
1025	223.75
1026	223.78
1027	223.81
1028	223.84
1029	223.87
1030	223.90
1031	223.93
1032	223.96
1033	223.99
1034	224.02
1035	224.05
1036	224.08
1037	224.11
1038	224.14
1039	224.17
1040	224.20
1041	224.23
1042	224.26
1043	224.29
1044	224.32
1045	224.35
1046	224.38
1047	224.41
1048	224.44
1049	224.47
1050	224.50
1051	224.53
1052	224.56
1053	224.59
1054	224.62
1055	224.65
1056	224.68
1057	224.71
1058	224.74
1059	224.77
1060	224.80
1061	224.83
1062	224.86
1063	224.89
1064	224.92
1065	224.95
1066	224.98
1067	225.01
1068	225.04
1069	225.07
1070	225.10
1071	225.13
1072	225.16
1073	225.19
1074	225.22
1075	225.25
1076	225.28
1077	225.31
1078	225.34
1079	225.37
1080	225.40
1081	225.43
1082	225.46
1083	225.49
1084	225.52
1085	225.55
1086	225.58
1087	225.61
1088	225.64
1089	225.67
1090	225.70
1091	225.73
1092	225.76
1093	225.79
1094	225.82
1095	225.85
1096	225.88
1097	225.91
1098	225.94
1099	225.97
1100	226.00

CONVERSION TABLE ADDED IN
 REGISTRAR GENERAL'S DEPARTMENT
 DP 6747 CONTINUED

LINKS	METRES
1101	1900
1102	1900.8
1103	1901.6
1104	1902.4
1105	1903.2
1106	1904.0
1107	1904.8
1108	1905.6
1109	1906.4
1110	1907.2
1111	1908.0
1112	1908.8
1113	1909.6
1114	1910.4
1115	1911.2
1116	1912.0
1117	1912.8
1118	1913.6
1119	1914.4
1120	1915.2
1121	1916.0
1122	1916.8
1123	1917.6
1124	1918.4
1125	1919.2
1126	1920.0
1127	1920.8
1128	1921.6
1129	1922.4
1130	1923.2
1131	1924.0
1132	1924.8
1133	1925.6
1134	1926.4
1135	1927.2
1136	1928.0
1137	1928.8
1138	1929.6
1139	1930.4
1140	1931.2
1141	1932.0
1142	1932.8
1143	1933.6
1144	1934.4
1145	1935.2
1146	1936.0
1147	1936.8
1148	1937.6
1149	1938.4
1150	1939.2
1151	1940.0
1152	1940.8
1153	1941.6
1154	1942.4
1155	1943.2
1156	1944.0
1157	1944.8
1158	1945.6
1159	1946.4
1160	1947.2
1161	1948.0
1162	1948.8
1163	1949.6
1164	1950.4
1165	1951.2
1166	1952.0
1167	1952.8
1168	1953.6
1169	1954.4
1170	1955.2
1171	1956.0
1172	1956.8
1173	1957.6
1174	1958.4
1175	1959.2
1176	1960.0
1177	1960.8
1178	1961.6
1179	1962.4
1180	1963.2
1181	1964.0
1182	1964.8
1183	1965.6
1184	1966.4
1185	1967.2
1186	1968.0
1187	1968.8
1188	1969.6
1189	1970.4
1190	1971.2

CONVERSION TABLE ADDED IN
 REGISTRAR GENERAL'S DEPARTMENT
 DP 6747 CONTINUED

LINKS	METRES
1191	2134.9
1192	2135.7
1193	2136.5
1194	2137.3
1195	2138.1
1196	2138.9
1197	2139.7
1198	2140.5
1199	2141.3
1200	2142.1
1201	2142.9
1202	2143.7
1203	2144.5
1204	2145.3
1205	2146.1
1206	2146.9
1207	2147.7
1208	2148.5
1209	2149.3
1210	2150.1
1211	2150.9
1212	2151.7
1213	2152.5
1214	2153.3
1215	2154.1
1216	2154.9
1217	2155.7
1218	2156.5
1219	2157.3
1220	2158.1
1221	2158.9
1222	2159.7
1223	2160.5
1224	2161.3
1225	2162.1
1226	2162.9
1227	2163.7
1228	2164.5
1229	2165.3
1230	2166.1
1231	2166.9
1232	2167.7
1233	2168.5
1234	2169.3
1235	2170.1
1236	2170.9
1237	2171.7
1238	2172.5
1239	2173.3
1240	2174.1
1241	2174.9
1242	2175.7
1243	2176.5
1244	2177.3
1245	2178.1
1246	2178.9
1247	2179.7
1248	2180.5
1249	2181.3
1250	2182.1
1251	2182.9
1252	2183.7
1253	2184.5
1254	2185.3
1255	2186.1
1256	2186.9
1257	2187.7
1258	2188.5
1259	2189.3
1260	2190.1
1261	2190.9
1262	2191.7
1263	2192.5
1264	2193.3
1265	2194.1
1266	2194.9
1267	2195.7
1268	2196.5
1269	2197.3
1270	2198.1
1271	2198.9
1272	2199.7
1273	2200.5
1274	2201.3
1275	2202.1
1276	2202.9
1277	2203.7
1278	2204.5
1279	2205.3
1280	2206.1
1281	2206.9
1282	2207.7
1283	2208.5
1284	2209.3
1285	2210.1
1286	2210.9
1287	2211.7
1288	2212.5
1289	2213.3
1290	2214.1
1291	2214.9
1292	2215.7
1293	2216.5
1294	2217.3
1295	2218.1
1296	2218.9
1297	2219.7
1298	2220.5
1299	2221.3
1300	2222.1

CONVERSION TABLE ADDED IN
 REGISTRAR GENERAL'S DEPARTMENT
 DP 6747 CONTINUED

LINKS	METRES
1301	2222.9
1302	2223.7
1303	2224.5
1304	2225.3
1305	2226.1
1306	2226.9
1307	2227.7
1308	2228.5
1309	2229.3
1310	2230.1
1311	2230.9
1312	2231.7
1313	2232.5
1314	2233.3
1315	2234.1
1316	2234.9
1317	2235.7
1318	2236.5
1319	2237.3
1320	2238.1
1321	2238.9
1322	2239.7
1323	

(c.)

New South Wales.

[CERTIFICATE OF TITLE.]

Reference to last Certificate
Volume 825 Folio 74



Order No 3260 -

REGISTER BOOK,
VOL. 1069 FOLIO 19

CANCELLED

The Excelsior Land Investment and Building Company and Bank Limited

is now the proprietor of an Estate in fee simple subject nevertheless to the reservations and conditions if any contained in the Grant hereinafter referred to and also subject to such incumbrances liens and interests as are notified hereon in that piece of Land situated at Lake Macquarie in the Parish of Coorumbung and County of Northumberland containing Two thousand acres or thereabouts

Together with a Right of way in over and along the piece of land one chain wide colored brown on plan hereon

Excepting thereout Thirty three acres Three roods Twenty three perches and Twelve acres sixteen perches now vested in the Railway Commissioners of New South Wales and Twenty nine acres and Sixty seven acres three roods respectively colored yellow on plan hereon

Which first mentioned piece of Land is shown on the plan hereon and therein edged red and delineated in the public Map of the said Parish deposited in the Office of the Surveyor General as originally granted to Percy Simpson by Crown Grant dated the seventh day of April One thousand eight hundred and thirty eight

The Witness whereof I have hereunto signed my name and affixed my seal this 12th day of September One thousand eight hundred and ninety two

Signed the 6th day of September 1892
in the presence of
J. Abbott

J. H. ...
Dep. Reg. General



Particulars referred to

Reserving thereout all land within 100 feet of High Water. Shaded brown on plan hereon
J. H. ...
Dep. Reg. General

No. 116335 Mortgage dated the 3rd day of December 1886 from the abovenamed The Excelsior Land Investment and Building Company and Bank Limited to John Brown Watt and Henry Edward Augustus Allan both of Sydney Esquires produced the 29th day of December 1886 at 10 o'clock in the forenoon and entered in Register Book the 16th day of February 1887 at 4 o'clock in the afternoon
J. H. ...
Dep. Reg. General

THE 201968 MORTGAGE DATED 24th June 1892
FROM THE within NAMED The Excelsior Land Investment and Building Company and Bank Limited to John Brown Watt & Walter Cumming both of Sydney Esquires
PRODUCED & ENTERED AT 12 o'clock on the 12th day of October 1892
J. H. ...
Dep. Reg. General

DISCHARGE of within MORTGAGE No. 201968 DATED 20th day of December 1901, PRODUCED & ENTERED AT 10 o'clock on the 22nd day of November 1901, AT 10 o'clock in the forenoon
J. H. ...
Deputy-Registrar General

DISCHARGE of within MORTGAGE No. 116335 DATED 2 June 1886, PRODUCED & ENTERED AT 12 o'clock on the 12th day of October 1892
J. H. ...
Dep. Reg. General

No. 598567 TRANSFER DATED 24th February 1911 FROM THE within NAMED The Excelsior Land Investment and Building Company and Bank Limited to James Roberts Lot 49*50 of 4800 OF THE LAND within DESCRIBED PRODUCED & ENTERED in Register Book the 11th March 1911 AT 4 o'clock in the afternoon
J. H. ...
REGISTRAR GENERAL

No. 616239 TRANSFER dated 3rd January 1912
from the said Excelsior Land Investment and
Building Company and Bank Limited to
Charles Abraham Clarke of Port Phillip within described
Lot 26 Dep Plan 4800
Produced and entered 23 February 1912
at 4 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2233 Fol. 40
R. Kellias
REGISTRAR GENERAL

2

No. 689561 TRANSFER dated 8th November 1912
The Excelsior Land Investment and Building
Company and Bank Limited to Edward Ballard and
Agnes Leslie Ballard as Tenants of the land within described
Four common Lots 3 to 6 of Sec 5
and Lots 12 to 19 of Sec 7 Dep Plan 4800
Produced and entered 20th November 1912
at 6 mts to 1 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2320 Fol. 249/250
R. Kellias
REGISTRAR GENERAL

No. 646749 TRANSFER dated 25th January 1912
from the said Excelsior Land Investment and
Building Company and Bank Limited to John Albert
Wilson Lot 67-68 DP 4800 of the land within described
Produced and entered 27th February 1912
at 11 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2236 Fol. 29
R. Kellias
REGISTRAR GENERAL

No. A 7503 TRANSFER dated 7th February 1913
from the said Excelsior Land Investment and Building
Company and Bank Limited to Arthur Alfred
Lacey Lot 62 DP 4800 of the land within described
Produced and entered 10th February 1913
at 10 mts to 3 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2343 Fol. 172
R. Kellias
REGISTRAR GENERAL

No. 647584 TRANSFER dated 1st March 1912
from the said Excelsior Land Investment and
Building Company and Bank Limited to John
Henry Balyday Lot 31 DP 4800 of the land within described
Produced and entered 4th March 1912
at 2 mts to 3 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2239 Fol. 118
R. Kellias
REGISTRAR GENERAL

No. A 11635 TRANSFER dated 28th February 1913
from the said Excelsior Land Investment and Building
Company and Bank Limited to James M^cCarthy
Lots 63 & 64 Dep Plan 4800 of the land within described
Produced and entered 3rd March 1913
at 6 mts to 2 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2349 Fol. 171
R. Kellias
REGISTRAR GENERAL

No. 641274 TRANSFER dated 26th July 1913
from the said Excelsior Land Investment and
Building Company and Bank Limited to
Robert Abbott Lot 27 DP 4800 of the land within described
Produced and entered 30th July 1912
at 6 mts to 3 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2283 Fol. 224
R. Kellias
REGISTRAR GENERAL

A 23152 TRANSFER dated 25th April 1913
from the said Excelsior Land Investment and Building
Company and Bank Limited to Arthur Daniel Rayfield Lot 30 Dep
Plan 4800 of the land within described
Produced and entered 30th April 1913
at 21 mts to 3 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2364 Fol. 243
R. Kellias
REGISTRAR GENERAL

No. 678055 TRANSFER dated 16th August 1912
from the said Excelsior Land Investment and Building
Company and Bank Limited to William Hanson
Lot 39 Dep Plan 4800 of the land within described
Produced and entered 10th September 1912
at 4 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2399 Fol. 232
R. Kellias
REGISTRAR GENERAL

No. A 119161 TRANSFER dated 10th July 1914
from the said Excelsior Land Investment and
Building Company and Bank Limited to James
Edward Bellor Lot 52 DP 4800
of the land within described
Produced and entered 16th July 1914
at 21 mts to 2 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2496 Fol. 131
H. R. Colburn
REGISTRAR GENERAL

No. 683700 TRANSFER dated 27th September 1912
from the said Excelsior Land Investment and
Building Company and Bank Limited to James
Worley Lot 43 Dep Plan 4800 of the land within described
Produced and entered 16th October 1912
at 11 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2307 Fol. 145
R. Kellias
REGISTRAR GENERAL

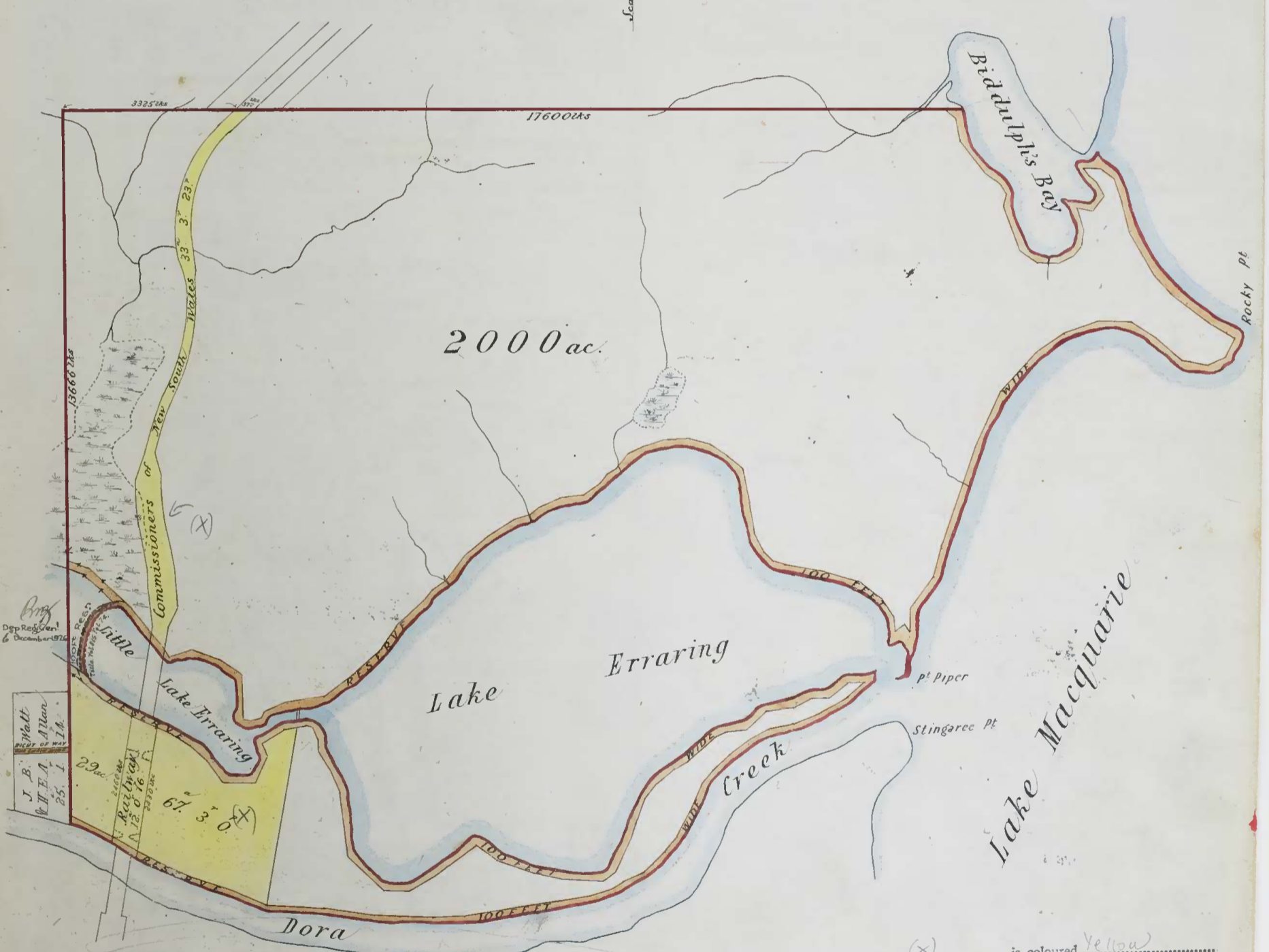
A 139754 TRANSFER dated 16th October 1914
from the said Excelsior Land Investment and Building
Company and Bank Limited to James Kennel
Lot 12. Sec B. DP 6747
of the land within described
Produced and entered 20th October 1914
at 4 mts to 2 o'clock in the afternoon
Cancelled & Certificate of Title issued
Vol. 2528 Fol. 165
R. Kellias
REGISTRAR GENERAL

479738
479738
5238
479738

3

1069-19

Scale 20 Chains to an inch



The land designated.....(X).....is coloured, yellow

This Deed is Cancelled and Certificate of Title issued
 Vol. 4330 Fol. 58
 for part *Murrayton*
B872042

No. C 394,475. Resumption of ^{part of the} land for Public Road. Notice in Government Gazette dated 22nd, November 1935 Folio 4,541 whereby and by operation of the Public Roads Act of 1902 the road shown on the plan catalogued R 19 601 - 1,603 in the Department of Lands was declared to be a Public Road, Produced 9th, December 1935 and entered 18th, 1936 at 12 o'clock noon.

Ray W. Miles
 Registrar General.



*PT of CT
 PT of CT 23
 P. R. 62319
 Resumed for
 Extending River Station
 CHZ 314 Dec. 1981
 Feb. 1982*

4

No. A 138257. TRANSFER dated 9th October 1914
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Rachel Green Married woman of lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of the land within described
 Produced and entered 23rd October 1914
 at 4 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2527 Fol. 166
 P. Kelly
 REGISTRAR GENERAL

No. A 171242. TRANSFER dated 9th April 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Henry Phillip Bagnall of lot 26, Sec V & lots 8 & 9, Sec N 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of the land within described
 Produced and entered 20th April 1915
 at 4 mpt 2 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2572 Fol. 38
 P. Kelly
 REGISTRAR GENERAL

No. A 142510. TRANSFER dated 30th October 1914
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Sydney Arthur Bledsoe of lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of the land within described
 Produced and entered 12th December 1914
 at 4 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2531 Fol. 149
 P. Kelly
 REGISTRAR GENERAL

No. A 174431. TRANSFER dated 19th February 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to William Spence of lots 21 & 22, Sec N 18 6747 of the land within described
 Produced and entered 6th May 1915
 at 1 mpt 12 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2574 Fol. 22
 P. Kelly
 REGISTRAR GENERAL

No. A 145280. TRANSFER dated 28th August 1914
 from the said The Excelsior Land Investment and Building Company and Bank Limited to William Buchanan of lots 22, 33, 34, Sec T 20th November 1914, 1915 6747 of the land within described
 Produced and entered 2nd December 1914
 at 4 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2537 Fol. 3
 P. Kelly
 REGISTRAR GENERAL

No. A 177547. TRANSFER dated 30th April 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Marie Stewart wife of Andrew Stewart of lots 27 & 28, 29, 4800 of the land within described
 Produced and entered 21st May 1915
 at 15 mpt 3 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2578 Fol. 163
 P. Kelly
 REGISTRAR GENERAL

No. A 149505. TRANSFER dated 4th December 1914
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Sarah Ann Rayfield wife of William Rayfield of lot 38, 29, 4800 for her separate use of the land within described
 Produced and entered 15th December 1914
 at 2 mpt 1 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2541 Fol. 193
 P. Kelly
 REGISTRAR GENERAL

No. A 179798. TRANSFER dated 19th March 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Mary Emma O'Brien wife of Lawrence George O'Brien of lots 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of the land within described
 Produced and entered 2nd June 1915
 at 4 mpt 11 o'clock in the forenoon
 Cancelled & Certificate of Title issued
 Vol. 2582 Fol. 9
 P. Kelly
 REGISTRAR GENERAL

No. A 149506. TRANSFER dated 4th December 1914
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Sarah Ann Rayfield of lot 34, 29, 4800 for her separate use of the land within described
 Produced and entered 15th December 1914
 at 2 mpt 1 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2541 Fol. 175
 P. Kelly
 REGISTRAR GENERAL

No. A 196361. TRANSFER dated 30th August 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to William Hayes of lot 15, Sec N 19 6747 of the land within described
 Produced and entered 23rd August 1915
 at 2 mpt 2 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2602 Fol. 209
 P. Kelly
 REGISTRAR GENERAL

No. A 153453. TRANSFER dated 8th January 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Percy Albert Gilbert of lots 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of the land within described
 Produced and entered 29th January 1915
 at 4 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2549 Fol. 132
 P. Kelly
 REGISTRAR GENERAL

No. A 196362. TRANSFER dated 20th August 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to William George Leslie Reeves of lot 16, Sec N 19, plan 6747 of the land within described
 Produced and entered 24th August 1915
 at 4 mpt 1 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2604 Fol. 116
 P. Kelly
 REGISTRAR GENERAL

No. A 166546. TRANSFER dated 19th March 1915
 from the said The Excelsior Land Investment and Building Company and Bank Limited to Joseph Adams Reynolds of lot 20, Sec N 20 6747 of the land within described
 Produced and entered 24th March 1915
 at 10 mpt 3 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2563 Fol. 223
 P. Kelly
 REGISTRAR GENERAL

No. A 221823. TRANSFER dated 17th December 1915
 from the said The Excelsior Land Investment and Building Company Limited to Lewis Hobbs of lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of the land within described
 Produced and entered 8th February 1916
 at 15 mpt 2 o'clock in the afternoon
 Cancelled & Certificate of Title issued
 Vol. 2654 Fol. 253
 P. Kelly
 REGISTRAR GENERAL

a 267041
 221823
 Lewis Hobbs
 17 Dec 1915

REGISTRATION MEMORIALS OF TRANSFERS, &C., in connection with the Land within described, as per Deposited Plan No. Vol. Fol.

Number of Instrument.	Name of Instrument.	Date of Instrument.	Names of Parties.	Particulars of Property.	Date and Time of Registration.	Memo. of Cancellation and Reference to fresh Certificate.	Fresh Certificate.		Signature of Registrar General or Deputy Registrar General.
							Vol.	Folio.	
A 226194	Transfer	24 th March 1916	Charles Edward Bannister to David Nelson	Lot 5 Sec. E. O.P. 6747	11 th May 1916 at 12 o'clock in the noon	Cancelled as regards this Transfer A 260844 R	2665	47	Not Reliance
A 257654	Transfer	2 nd June 1916	Charlotte Pennock wife of John Alfred Pennock to George William Percy Albertson	Lot 19 Sec. N. O.P. 6747	12 th June 1916 at 9 mts. 2 o'clock in the afternoon	Cancelled as regards this Transfer H 264446 R	2675	97	Not Reliance
A 264465	Transfer	18 th August 1916	George William Percy Albertson to David Nelson	Lot 14 Sec. N. O.P. 6747	21 st August 1916 at 2 mts. 2 o'clock in the afternoon	Cancelled as regards this Transfer	2694	132	Not Reliance
A 260894	Transfer	28 th July 1916	David Nelson to Charles Edward Bannister	Lot 6 Sec. M. O.P. 6747	29 th August 1916 at 12 o'clock in the noon	Cancelled as regards this Transfer	2694	49	Not Reliance
A 264465	Transfer	21 st July 1916	Charles Edward Bannister to George William Percy Albertson	Lot 28 O.P. 4800	Produced 21 st August 1916 entered 12 th September 1916 at 12 o'clock in the noon	Cancelled as regards this Transfer	2697	137	Not Reliance
A 267164	Transfer	18 th July 1916	George William Percy Albertson to David Nelson	Lot 40 O.P. 4800	12 th September 1916 at 12 o'clock in the noon	Cancelled as regards this Transfer	2698	163	Not Reliance
A 268922	Transfer	31 st September 1916	William Donald to Frederick Charles Kelly	Lot 175 20 O.P. 7800	4 th September 1916 at 12 o'clock in the afternoon	Cancelled as regards this Transfer	2705	108	Not Reliance
A 275112	Transfer	13 th October 1916	Frederick Charles Kelly to John William Webster	Lot 1918 Sec. N. O.P. 6747	18 th October 1916 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	2710	153	Not Reliance
A 274459	Transfer	20 th September 1916	John William Webster to Harry Heleby	Lot 200 ft. Lot 18 Sec. K. D.P. 6747	Produced 26 th September 1916 entered 1 st November 1916 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2713	58	Not Reliance
A 274460	Transfer	20 th September 1916	Harry Heleby to Frank Green	Lot 151 ft. Lot 18 Sec. K. D.P. 6747	Produced 26 th September 1916 entered 1 st November 1916 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2713	89	Not Reliance
A 279836	Transfer	9 th March 1917	Frank Green to Ethel Maud Halls	Lot 2 and 3 Sec. M. O.P. 6747	Produced 13 th March 1917 entered 26 th March 1917 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2746	58	Not Reliance
A 309093	Transfer	27 th April 1917	Ethel Maud Halls married woman to Richards Beaton (Junior)	Lot 16 Sec. S. D.P. 6747	Produced 2 nd May 1917 entered 18 th May 1917 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2758	197	Not Reliance
A 221027	Transfer	29 th June 1917	Richards Beaton (Junior) to John William Healey	Lot 5 Sec. M. O.P. 6747	3 rd July 1917 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	2773	124	Not Reliance
A 233444	Transfer	17 th July 1917	John William Healey to James Simons	Lot 3003 Sec. 7 O.P. 6747	Produced 29 th July 1917 entered 24 th July 1917 at 12 o'clock in the forenoon	Cancelled as regards this Transfer	2775	176	Not Reliance
A 338421	Transfer	28 th September 1917	James Simons to Simons (who point to Simons)	Lot 109 11 Sec. N. O.P. 6747	3 rd October 1917 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2793	176	Not Reliance
A 343331	Transfer	3 rd October 1917	Simons (who point to Simons) to Elizabeth Wilson	Lot 14 Sec. M. O.P. 6747	Produced 3 rd October 1917 entered 6 th November 1917 at 12 o'clock in the forenoon	Cancelled as regards this Transfer	2807	142	Not Reliance
A 348514	Transfer	2 nd November 1917	Elizabeth Wilson to Emilio Harris	Lot 69 O.P. 4800	24 th November 1917 at 13 mts. 10 o'clock in the forenoon	Cancelled as regards this Transfer	2833	14	Not Reliance
A 368563	Transfer	8 th March 1918	Emilio Harris to Jane Dennis	Lot 22 Sec. T. O.P. 6747	26 th March 1918 at 3 o'clock in the afternoon	Cancelled as regards this Transfer	2845	26	Not Reliance
A 380221	Transfer	18 th April 1918	Jane Dennis to Walter Lionel Friend	Lot 1516 388. D.P. 4800	8 th May 1918 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	2849	243	Not Reliance
A 384064	Transfer	17 th May 1918	Walter Lionel Friend to William Reeves	Lot 7 Sec. U. D.P. 6747	Produced 23 rd May 1918 entered 4 th June 1918 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2868	38	Not Reliance
A 400851	Transfer	22 nd August 1918	William Reeves to Alfred Henry Jaques	Lot 284 29 Sec. T. O.P. 6747	8 th August 1918 at 21 mts. 10 o'clock in the forenoon	Cancelled as regards this Transfer	2869	138	Not Reliance
A 402436	Transfer	19 th July 1918	Alfred Henry Jaques to Guya Bray	Lot 85 O.P. 4800	14 th August 1918 at 29 mts. 7 o'clock in the afternoon	Cancelled as regards this Transfer	2873	89	Not Reliance
A 401116	Transfer	16 th August 1918	Guya Bray to Alfred Ernest Parker	Lot 15 Sec. P. O.P. 6747	Produced 26 th August 1918 entered 20 th September 1918 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	2871	89	Not Reliance
A 401159	Transfer	8 th October 1918	Alfred Ernest Parker to Mabel Warden	Lot 56, 57, 58 59 O.P. 4800	17 th November 1918 at 23 mts. 10 o'clock in the forenoon	Cancelled as regards this Transfer	2891	182	Not Reliance
A 421903	Transfer	9 th October 1918	Mabel Warden to	Lot 13 14 Sec. R. D.P. 6747	14 th November 1918 at 13 mts. 10 o'clock in the afternoon	Cancelled as regards this Transfer	2891	182	Not Reliance

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REGISTRATION MEMORIALS OF TRANSFERS, &C., in connection with the Land within described, as per Deposited Plan No. Vol. Fol.

Number of Instrument	Name of Instrument	Date of Instrument	Name of Parties	Particulars of Property	Date and Time of Registration	Memo. of Cancellation and Reference to Fresh Certificate.	Fresh Certificate.		Signature of Registrar General or Deputy Registrar General.
							Vol.	Folio.	
A53327	Transfer	14th June 1920	Robert David Moncrieff	Lot 15 Section S.D.P. 6747	15 June 1920 at 17 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer A 5321408	3067	169	W. A. McNeill
A53328	Transfer	14th June 1920	Robert David Moncrieff	Lot 11 & 12 Section S.D.P. 6747	15 June 1920 at 17 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer A 5321408	3067	157	W. A. McNeill
A53442	Transfer	14th June 1920	Andrew Allan, M.P. (deceased) Elizabeth M. (deceased) James M. (deceased)	Lot 20 & 21 Sec. P. D.P. 6747	Produced 27th June 1920 at 11 o'clk. in the forenoon	Cancelled as regards this Transfer a witness	3069	226	W. A. McNeill
A600322	Transfer	25th June 1920	Elizabeth McNeill	Lot 20 Sec. O.D.P. 6747	19 June 1920 at 11 mts. at 1 o'clk. in the forenoon	Cancelled as regards this Transfer	3073	46	W. A. McNeill
A615442	Transfer	25th June 1920	Willie Christian	Lot 44 and 45 Sec. P. D.P. 6747	3rd August 1920 at 35 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer	3085	116	W. A. McNeill
A645017	Transfer	7th November 1920	Raymond Boyd Henderson James M. (deceased)	Lot 20, 21 & 22 Sec. P. D.P. 6747	Produced 10th November 1920 at 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3101	155	W. A. McNeill
A654214	Transfer	26th November 1920	William Frederick Dennis Andrew Allan, M.P. (deceased) Elizabeth M. (deceased)	Lot 12 Sec. U. D.P. 6747	Produced 29th November 1920 at 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3135	17	W. A. McNeill
A651620	Transfer	10th December 1920	James Harry Bailey	Lot 15 & 24 Sec. R. D.P. 6747	28th December 1920 at 10 o'clk. in the forenoon	Cancelled as regards this Transfer	3145	222	W. A. McNeill
A660859	Transfer	7th January 1921	Sarah Emily Burdick	Lot 13 Sec. U. D.P. 6747	27th January 1921 at 8 mts. at 10 o'clk. in the forenoon	Cancelled as regards this Transfer	3151	182	W. A. McNeill
A687011	Transfer	16th July 1920	Archie Helen Foster and Gladys Winifred Foster as tenants by entireties	Lot 10 Sec. R. D.P. 6747	Produced 13th April 1921 and entered 20th April 1921 at 12 o'clk. in the forenoon	Cancelled as regards this Transfer A 683639 R.	3157	109	W. A. McNeill
A683639	Transfer	11th February 1921	William Beech	Lot 5 Sec. C. D.P. 6747	Produced 13th April 1921 and entered 20th April 1921 at 12 o'clk. in the forenoon	Cancelled as regards this Transfer A 683639 R.	3178	24	W. A. McNeill
A690157	Transfer	20th February 1921	War Service Homes Commission	Lot 11 Sec. P. D.P. 4800	19th at 31 mts. at 12 o'clk. in the forenoon	Cancelled as regards this Transfer A 683639 R.	3184	7	W. A. McNeill
A685974	Transfer	4th March 1921	George Henry Roberts	Lot 6 Sec. N. D.P. 6747	Produced 20th April 1921 and entered 25th May 1921 at 3 o'clk. in the afternoon	Cancelled as regards this Transfer	3182	58	W. A. McNeill
A689173	Transfer	14th March 1921	Josiah Edward Roberts	Lot 5 Sec. N. D.P. 6747	Produced 20th April 1921 and entered 25th May 1921 at 3 o'clk. in the afternoon	Cancelled as regards this Transfer	3191	55	W. A. McNeill
A713352	Transfer	6th May 1921	George Alfred Water	Lot 18 Section P. D.P. 6747	11th July 1921 at 30 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer	3206	46	W. A. McNeill
A721777	Transfer	22nd July 1921	William McCann	Lot 2 & 3 Sec. U. D.P. 6747	8th August 1921 at 23 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer	3218	134	W. A. McNeill
A724211	Transfer	29th July 1921	Nils Conrad Berggren	Lot 27 Sec. U. D.P. 4800	15th August 1921 at 23 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer	3220	80	W. A. McNeill
A731780	Transfer	12th August 1921	Robert Smith	Lot 60 & 74 Sec. U. D.P. 4800	2nd September 1921 at 57 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer	3227	91	W. A. McNeill
A741902	Transfer	29th September 1921	Bealal Jane Short	Lot 23 Sec. T. D.P. 6747	Produced 10th October 1921 and entered 27th October 1921 at 3 o'clk. in the afternoon	Cancelled as regards this Transfer	3243	183	W. A. McNeill
A741903	Transfer	29th September 1921	Bealal Jane Short	Lot 20 & 21 Sec. T. D.P. 6747	Produced 10th October 1921 and entered 27th October 1921 at 3 o'clk. in the afternoon	Cancelled as regards this Transfer	3243	183	W. A. McNeill
A712517	Transfer	18th November 1921	Neal Alice Tabitha Leggett	Lot 7 & 9 Sec. T. D.P. 6747	15th December 1921 at 31 mts. at 10 o'clk. in the forenoon	Cancelled as regards this Transfer	3262	176	W. A. McNeill
A776567	Transfer	13th January 1922	Archie Helen Foster and Gladys Winifred Foster (as tenants by entireties)	Lot 6, 7, 8 and 9 Sec. R. D.P. 6747	20th January 1922 at 21 mts. at 2 o'clk. in the afternoon	Cancelled as regards this Transfer	3276	160	W. A. McNeill

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REGISTRATION MEMORIALS OF TRANSFERS, &C., in connection with the Land within described, as per Deposited Plan No.

Vol. 101

Folio

Number of Instrument	Name of Instrument	Date of Instrument	Names of Parties	Particulars of Property	Date and Time of Registration	Memo. of Cancellation and Reference to Fresh Certificate	Fresh Certificate Vol.	Folio	Signature of Register General or Deputy Register General
A88226	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3283	12	Arthur Cairns
A11848	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3281	182	Arthur Cairns
A19308	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3288	28	Arthur Cairns
A19309	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3287	246	Arthur Cairns
A19187	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3298	127	Arthur Cairns
A19188	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3319	225	Arthur Cairns
A19189	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3325	101	Arthur Cairns
A19190	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3333	11	Arthur Cairns
A19191	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3348	201	Arthur Cairns
A19192	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3356	12	Arthur Cairns
A19193	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3355	245	Arthur Cairns
A19194	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3362	157	Arthur Cairns
A19195	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3365	124	Arthur Cairns
A19196	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3372	87	Arthur Cairns
A19197	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3385	157	Arthur Cairns
A19198	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3387	207	Arthur Cairns
A19199	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3405	177	Arthur Cairns
A19200	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3416	201	Arthur Cairns
A19201	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3423	39	Arthur Cairns
A19202	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3423	177	Arthur Cairns
A19203	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3423	178	Arthur Cairns
A19204	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3446	87	Arthur Cairns
A19205	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3449	145	Arthur Cairns
A19206	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3459	249	Arthur Cairns
A19207	Transfer	1922	John Whitehead	Lot 1000 Sec 11 T1111	1922 at 10:00 a.m. in the forenoon	Cancelled as regards this Transfer	3468	25	Arthur Cairns

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							Vol.	Folio.	
A 982549	Transfer 2nd June 1923	1923	William Mc Cann	Lot 1, Sec. V. D.P. 6747	1923 at 12 mts. 12 o'clk. in the noon	Cancelled as regards this Transfer	3476	233	<i>W. Mc Cann</i>
A 982549	Transfer 14th August 1923	1923	Edwin James Pike	Lots 15, 16 & 17 Sec. D.P. 6747	21st August 1923 at 4 1/2 mts. 11 o'clk. in the afternoon	Cancelled as regards this Transfer	3496	187	<i>W. Mc Cann</i>
A 983159	Transfer 12th January 1923	1923	Eric Most Gracious Majesty King George V & Queen Mary	Lot 17, Sec. L. D.P. 6747	Produced 22nd August 1923 & entered 3rd September 1923 at 12 o'clk. in the noon	Cancelled as regards this Transfer	3499	90	<i>W. Mc Cann</i>
A 989707	Transfer 24th August 1923	1923	William Beach	Lot 6, Sec. C. D.P. 6747	Produced 7th September 1923 and entered 17th September 1923 at 11 o'clk. in the afternoon	Cancelled as regards this Transfer	3508	91	<i>W. Mc Cann</i>
B 7176	Transfer 19th October 1923	1923	John Henry Bryson	Lot 102, Sec. O. D.P. 6747	23rd October 1923 at 2 mts. 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3524	28	<i>W. Mc Cann</i>
B 5921	Transfer 23rd October 1923	1923	Barbara Shepherd	Lot 13 & 14 Sec. S. D.P. 6747	Produced 18th October 1923 and entered 2nd November 1923 at 12 o'clk. in the noon	Cancelled as regards this Transfer	3523	192	<i>W. Mc Cann</i>
B 29892	Transfer 14th December 1923	1923	Janet Petrovita	Lot 44, D.P. 6747	19th December 1923 at 6 mts. 12 o'clk. in the afternoon	Cancelled as regards this Transfer	3588	219	<i>W. Mc Cann</i>
B 41624	Transfer 1st February 1924	1924	William Abraham Howdle	Lot 71, D.P. 4800	13th February 1924 at 11 mts. 12 o'clk. in the afternoon	Cancelled as regards this Transfer	3604	191	<i>W. Mc Cann</i>
B 72538	Transfer 11th April 1924	1924	Arthur Augustus Hasmore	Lots 14, 15, 16, Sec. S. D.P. 6747	Produced 1st April 1924 & entered 8th May 1924 at 11 o'clk. in the afternoon	Cancelled as regards this Transfer	3609	199	<i>W. Mc Cann</i>
B 92357	Transfer 6th June 1924	1924	Wendeline Leah Wallis	Lot 6, D.P. 6747	13th June 1924 at 3 mts. 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3616	130	<i>W. Mc Cann</i>
A 98190	Transfer 25th June 1924	1924	William Benjamin Jones	Lot 15, D.P. 6747	25th June 1924 at 6 mts. 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3619	235	<i>W. Mc Cann</i>
B 102692	Transfer 9th May 1924	1924	Willie Mae Hammon	Lot 25, D.P. 4800	Produced 4th July 1924 & entered 16th July 1924 at 3 o'clk. in the afternoon	Cancelled as regards this Transfer	3632	114	<i>W. Mc Cann</i>
B 105514	Transfer 16th June 1924	1924	Henry Wilson	Lot 53, D.P. 4800	Produced 1st July 1924 & entered 25th July 1924 at 10 o'clk. in the forenoon	Cancelled as regards this Transfer	3635	217	<i>W. Mc Cann</i>
B 108184	Transfer 14th July 1924	1924	Fanny Elizabeth Cook	Lot 26, Sec. P. D.P. 6747	21st July 1924 at 4 mts. 12 o'clk. in the afternoon	Cancelled as regards this Transfer	3643	156	<i>W. Mc Cann</i>
B 109645	Transfer 31st August 1924	1924	Annie Bell	Lot 89, D.P. 4800	25th August 1924 at 1 mts. 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3673	228	<i>W. Mc Cann</i>
B 102370	Transfer 15th August 1924	1924	Mary Ann Wansley	Lot 23, D.P. 4800	2nd September 1924 at 2 mts. 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3676	691	<i>W. Mc Cann</i>
B 105506	Transfer 15th August 1924	1924	Mary Frances Whitehead	Lot 4, 5 & 6, Sec. I. D.P. 6747	22nd September 1924 at 5 mts. 11 o'clk. in the forenoon	Cancelled as regards this Transfer	3704	2346	<i>W. Mc Cann</i>
B 154616	Transfer 23rd May 1924	1924	Ann John March & Francis Isabel March (as joint tenants)	Lot 10, Sec. 8, D.P. 6747	Produced 27th December 1924 & entered 6th December 1924 at 10 o'clk. in the forenoon	Cancelled as regards this Transfer	3715	162	<i>W. Mc Cann</i>
B 158870	Transfer 5th December 1924	1924	Elizabeth William How and Hylton Fergus How as tenants in common	Lot 16, D.P. 6747	19th December 1924 at 19 mts. 10 o'clk. in the forenoon	Cancelled as regards this Transfer	3716	37	<i>W. Mc Cann</i>
B 165653	Transfer 5th December 1924	1924	Christina William How and Hylton Fergus How as tenants in common	Lots 41 & 42, D.P. 4800	Produced 2nd March 1925 at 3 o'clk. in the afternoon	Cancelled as regards this Transfer	3759	19	<i>W. Mc Cann</i>
B 1718208	Transfer 10th January 1925	1925	William Joseph Russell	Lot 13, 16 & 17, D.P. 6747	6th April 1925 at 12 o'clk. in the forenoon	Cancelled as regards this Transfer	3761	113	<i>W. Mc Cann</i>
B 199773	Transfer 15th February 1925	1925	Letitia Taylor	Lot 1, Sec. N. D.P. 6747	1925 at 47 mts. 11 o'clk. in the afternoon	Cancelled as regards this Transfer	3770	5	<i>W. Mc Cann</i>
B 201109	Transfer 14th July 1925	1925	Ellen Christina Birns	Lot 29, Sec. R. D.P. 6747	1925 at 58 mts. 10 o'clk. in the forenoon	Cancelled as regards this Transfer			
B 201432	Transfer 17th July 1925	1925	Henry Thomas Solye	Lot 24, Sec. S. D.P. 6747	Produced 1st September 1925 & entered 10th September 1925 at 9 o'clk. in the afternoon	Cancelled as regards this Transfer			
B 205726	Transfer 20th August 1925	1925	Joseph Cook						

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B329116	Transfer	11th December 1925	John & Richard Land Investment and Building Company and Bank Limited, to	Lot 4, Sec C D.P. 6747	Produced 18th December 1925 & entered 30th December 1925 at 3 o'clock in the afternoon	Cancelled as regards this Transfer B 299116 & A 431609	3817 1925	W. H. McLean	
B305147	Transfer	10th January 1926	George Lockie	Lot 8, 9 & 10 D.P. 4444.	11th January 1926 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	3821 1926	W. H. McLean	
B309234	Transfer	10th January 1926	George Henry Wynn	Lot 35 D.P. 4800	12th January 1926 at 3 o'clock in the forenoon	Cancelled as regards this Transfer	3824 20	W. H. McLean	
B311672	Transfer	22nd January 1926	John Wilcock	Lots 18 & 20 D.P. 6747	4th February 1926 at 2 o'clock in the afternoon	Cancelled as regards this Transfer	3829 5	W. H. McLean	
B335404	Transfer	23rd March 1926	Bygone W. Hite	Lot 23, Sec. D. D.P. 6747	29th March 1926 at 3 o'clock in the forenoon	Cancelled as regards this Transfer	3849 84	W. H. McLean	
B335404	Transfer	23rd March 1926	David Stigardsholm	Lot 24, Sec. D. & Lots 18 & 19 Sec. R. D.P. 6747	29th March 1926 at 3 o'clock in the forenoon	Cancelled as regards this Transfer	3849 84	W. H. McLean	
B338476	Transfer	31st January 1926	Jessie White	Lot 3, Sec. D. D.P. 6747	1st April 1926 at 3 o'clock in the forenoon	Cancelled as regards this Transfer	3851 85	W. H. McLean	
B338476	Transfer	31st January 1926	Aubrey White	Lot 4, 5 & 6, Sec. D. D.P. 6747	1st April 1926 at 3 o'clock in the forenoon	Cancelled as regards this Transfer	3851 85	W. H. McLean	
B346365	Transfer	21st April 1926	Albert Edward Tom	Lot 394, Part D. P. 6747	5th May 1926 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	3860 237	W. H. McLean	
B351645	Transfer	23rd March 1926	John Richard Parkinson	Lot 23, Sec. M. D.P. 6747	1st May 1926 at 2 o'clock in the afternoon	Cancelled as regards this Transfer	3866 120	W. H. McLean	
<p>NO. R. 383.509 TRANSFER FROM THE EXCELSIOR LAND COMPANY AND BANK LIMITED (in Liquidation) to WILFRED HEZLET GARY of part of the land within described, entered 9th August 1926 at 12 o'clock noon.</p> <p>W. H. McLean Registrar General.</p>									
B428315	Transfer	12th October 1925	Thomas Johnston	Lot 16, 17, 18, 19 & 20, Sec. F. D.P. 6747	Produced 15th October 1926 & entered 19th November 1926 at 12 o'clock in the afternoon	Cancelled as regards this Transfer	3910 23	W. H. McLean	
B462281	Transfer	25th January 1926	George Johnston	Lot 1, 2, 3, 4 & 5, Sec. F. D.P. 6747	1st February 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	3967 228	W. H. McLean	
B462282	Transfer	25th January 1926	William Johnston	Lot 1 & 5, Sec. U. D.P. 6747	1st February 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	3967 229	W. H. McLean	
B462598	Transfer	25th January 1926	Wynn	Lot 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20, Sec. P. D.P. 6747	Produced 1st February 1927 & entered 19th February 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	3969 249	W. H. McLean	
B530994	Transfer	1st June 1927	Arthur Daniel Bayfield	Lot 65, D.P. 4444	1st July 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	4032 153	W. H. McLean	
B531181	Transfer	20th June 1927	Miss Lavinia Williams	Lot 7, Sec. P. D.P. 6747	1st July 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	4032 153	W. H. McLean	
B533440	Transfer	20th July 1927	Edwin Thomas Smith	Lot 12, Sec. D. D.P. 6747	1st July 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	4039 33	W. H. McLean	
B537075	Transfer	20th July 1927	William George Felle Reeves	Lot 7, Sec. M. D.P. 6747	1st July 1927 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	4039 33	W. H. McLean	
B556919	Transfer	30th September 1927	Lydia Webster and Doris Emma and Webster (as Joint Tenants)	Lot 13, Sec. N. D.P. 6747	1st October 1927 at 10 o'clock in the forenoon	Cancelled as regards this Transfer	4070 174	W. H. McLean	
B462524	Transfer	25th April 1928	Walter Weston	Lot 4, 5 & 6, D.P. 4444	Produced 22nd May 1928 & entered 1st June 1928 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	4163 22	W. H. McLean	
B462525	Transfer	25th April 1928	Walter Weston	Lot 6, D.P. 4444	Produced 22nd May 1928 & entered 1st June 1928 at 11 o'clock in the forenoon	Cancelled as regards this Transfer	4163 22	W. H. McLean	

This Deed is Cancelled and Certificate of Title issued
 Vol. 41180
 Fol. 216 for Part
 Being the same as in Vol. 3, 18, 400, 947, 977, 974
 W. H. McLean
 Registrar General.



For further cancellations see Diagram page 394495

Resumption 5945840. The Electricity Commission of New South Wales is now the proprietor of part of the land above described being Lots 29 and 30 in DP 262501 and Lots 2 and 3 in DP 621697 excepting thereout all mines and minerals. Registered 16-3-1982

[Signature]

REGISTRAR GENERAL



11

1069-19

This deed is cancelled as to Part
New certificates of Title have issued on 4-10-1982
for lots in Deposited Plan No 262501 as follows:-
Lots 6+1b, 19, 22 + 27+31 / Vol. 14926 Fol. 88 + 98, 99, 100 + 105 + 106 respectively.
Various lots Vol. 14926 Fol. 107 + 109.

[Signature]

REGISTRAR GENERAL



This deed is cancelled as to PART
New certificates of Title have issued on 22-3-1982
for lots in Deposited Plan No 262501 as follows:-
Lots 29-30 Vol. 14688 Fol. 129-135 respectively.
Vide IVA 36990
Consolidation

[Signature]

REGISTRAR GENERAL



This deed is cancelled as to part
New certificates of Title have issued on 22-3-1982
for lots in Deposited Plan No 621697 as follows:-
Lots 1-4 Vol. 14688 Fol. 125-128 respectively.
Vide IVA 36990.
Consolidation.

[Signature]

REGISTRAR GENERAL



5989731 Resumption Easement for water outfall conduit affecting the part of the land above described shown so burdened in D.P. 262501. Registered 24-3-1982

[Signature]

REGISTRAR GENERAL



5989731 Resumption Easement for water intake canal affecting the part of the land within described shown so burdened in D.P. 621881. Registered 24-3-1982

[Signature]

REGISTRAR GENERAL



REGISTERED PROPRIETOR The Electricity Commission of New South Wales as regards part being Lot 23 in DP 2139 excluding the site of the reservation 30.48 metres wide shown in DP 2139 by Resumption 5957621 Registered 21-4-1982

[Signature]

REGISTRAR GENERAL



5957621 N/R/R



DP1050120

Registered 14/11/2003

This is sheet 2 of my plan in 3 sheets dated 14. 02. 01

Survey of 11/11/2003 Act 1929

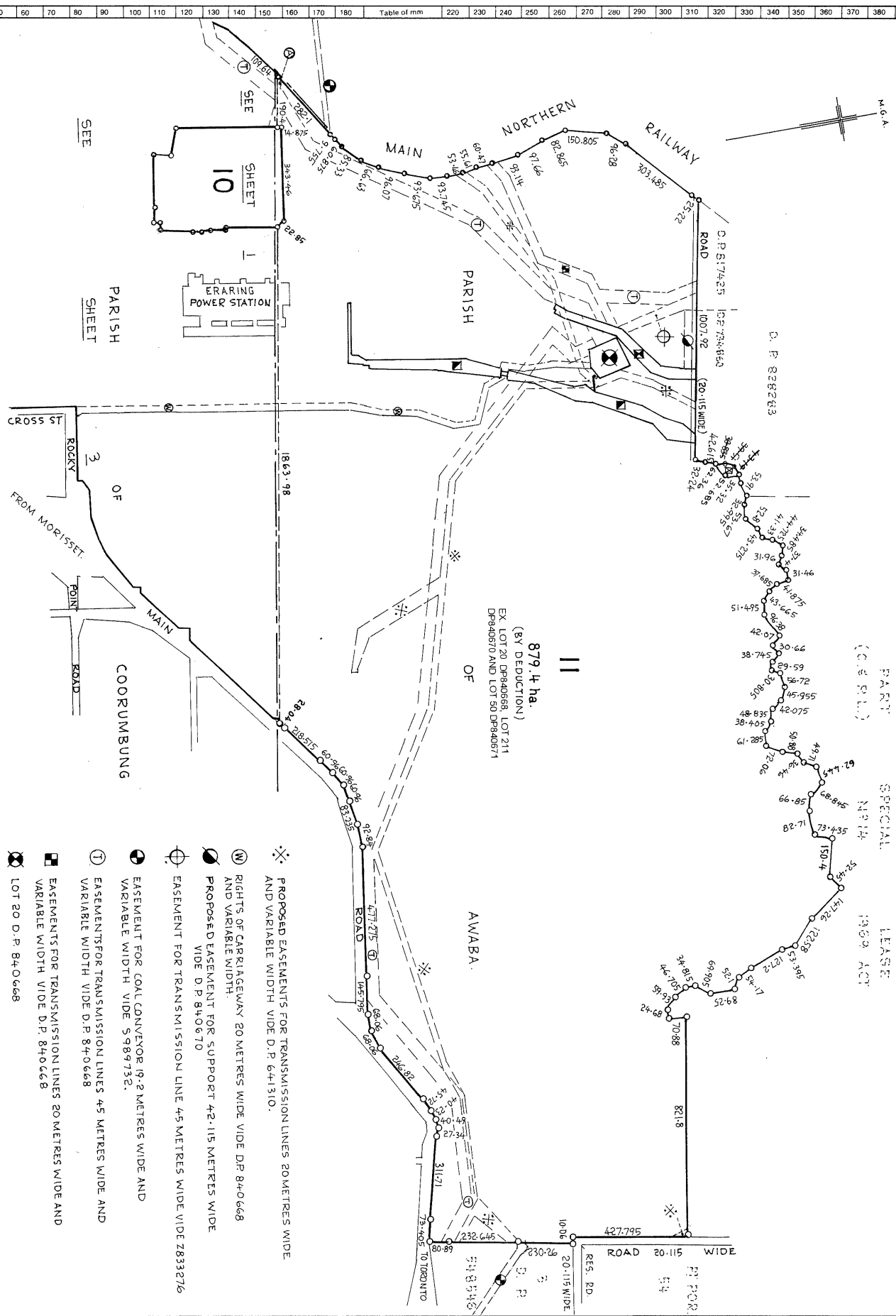
This is sheet 2 of my plan or sheets covered by my Certificate No

Consent Manager/Instructed Person

For use where stake is insufficient in any plane on Plan Form 2

TransGrid SURVEYING SERVICES

ERARING POWER STATION



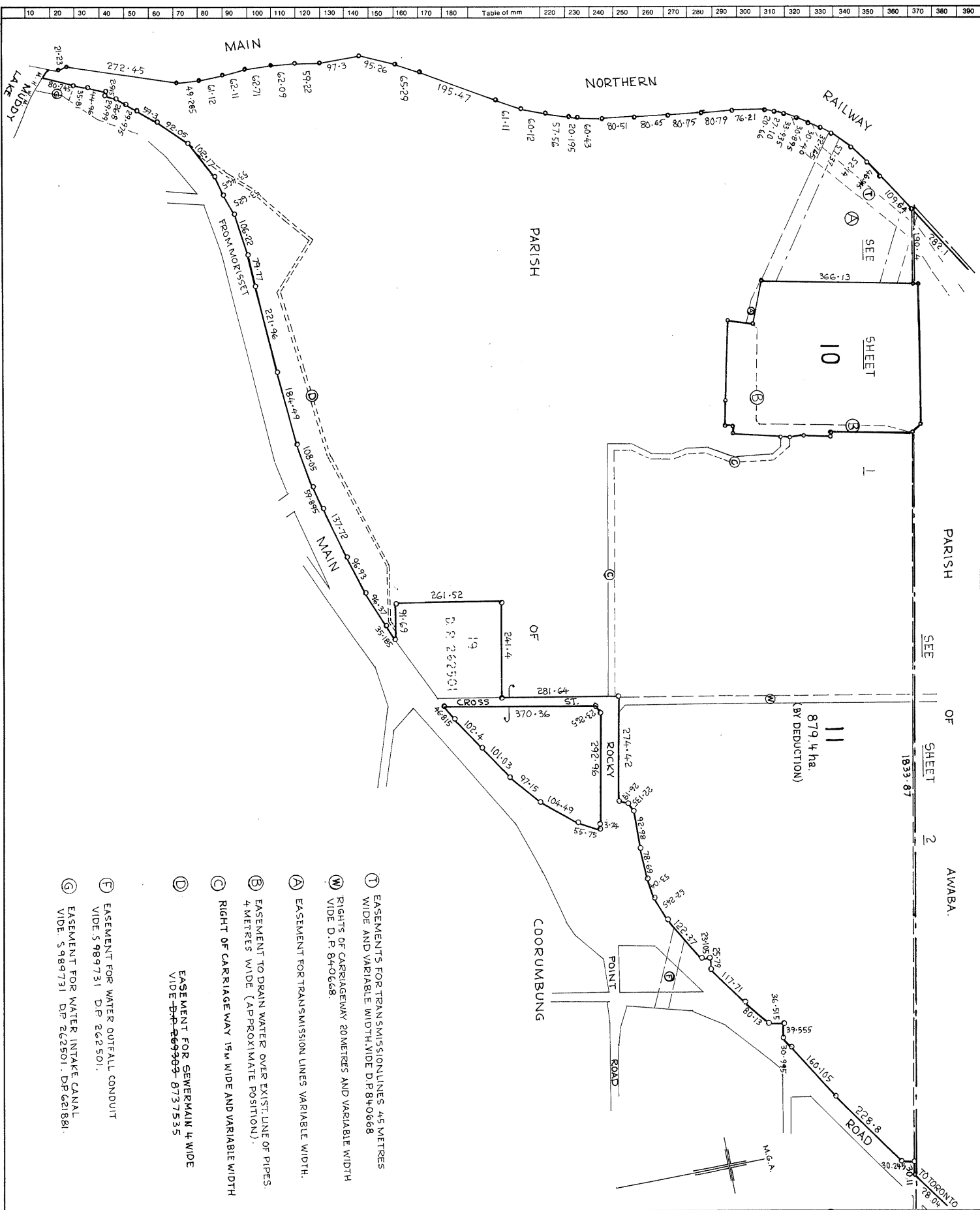
- ⊗ PROPOSED EASEMENTS FOR TRANSMISSION LINES 20 METRES WIDE AND VARIABLE WIDTH VIDE D.P. 641310.
- ⊙ RIGHTS OF CARPIAGWAY 20 METRES WIDE VIDE D.P. 840668 AND VARIABLE WIDTH.
- ⊙ PROPOSED EASEMENT FOR SUPPORT 42.115 METRES WIDE VIDE D.P. 840670
- ⊙ EASEMENT FOR TRANSMISSION LINE 45 METRES WIDE VIDE Z833276
- ⊙ EASEMENT FOR COAL CONVEYOR 19.2 METRES WIDE AND VARIABLE WIDTH VIDE S 989732.
- ⊙ EASEMENTS FOR TRANSMISSION LINES 45 METRES WIDE AND VARIABLE WIDTH VIDE D.P. 840668
- ⊙ EASEMENTS FOR TRANSMISSION LINES 20 METRES WIDE AND VARIABLE WIDTH VIDE D.P. 840668
- ⊙ LOT 20 D.P. 840668
- ⊙ EASEMENT FOR TRANSMISSION LINES VARIABLE WIDTH
- ⊙ LOT 50 D.P. 840671
- ⊙ LOT 211 D.P. 840670
- ⊙ LOT 51 D.P. 840671

Plan Drawing only to appear in this space

SURVEYORS REFERENCE: P 50224/2

S.I. 01/08
 Reduction Ratio: 1:10000

DIMENSIONS FOR LOT 51 AND AREA STATEMENT LOT 11 AMENDED IN LPI (NSW) AT SURVEYORS REQUEST



Plan Drawing only to appear in this space

- (A) EASEMENT FOR TRANSMISSION LINES VARIABLE WIDTH.
- (B) EASEMENT TO DRAIN WATER OVER EXIST LINE OF PIPES, 4 METRES WIDE (APPROXIMATE POSITION).
- (C) RIGHT OF CARRIAGE WAY 15M WIDE AND VARIABLE WIDTH
- (D) EASEMENT FOR SEWERMAIN 4 WIDE VIDE ~~D.P. 262501~~ 8737535
- (E) EASEMENT FOR WATER OUTFALL CONDUIT VIDE S.989731 D.P. 262501.
- (F) EASEMENT FOR WATER INTAKE CANAL VIDE S.989731 D.P. E22501. D.P. 621881.
- (W) RIGHTS OF CARRIAGEWAY 20 METRES AND VARIABLE WIDTH VIDE D.P. 840668.
- (T) EASEMENTS FOR TRANSMISSION LINES 4.5 METRES WIDE AND VARIABLE WIDTH VIDE D.P. 840668

Registered: 14-3-2003
 This is sheet 3 of my plan in 3 sheets dated 14. 02. 01

Surveyor registered under Surveyors Act 1999

 This is sheet of the plan of sheets covered by my Certificate No. of

General Manager/Authorized Person

 For use where space is insufficient in any panel on Plan Form 2

TransGrid
 SURVEYING SERVICES

ERRARING POWER STATION

S.I. 01/08
 Reduction Ratio 1:6000

SURVEYOR'S REFERENCE: **P.50224/3**

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create reserves, drainage reserves, easements, restrictions or the use of land or positive covenants

SIGNED FOR AND ON BEHALF OF:
ERARRING POWER COMPANY
OF NEW SOUTH WALES
LIMITED. ACN 002 261 573

John (Director)
24/5/94
(Secretary)

SIGNED FOR THE ELECTRICITY COMMISSION OF N.S.W. PURSUANT TO A DELEGATION MADE ON 30th SEPTEMBER, 1988

MANAGER PROPERTY & SURVEY

SIGNED FOR AND ON BEHALF OF:
ERARRING HOLDINGS PT LIMITED
ACN 002 253 205
F. BRUS
DIRECTOR & SECRETARY

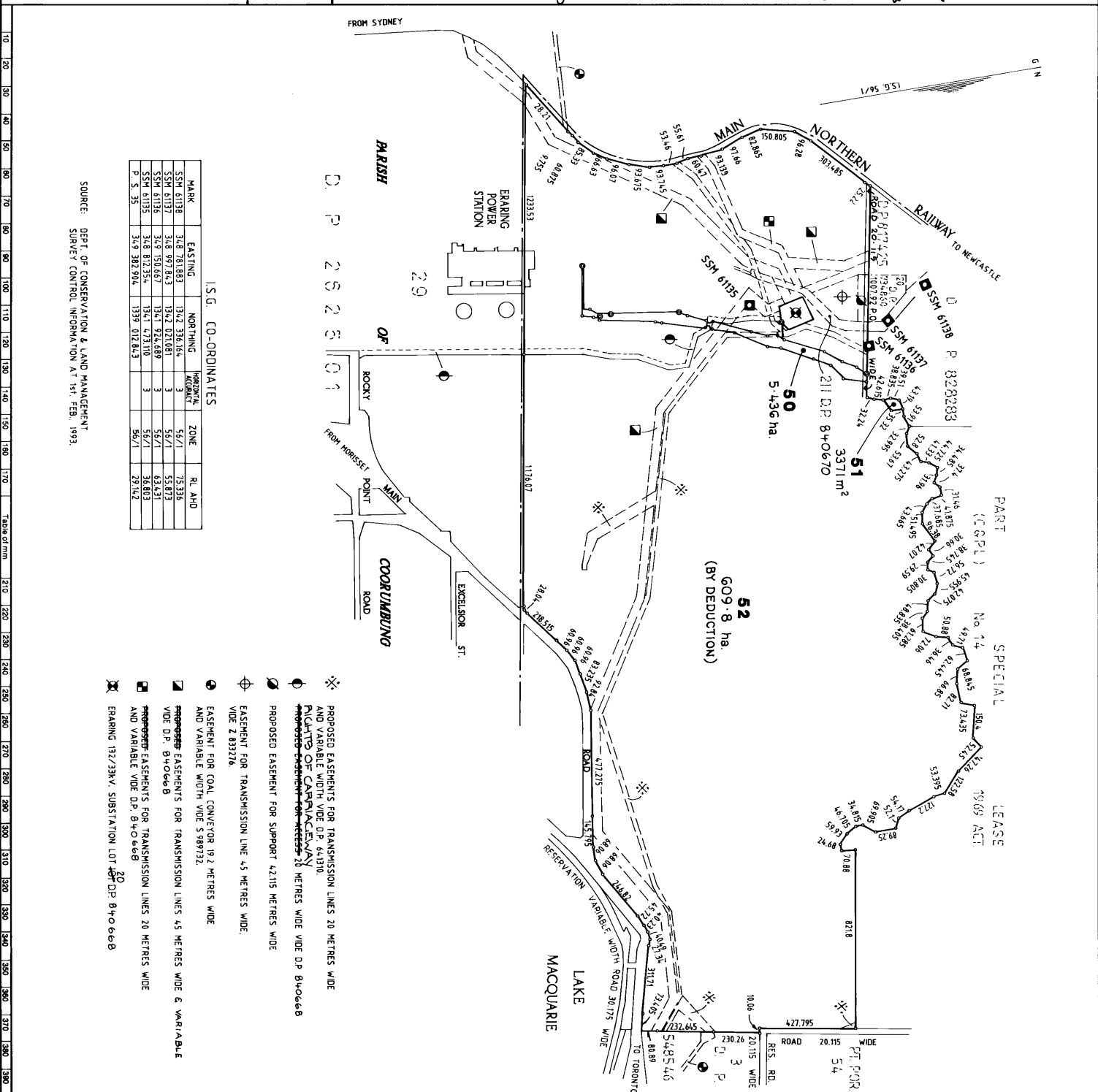
Crown Lands Office Approval

PLAN APPROVED: Authorised Officer
Land District: ...
Paper No.: ...
Field Book: ...

Council Clerk's Certificate

I hereby certify that:
(a) the requirements of the Local Government Act, 1929 (other than the requirements of Part 3 Divisions 2 of the 1 Water Board Act 1987 and 2 Water Supply Divisions of the 1 Water Board Act 1987 and 2 Water Supply Divisions of the 1 Water Board Act 1987) have been complied with by the applicant in relation to the proposed "road" subdivision or consolidation of my land within the Subdivision No. ...
(b) the requirements of the Local Government Act, 1929 (other than the requirements of Part 3 Divisions 2 of the 1 Water Board Act 1987 and 2 Water Supply Divisions of the 1 Water Board Act 1987 and 2 Water Supply Divisions of the 1 Water Board Act 1987) have been complied with by the applicant in relation to the proposed "road" subdivision or consolidation of my land within the Subdivision No. ...
Date: ...
(Signature) Council Clerk

SURVEYOR'S REFERENCE: 93/GG CHECKLIST



U.S.G. CO-ORDINATES

U.S.G. CO-ORDINATES	EASTING	NORTHING	HORIZONTAL ACCURACY	ZONE	RL AND
SSM 61138	34,878,183	13,423,336.164	3	56/1	75.336
SSM 61137	34,878,183	13,423,336.164	3	56/1	55.873
SSM 61136	34,878,183	13,423,336.164	3	56/1	63.431
SSM 61135	34,878,183	13,423,336.164	3	56/1	36.803
P. S. 35	34,878,183	13,423,336.164	3	56/1	29.142

SOURCE: DEPT. OF CONSERVATION & LAND MANAGEMENT SURVEY CONTROL INFORMATION AT 1st FEB. 1993.

WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

DP 840671
Registered: 30-9-1994
C.A.: TORRENS
Title System: TORRENS
Purpose: SUBDIVISION
Ref. Map: U4595-1*2*3*
Last Plan: DP 840670
PLAN OF SUBDIVISION OF LOT 212 DP 840670

Lengths are in metres. Reduction Ratio 1:12500
L.G.A.: LAKE MACQUARIE CITY
Locality: ERARRING
Parish: AWABA
County: NORTHUMBERLAND

This is sheet 1 of my plan in TWO sheets (Delete if inapplicable).

I, STEVEN LEONARD JUNG
of PACIFIC POWER
a surveyor registered under the Surveyors Act, 1928 as amended in the State of New South Wales, do hereby certify that the plan of subdivision for LEASE PURPOSES shown on this plan and the hereon made in accordance with the Survey Practice Regulations, 1933 and any special requirements of the Department of Lands, and was completed on 30th AUGUST 1994.
Signature: *Steven Leonard Jung*
Surveyor registered under Surveyors Act, 1928 as amended in the State of New South Wales.

Plans used in preparation of survey/assessments:
DP 61483, DP 63052, DP 62075, DP 62168
DP 62880, DP 62882, DP 64130, DP 64299
DP 73480, DP 73184, DP 81155, DP 81742,
DP 82283, DP 54854 AND DP

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create reserves, easements, restrictions or positive covenants as to user.

PACIFIC POWER
PROPERTY AND SURVEY SERVICES

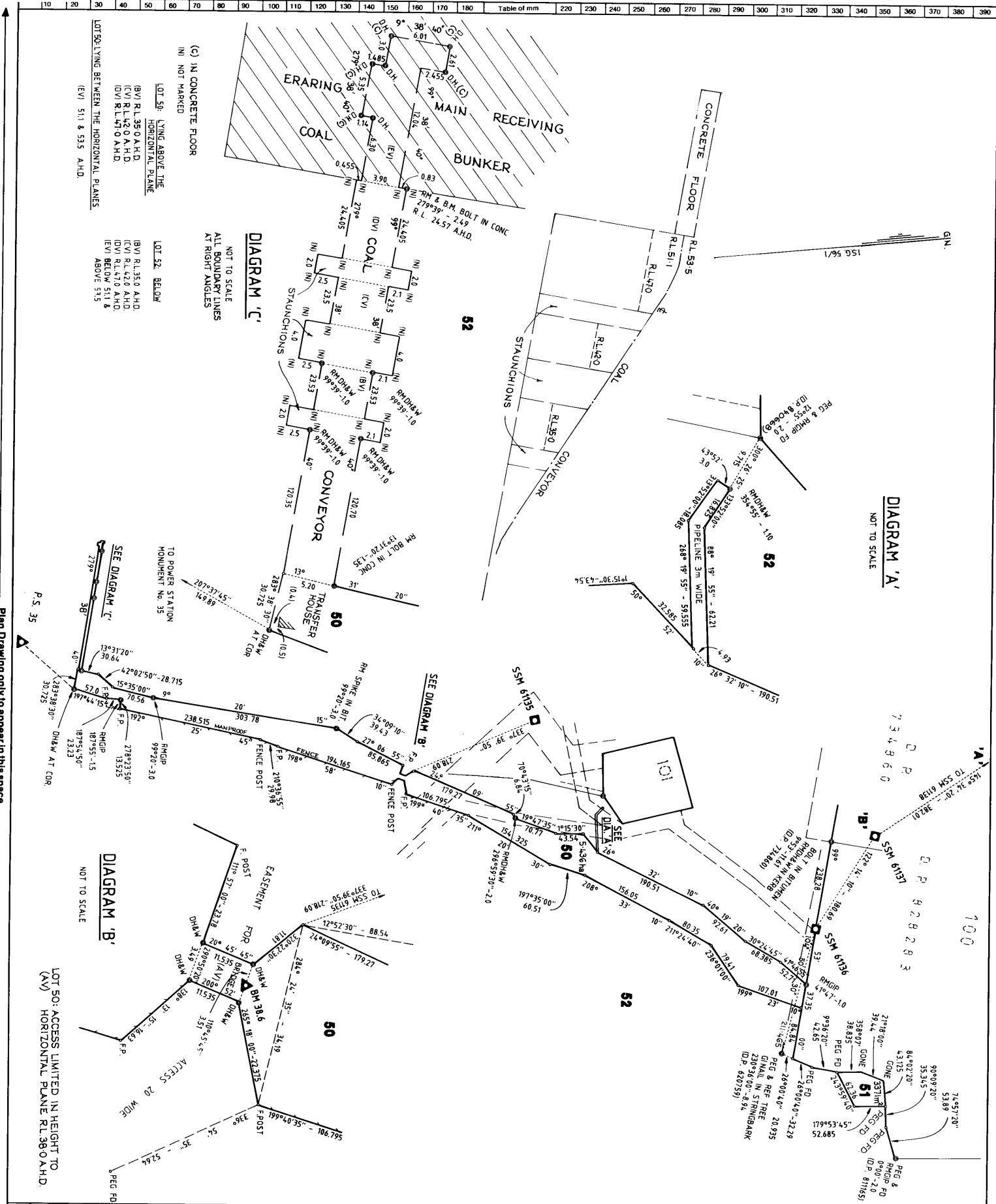
Pacific Power is the registered business name of The Electricity Commission of New South Wales

ERARRING POWER STATION

COAL CONVEYOR

LOTS 50 & 51 PROPOSED TO BE LEASED.

SI 93/46
P.18531/1



<p>DP 840671</p> <p>Registered: 30-9-1994</p> <p>This is sheet 2 of a plan of 2 sheets dated 30th August, 1993</p> <p>Surveyed under Surveyors Act 1929</p> <p>This is sheet of the plan of sheets covered by my Certificate No. of</p> <p>Council Clerk</p>	<p>L.G.A. LAKE MACQUARIE CITY</p> <p>PARISH AWABA</p> <p>COUNTY NORTHUMBERLAND</p>	<p>PACIFIC POWER</p> <p>PROPERTY AND SURVEYING SERVICES</p> <p>Pacific Power is the registered business name of The Electricity Commission of New South Wales</p>	<p>COAL CONVEYOR</p> <p>ERARING POWER STATION</p>	<p>Reduction Ratio: 1:4000 & N.T.S.</p> <p>S.L. 93/66</p> <p>Surveyors Reference: P.18531/2</p>
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Plan Drawing only to appear in this space

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create reserves, drainage easements, restrictions on the use of land or positive covenants.

SIGNED FOR AND ON BEHALF OF:
ERARING HOLDINGS PTY LIMITED
 ACN 002 253 205

[Signature]
 F. BRUS
 DIRECTOR & SECRETARY

SIGNED FOR THE ELECTRICITY COMMISSION OF N.S.W. PURSUANT TO A DELEGATION MADE ON 30th SEPTEMBER, 1988.

[Signature]
 MANAGER PROPERTY & SURVEY

Crown Lands Office Approval

PLAN APPROVED: *[Signature]* Authorized Officer

Land District: *[Blank]*

Page No.: *[Blank]*

Field Book: *[Blank]* pages

Council Clerk's Certificate

I hereby certify that —

(a) the requirements of the Local Government Act, 1979 (other than the requirements for the registration of plans), and

(b) the requirements of Part 3.3 Division 2 of the Water Board Act 1984 and Water Supply Administration Act 1980

have been complied with by the applicant in relation to the proposed "new road", subdivision or "consolidated lot" set out herein

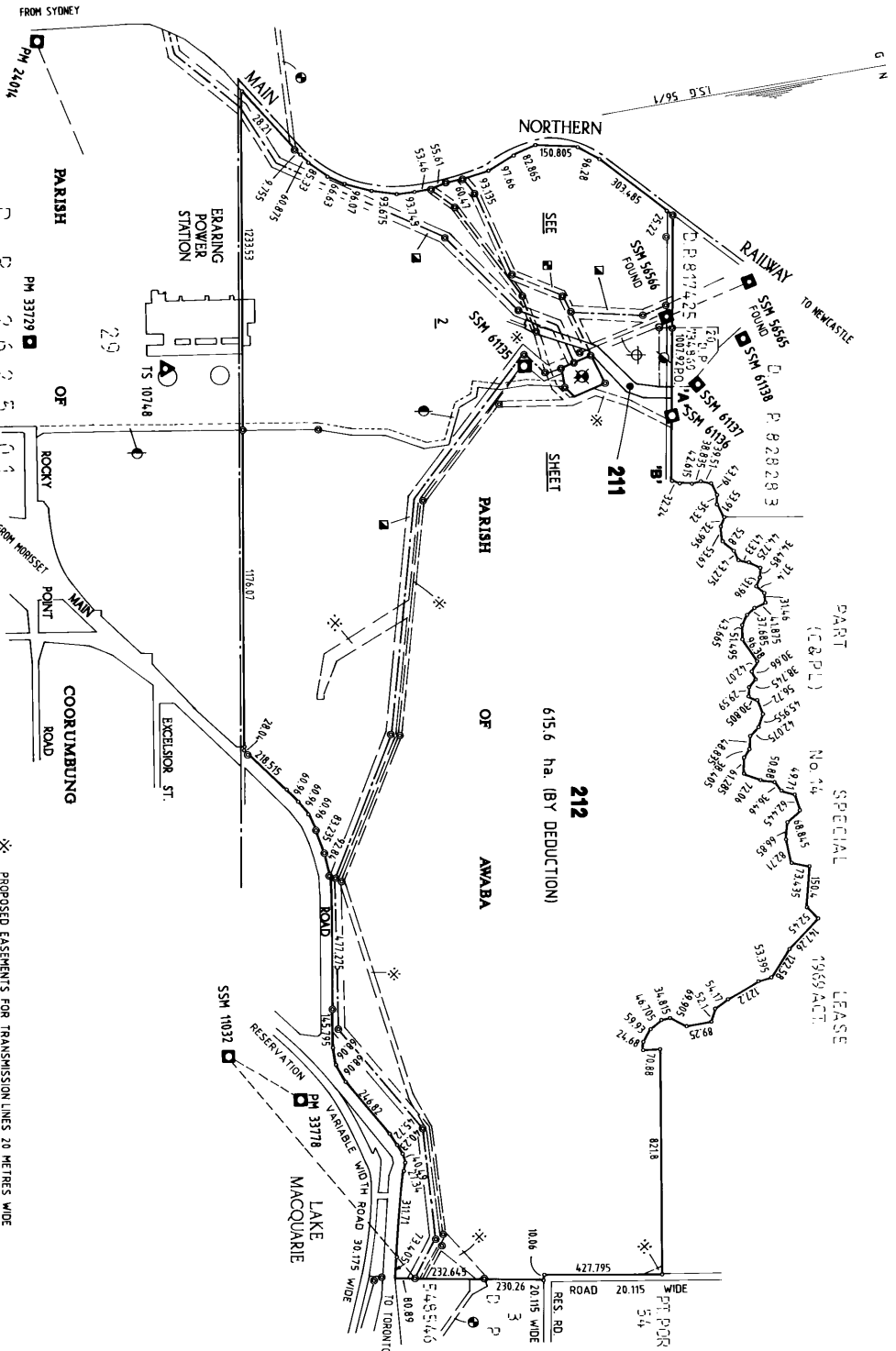
Subdivision No. *[Blank]*

Date *[Blank]*

(Signature) *[Blank]* Council Clerk

Council File No. *[Blank]*

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be surveyed is wholly within the areas of operation of the Metropolitan Council of Sydney, the Council of the City of Sydney, the Council of the City of Newcastle, the Council of the City of Parramatta, the Council of the City of Wollongong, the Council of the City of Wagga Wagga, the Council of the City of Dubbo, the Council of the City of Orange, the Council of the City of Bathurst, the Council of the City of Maitland, the Council of the City of Tamworth, the Council of the City of Broken Hill, the Council of the City of Albury, the Council of the City of Geelong, the Council of the City of Melbourne, the Council of the City of Perth, the Council of the City of Adelaide, the Council of the City of Darwin, the Council of the City of Darwin NT, the Council of the City of Alice Springs, the Council of the City of Darwin, the Council of the City of Darwin NT, the Council of the City of Darwin NT, the Council of the City of Darwin NT.



S.G. CO-ORDINATES

MARK	EASTING	NORTHING	HORIZONTAL	ZONE
SSM 11032	350 84.0	1339 82.0	2	56/1
SSM 55555	350 84.0	1339 82.0	2	56/1
SSM 55556	350 84.0	1339 82.0	2	56/1
SSM 61137	348 781.883	1342 336.154	3	56/1
SSM 61138	348 997.843	1342 021.081	3	56/1
SSM 61139	349 150.667	1341 924.689	3	56/1
SSM 61135	348 812.354	1341 473.110	3	56/1
PM 24014	347 342.246	1339 889.032	2	56/1
PM 33779	348 448.419	1339 719.488	2	56/1
PM 33778	351 296.041	1340 296.378	2	56/1
TS 10748	348 589.748	1340 183.748	2	56/1

SOURCE: DEPT. OF CONSERVATION & LAND MANAGEMENT SURVEY CONTROL INFORMATION AT 1st. FEB. 1993

Table of mm

10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200	210	220	230	240	250	260	270	280	290	300	310	320	330	340	350	360	370	380	390	400
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WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

DP 840670

Registered: *[Stamp]* 23-9-1994

CA: *[Blank]*

Title System: **TORRENS**

Purpose: **SUBDIVISION**

Ref. Map: **U4535-1, 2, 3 & 51**

Last Plan: **DP 840668**

PLAN OF SUBDIVISION OF LOT 21
DP 840668

Lengths are in metres. Reduction Ratio: 1:2500

L.G.A. **LAKE MACQUARIE CITY**

Locality: **ERARING**

Parish: **AWABA**

County: **NORTHUMBERLAND**

This is sheet 1 of my plan in TWO sheets.

ROBERT CHARLES MARKHAM

1. **PACIFIC POWER**

I, the undersigned, being a surveyor registered under the Surveyors Act, 1988, as amended, hereby certify that the survey, represented in the plan of subdivision for lease purposes, is accurate and has been made in accordance with the Surveyors Act, 1988, and was completed on **18th August 1993**.

Signature: *[Signature]*

Surveyor's Registration No. **1118**

Mineral date of survey: **A. 1. 8**

Plans used in preparation of survey: *[Blank]*

DP 64483, DP 62052, DP 62015, DP 62168, DP 62180, DP 62882, DP 64130, DP 64299, DP 73480, DP 73196, DP 81155, DP 81745, DP 82823, DP 54854 AND DP *[Blank]*

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

PACIFIC POWER

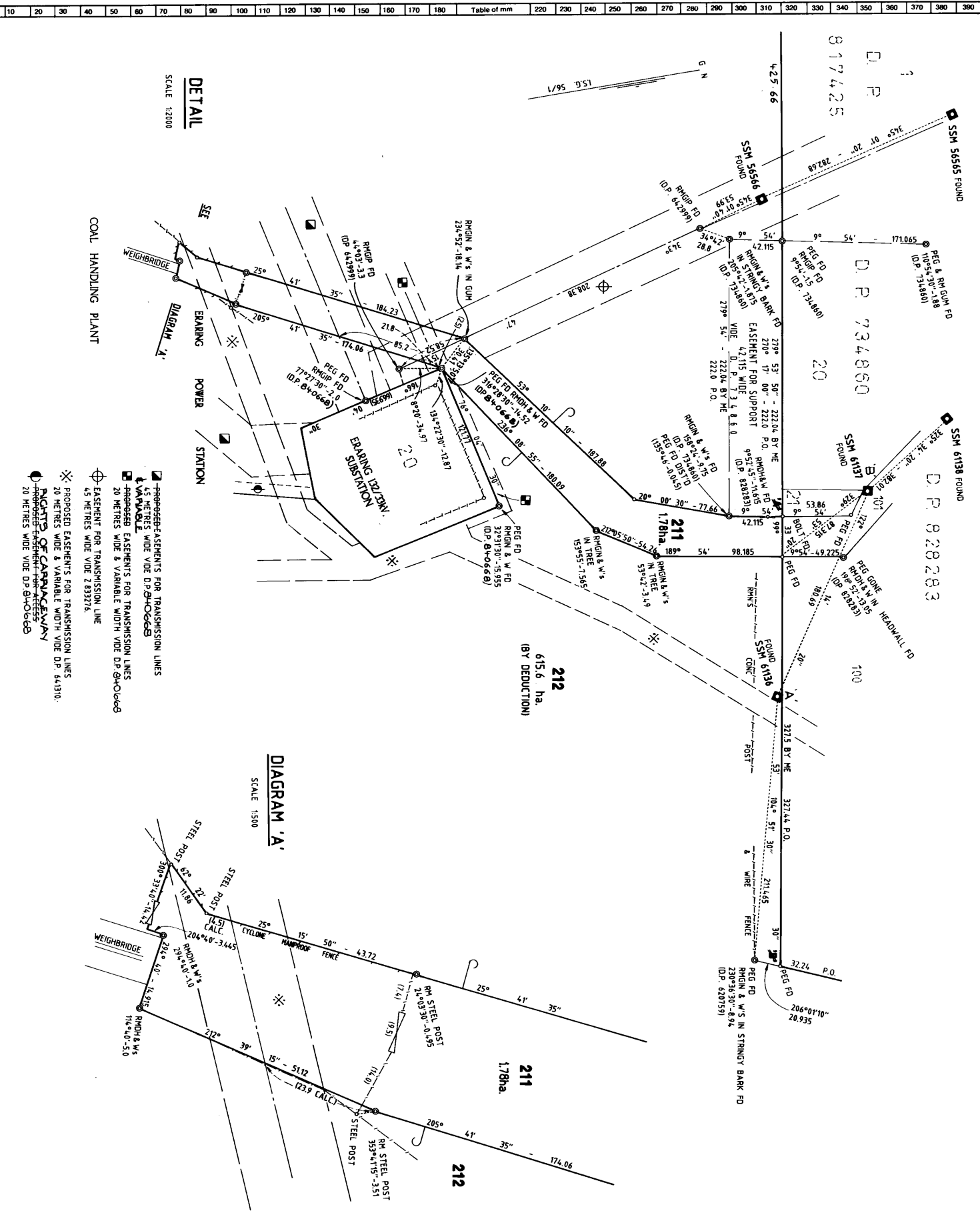
PROPERTY AND SURVIVING SERVICES

Pacific Power is the registered business name of The Electricity Commission of New South Wales

ERARING POWER STATION

COAL HAUL ROAD

LOT 211 PROPOSED TO BE LEASED.

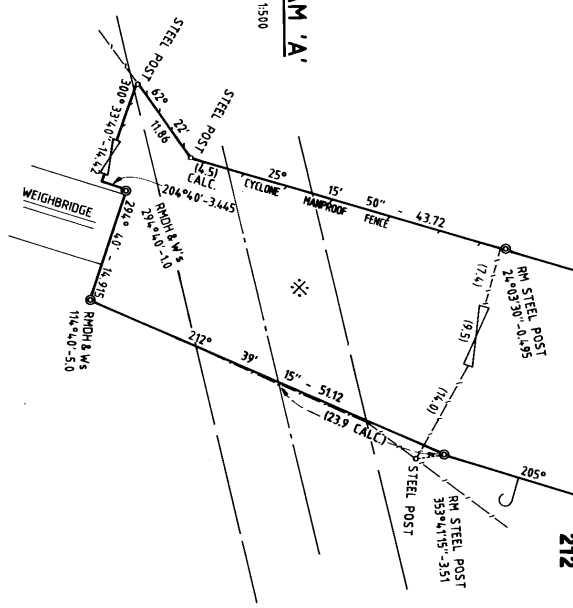


DETAIL
SCALE 1:2000

WEIGHBRIDGE
ERARING POWER STATION
COAL HANDLING PLANT

- PROPOSED EASEMENTS FOR TRANSMISSION LINES
- 4.5 METRES WIDE VIDE D.P. 84310
- VARIABLE
- PROPOSED EASEMENTS FOR TRANSMISSION LINES
- 20 METRES WIDE & VARIABLE WIDTH VIDE D.P. 84310
- EASEMENT FOR TRANSMISSION LINE
- 4.5 METRES WIDE VIDE Z 833276
- PROPOSED EASEMENTS FOR TRANSMISSION LINES
- 20 METRES WIDE & VARIABLE WIDTH VIDE D.P. 84310
- RIGHTS OF CARRIAGEWAY
- PROPOSED EASEMENT FOR ACCESS
- 20 METRES WIDE VIDE D.P. 84310

DIAGRAM 'A'
SCALE 1:500



Plan Drawing only to appear in this space

DP 840670
 Registered
 18th August 1993
 Surveyor registered under Surveyors Act 1999

This is sheet 2 of my plan in 2 sheets dated 18th August 1993
 Surveyor registered under Surveyors Act 1999

This is sheet 2 of my plan in 2 sheets dated 18th August 1993
 Surveyor registered under Surveyors Act 1999

For use where space is insufficient in any panel on Plan Form 2

L.G.A. LAKE MACQUARIE CITY
 Locality ERARING
 Parish AWABA
 County NORTHERLAND

PACIFIC POWER
 PROPERTY AND SURVEYING SERVICES
 Pacific Power is the registered business name of The Electricity Commission of New South Wales

ERARING POWER STATION
 COAL HAUL ROAD
 S.L. 93/725
 Reduction Ratio 1:2000 AND 1:500
 SURVEYOR'S REFERENCE: P. 18523/2

SIGNATURES, SEALS AND STATEMENTS of intention to execute this plan are required. The plan must be accompanied by a statement of the applicant's intentions, detailing the proposed use of the land, and the proposed restrictions on the use of land or passing easements.

SIGNED FOR THE ELECTRICITY COMMISSION OF N.S.W. PURSUANT TO A DELEGATION MADE ON 25th JULY 1992.
 MANAGER PROPERTY ASSETS

Crown Lands Office Approval

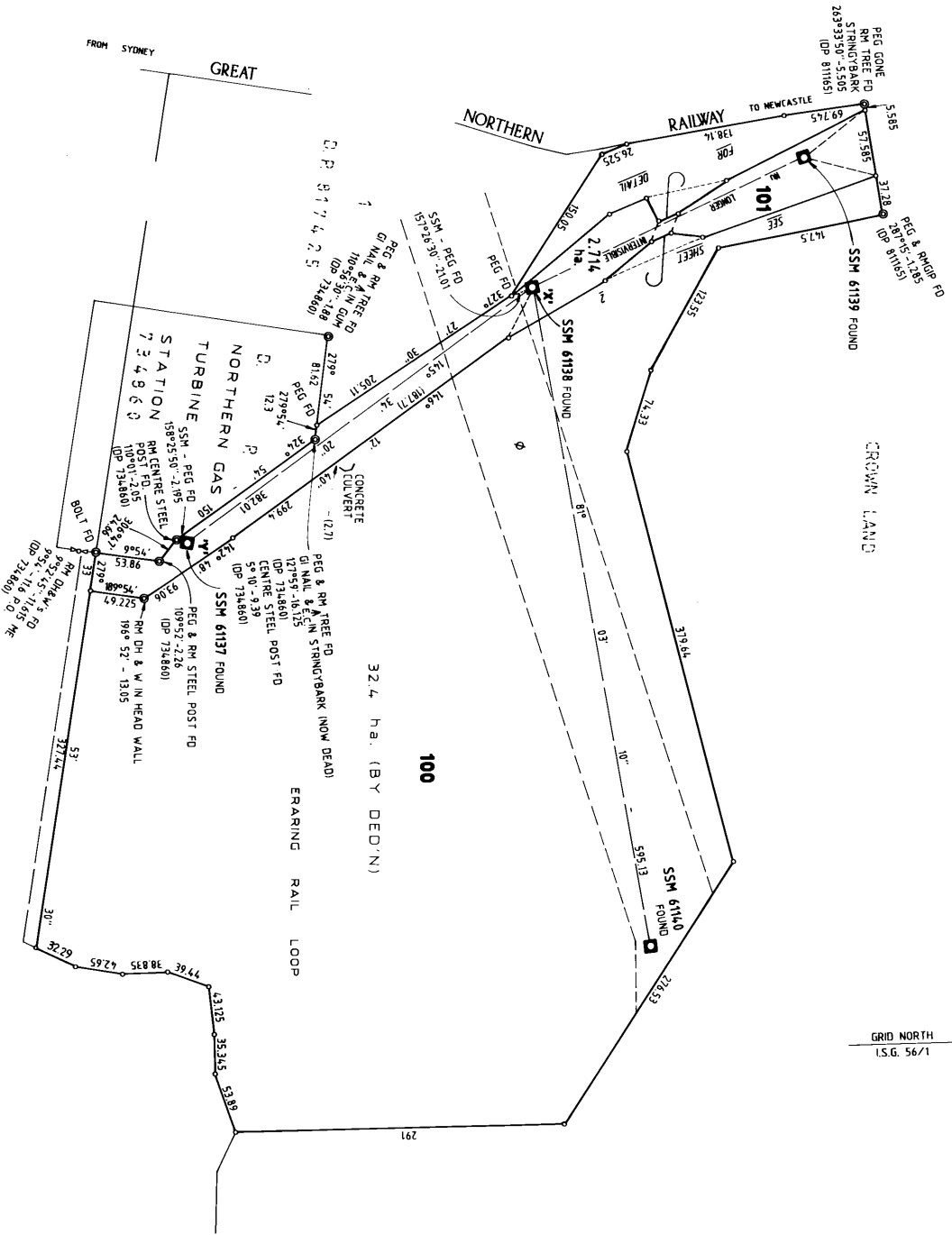
PLAN APPROVED:
 Land Director:
 Field Book: pages

Council Clerk's Certificate

I hereby certify that:—
 (a) the requirements of the Local Government Act, 1989 (other than the requirements for the acquisition of plan, and
 (b) the requirements of Part 3 Division 2 of the Water Act 1989 and 1 Water Supply Authorities Act 1987
 have been complied with by the applicant in relation to the proposed "new road", "subdivision" or "consolidation" for "set out herein".
 Subdivision No.
 Council File No.
 Council Clerk:

Supervisor's Reference: S1 92/226
 CHECKLIST

Plan Drawing only to appear in this space



I.S.G. CO-ORDINATES

SSM	EASTING	NORTHING	R.L. A.H.D.	ACCURACY
61137	348 997.843	134.2 021.081	55.873	3
61138	348 781.883	134.2 336.064	75.316	3
61139	348 670.446	134.2 577.011	79.606	3
61140	349 369.739	134.2 428.728	72.95	3

SOURCE: DEPT. OF CONSERVATION & LAND MANAGEMENT SURVEY CONTROL INFORMATION AT 21st SEPTEMBER, 1992.

NOTE: ALL DISTANCES SHOWN ARE PLANE
 PROPOSED EASEMENT FOR TRANSMISSION LINE
 WIDE DP 646753

Ref: R636406 /Doc:DP 0828283 P /Rev:05-Apr-1993 /Sts:OK.OK /Prt:22-May-2013 18:49 /Pgs:ALL /Seq:1 of 2
 Ref:ALS /Src:T

OFFICE USE ONLY

D P 028283

Registered City 30-3-1993

Title System: CROWN LAND

Purpose: SUBDIVISION OF PA 63387

Ref. Map: ULS35-2 PARISH DP 811165

Last Plan: DP 811165

PLAN OF SUBDIVISION OF LOT 1
 D.P. 811165.

Lengths are in metres. Reduction Ratio 1:3000

Location: LAKE MACQUARIE

Locality: ERARING

Parish: AWABA

County: NORTHUMBERLAND (SHP)

This is sheet 1 of my plan in TWO sheets (Delete if inapplicable).

BARRY ALAN CURTIS
 PACIFIC POWER

I, BARRY ALAN CURTIS, a surveyor registered under the Surveyors Act, 1988, do hereby certify that the survey represented in this plan, AS REGARDS LOT 101, was conducted in accordance with the provisions of the Surveyors Act, 1988 and any special requirements of the Department of Lands, and was completed on 23rd SEPTEMBER 1992.
 Signature required under Surveyors Act, 1988: stamped, Dated Line of Assent: 'X'-'V' (SSM/G138-SSM/G137)
 Date of Assent:

Plans used in preparation of survey/ completion:
 D.P. 811165, D.P. 734860, D.P. 817425,
 D.P. 816752.

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

PACIFIC POWER

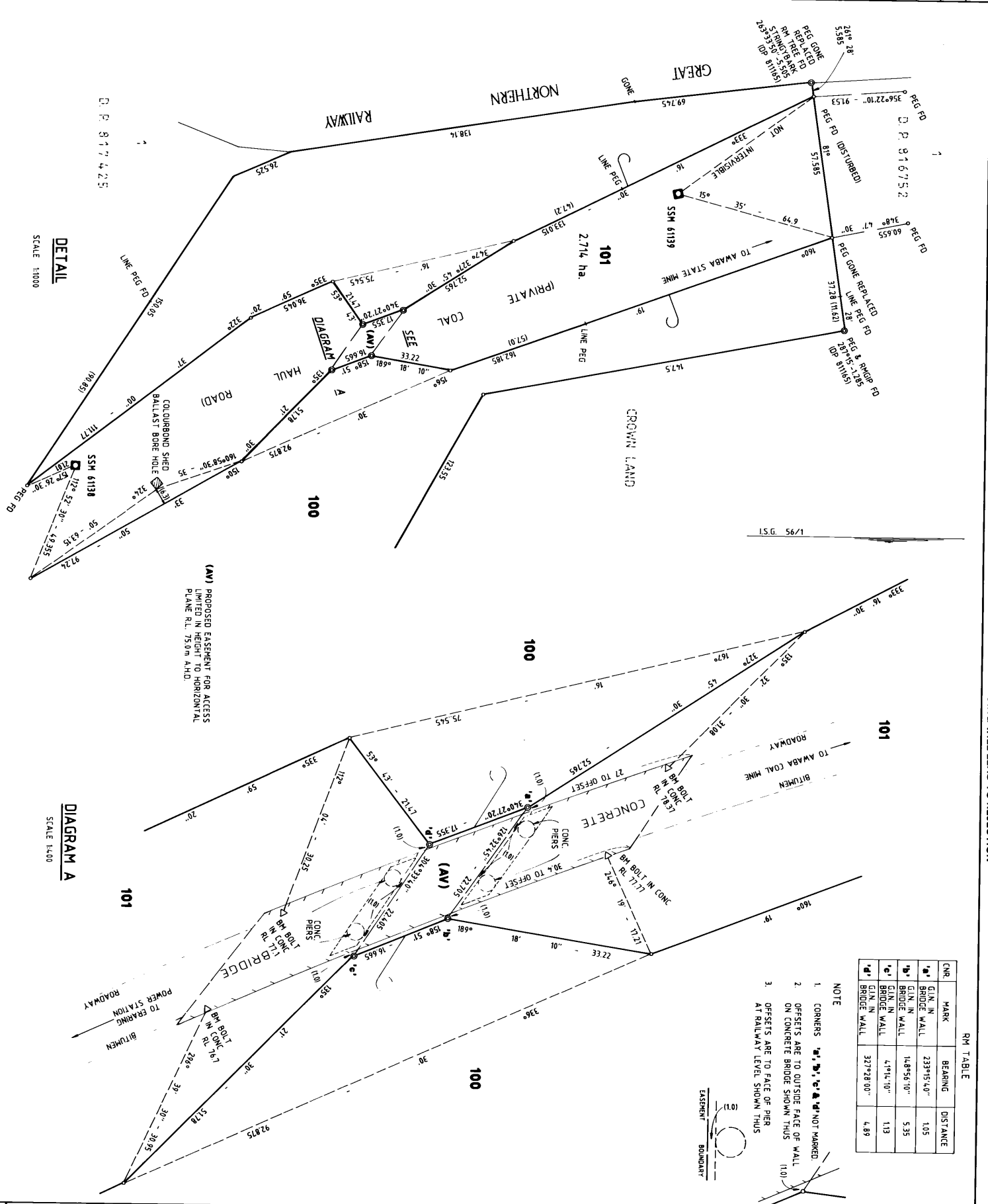
PROPERTY AND SURVEY GROUP

Pacific Power is the registered business name of The Electricity Commission of New South Wales.

ERARING POWER STATION

COAL HAUL ROAD

LOT 100 PROPOSED TO BE LEASED



CNR	MARK	BEARING	DISTANCE
1	GIN IN WALL	233°15'40"	1.05
2	BRIDGE WALL	148°58'10"	5.35
3	GIN IN WALL	41°14'10"	1.13
4	BRIDGE WALL	327°28'00"	4.89

- NOTE
- CORNERS '1', '2', '3', '4' NOT MARKED.
 - OFFSETS ARE TO OUTSIDE FACE OF WALL ON CONCRETE BRIDGE SHOWN THUS
 - OFFSETS ARE TO FACE OF PIER AT RAILWAY LEVEL SHOWN THUS



D P 828283

Registered 30.3.1993

This is sheet 2 of my plan of 2 sheets dated 23rd SEPTEMBER, 1992.

Surveyor registered under Surveyors Act 1992

This is sheet 2 of my plan of 2 sheets covered by my Certificate No. of

Council Clerk

For use where space is insufficient in any panel on Plan Form 2

City LAKE MACQUARIE
Parish AWABA
County NORTHUMBERLAND

PACIFIC POWER
PROPERTY AND SURVEY GROUP
Pacific Power is the registered business name of The Electricity Commission of New South Wales.
ERRARING POWER STATION
COAL HAUL ROAD

SI. 92/236
Reduction Ratio: 1: AS SHOWN

SUBVENSOR'S REFERENCE: P 18454/2

Plan Drawing only to appear in this space

DETAIL
SCALE 1:1000

DIAGRAM A
SCALE 1:100

PLAN FORM 2

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create reserves, drainage reserves, easements, restrictions on the use of land or positive covenants

Crown Lands Office Approval

PLAN APPROVED: **Authorised Officer**

Land District: **.....**

Paper No: **.....**

Field Book: **.....**

Council Clerk's Certificate

I hereby certify that the requirements of the Local Government Act, 1989 other than (a) the requirements for the registration of plans, and (b) the requirements of Part 3 Division 2 of the Water Board Act 1987 and the Water Supply Authorities Act 1987 have been complied with by the applicant in relation to the proposed plan, and that the plan is a valid plan for the purposes of the said Act 1987 and the said Act 1987.

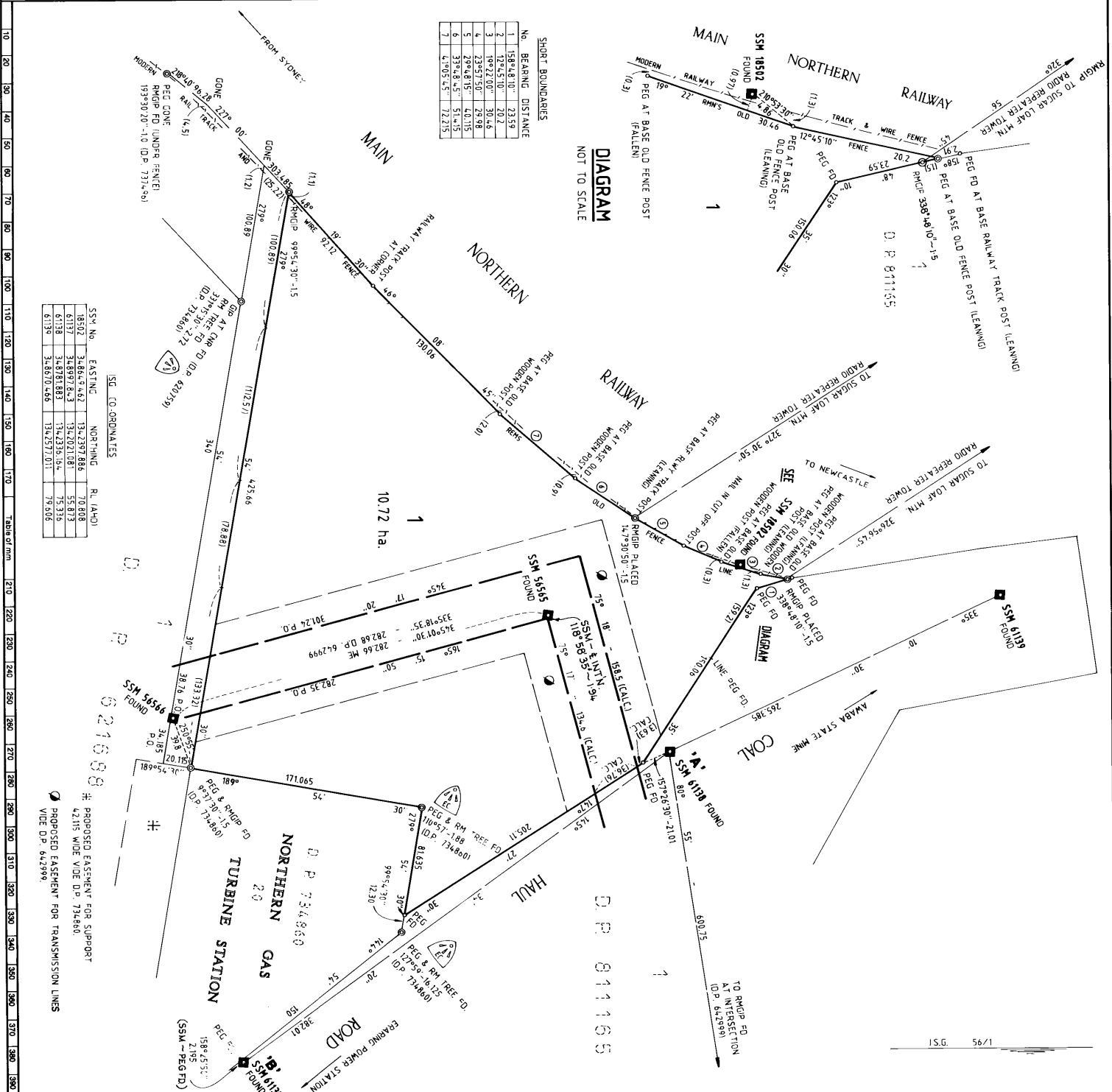
Signature: **.....**

Date: **.....**

Council Clerk: **.....**

Council File No: **.....**

*This part of certificate to be deleted when the application is only for a subdivision which is outside the areas of operations of the Metropolitan Water, Sewerage and Drainage Board and the Hunter District Water Catchment / Inapplicable.



Plan Drawing only to appear in this space

OFFICE USE ONLY

DP 817425

Registered: **28-5-1992**

Title System: **CROWN LAND**

Purpose: **ACQUISITION**

Ref. Map: **U4595-2#**

Last Plan: **.....**

PLAN OF CROWN LAND TO BE ACQUIRED.

Lengths are in metres. Reduction Ratio: 1:2000

Place: **LAKE MACQUARIE**

City: **ERARING**

Locality: **ERARING**

Parish: **AMABA**

County: **NORTHUMBERLAND**

This is a street layout plan in accordance with the provisions of the Street Layout Act 1989.

BARRY ALAN CURTIS

PACIFIC POWER

I, **BARRY ALAN CURTIS**, a surveyor registered under the Surveyors Act, 1928, as amended, hereby certify that the survey represented in this plan is a true and correct survey in accordance with the Surveyors Act, 1928, as amended, and that the plan is a valid plan for the purposes of the said Act, 1928, as amended, and that the plan is a valid plan for the purposes of the said Act, 1928, as amended.

Signature: **.....**

Date: **16-2-1993**

Plans used in preparation of survey/compilation: **D.P. 734860, D.P. 81165 D.P. 737496**

PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create reserves, drainage reserves, easements or restrictions as to use:

PACIFIC POWER

PROPERTY AND SURVEY GROUP

Pacific Power is the registered business name of The Electricity Commission of New South Wales.

ERARING POWER STATION

NORTHERN GAS TURBINES OIL CONTAINMENT FACILITY

LOT 1 PROPOSED TO BE ACQUIRED.

	Attenuation Reservoir - Groundwater Sampling				CCP - Groundwater Sampling				Surface Water Sampling			
	EPL Exceedences	ANZECC Exceedences	Australian Drinking Water Criteria	Comments	EPL Exceedences	ANZECC Exceedences	Australian Drinking Water Criteria	Comments	EPL Exceedences	ANZECC Exceedences	Australian Drinking Water Criteria	Comments
Jan-06	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD and ERTOE. Selenium - ERAD. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Cadmium - ERTOE and ERAD. Copper - ERIC and EROC	selenium, arsenic - ERAD	
Feb-06	-	-	-	-	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Mar-06	-	-	-	-	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Apr-06	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD and ERTOE. Selenium - ERAD. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Cadmium - WHITEHEADS and ERAD. Copper - ERIC and EROC.	selenium, arsenic - ERAD	
May-06	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jun-06	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jul-06	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD, EROC, WHITEHEAD, BOATSHEADS. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Cadmium - ERAD. Copper - EROC	selenium, arsenic - ERAD	
Aug-06	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Sep-06	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Oct-06	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Copper - ERIC and EROC	selenium, arsenic - ERAD	
Nov-06	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Dec-06	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD and ERTOE	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jan-07	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Copper - ERIC and EROC. Zinc - BOATSHED	selenium, arsenic - ERAD	
Feb-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Mar-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD, ERM2	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.

	Attenuation Reservoir - Groundwater Sampling				CCP - Groundwater Sampling				Surface Water Sampling			
Apr-07	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Cadmium - BOATSHED, ERAD. Copper - ERIC and EROC	selenium, arsenic - ERAD	
May-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jun-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERTOE	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jul-07	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	selenium, chromium, cadmium, arsenic - ERAD	selenium, arsenic - ERAD	
Aug-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Sep-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Oct-07	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD, ERIC, WHITEHEADS, BOATSHED. Iron - ERTOE	selenium, chromium, cadmium, arsenic - ERAD. Copper - ERIC and EROC	selenium, arsenic - ERAD	
Nov-07	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Dec-07	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD, MR2. Selenium - ERAD, WHITEHEADS, BOATSHED, MR217	selenium - ERAD, WHITEHEADS, MR217. Arsenic - WHITEHEADS, ERAD, MR217. Zinc - ERTOE. Copper - ERIC and EROC. Chromium, Cadmium - WHITEHEADS, ERAD, MR217	selenium - ERAD, WHITEHEADS, MR217. Arsenic - WHITEHEADS, ERAD, MR217	
Jan-08	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD, WHITEHEADS. Iron - ERTOE	selenium - ERAD. Arsenic - ERAD. Chromium, Cadmium - ERAD. Copper - ERIC and EROC	selenium - ERAD. Arsenic - ERAD	
Feb-08	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD, ERTOE, MR1, MR217. Selenium - ERAD, MR217. Iron - MR217	selenium - ERAD. Zinc - MR217	selenium - ERAD	
Mar-08	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Apr-08	-	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD, MR217. Iron - ERTOE	selenium, chromium, arsenic - ERAD	selenium, arsenic - ERAD	
May-08	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD, ERM2	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jun-08	-	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD, ERM2	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.

Attenuation Reservoir - Groundwater Sampling				CCP - Groundwater Sampling				Surface Water Sampling			
Jul-08	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Copper - ERIC and EROC	selenium, arsenic - ERAD	
Aug-08	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Sep-08	-	-	-	-	-	-	-	selenium - ERAD. suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Oct-08	-	-	-	-	-	-	-	suspended solids - MR2. Selenium - ERAD and BOATSHED. Iron - ERTOE	selenium, chromium, arsenic - ERAD. Copper - EROC. Zinc - MR217	selenium, arsenic - ERAD	
Nov-08	-	-	-	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jan-09	-	-	-	-	-	-	-	suspended solids - MR2. Selenium - ERAD and EROC. Iron - ERTOE	selenium, chromium - ERAD	selenium, arsenic - ERAD	
Feb-09	-	-	-	-	-	-	-	selenium - ERAD. Suspended solids - ERAD and ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Mar-09	-	-	-	-	-	-	-	selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Apr-09	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	selenium, chromium - ERAD. Copper - EROC	selenium - ERAD	
May-09	-	-	-	-	-	-	-	selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jun-09	-	-	-	-	-	-	-	selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jul-09	-	-	-	-	-	-	-	suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE and MR217	selenium, chromium - ERAD. Copper - ERIC and EROC	selenium - ERAD	
Aug-09	Iron (GW4)	Cadmium- GW5, Chromium, copper, lead, zinc - all monitoring wells (GW1-GW5)	NE	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Sep-09	Iron (GW4)	copper, lead, zinc - all monitoring wells (GW1-GW5)	lead (GW1-GW4)	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Oct-09	NE	copper, lead and zinc - all monitoring wells (GW1-GW5)	arsenic - GW3, lead - (GW1-GW4)	-	-	-	-	suspended solids - ERSEWPD and ERAD. Selenium - ERAD. Iron - ERTOE and MR217	selenium, chromium - ERAD. Copper - ERIC, WHITEHEADS, BOATSHED	selenium - ERAD	
Nov-09	NE	copper, lead and zinc - all monitoring wells (GW1-GW5)	lead - (GW1-GW4)	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Dec-09	Iron (GW4)	copper, lead and zinc - all monitoring wells (GW1-GW5)	arsenic - GW3, lead - (GW1-GW4)	-	-	-	-	selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jan-10	Iron (GW3)	copper, lead and zinc - all monitoring wells (GW1-GW3, GW5)	lead (GW1-GW3)	GW4 not sampled	NE	NE	NE	Selenium - ERAD and BOATSHED	selenium, chromium, zinc - ERAD. Copper - ERIC, EROC, WHITEHEADS, ERAD	selenium - ERAD	

Attenuation Reservoir - Groundwater Sampling				CCP - Groundwater Sampling				Surface Water Sampling				
Feb-10	Iron (GW4)	copper, lead and zinc - all monitoring wells (GW1-GW3, GW5), Cadmium and chromium - GW3	arsenic - GW3, lead - (GW1-GW4)		NE	NE	NE		selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Mar-10	Iron (GW4)	copper, lead and zinc - all monitoring wells (GW1-GW3, GW5), chromium - GW3	arsenic - GW3, lead - (GW1-GW4)		Iron - MW05 and MW06. Selenium - MW03 and MW06	lead and zinc - all monitoring wells, copper - MW03 and MW05	lead - MW02, MW03, MW05		selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Apr-10	Iron (GW4)	copper, lead and zinc - all monitoring wells (GW1-GW3, GW5), chromium - GW3	arsenic - GW3, lead - (GW1-GW4)		Iron - MW02, MW03, MW05	lead and zinc - all monitoring wells, copper - MW03 and MW05			selenium - ERAD. Suspended solids - ERSEWPD	selenium, cadmium - ERAD. Copper - EROC, zinc - BOATSHED	selenium - ERAD	
May-10	Iron (GW4)	Copper - (MW2-MW5). Lead and zinc - all monitoring wells (GW1-GW5). Chromium - GW3	arsenic - GW3, lead - (GW1-GW4)		-	-	-		selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jun-10	Iron - all monitoring wells (GW1-GW5)	copper, lead and zinc - all monitoring wells (GW1-GW5). Chromium - GW2, GW3, GW4. Cadmium - GW1	arsenic - GW3, lead - (GW1-GW5)		Iron - all monitoring wells	lead - all monitoring wells, copper - MW05. Zinc - MW02, MW03, MW05.	lead - MW03 and MW05, arsenic - MW05		selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jul-10	NE	copper, lead and zinc - GW1, GW2, GW4, GW5. Chromium -GW2.	lead - GW1, GW2, GW4	GW3 not sampled	Iron - MW05 and MW06	lead and zinc - all monitoring wells. Copper - MW02, MW03, MW06.	lead - all monitoring wells, arsenic - MW05 and MW06.		suspended solids - ERSEWPD, ERTOE, MR217. Selenium - ERAD	selenium- ERAD. Copper - ERAD and EROC. Zinc - ERTOE, BOATSHED, MR217	selenium - ERAD	
Aug-10	NE	Copper, lead and zinc - all monitoring wells (GW1-GW5). Chromium -GW3 and GW4	arsenic - GW3, lead - (GW1-GW4)		Iron - MW05 and MW06	lead, copper and zinc - all monitoring wells. Chromium - MW06	lead - all monitoring wells, arsenic - MW05		selenium - ERAD. Suspended solids - ERSEWPD and MR217	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Sep-10	NE	Copper, lead and zinc - GW2, GW4, GW5. Chromium - GW4.	lead - GW2 and GW4	GW1 and GW3 not sampled	Iron - MW05	lead, copper and zinc - all monitoring wells. Chromium - MW06	lead - all monitoring wells, arsenic - MW02 and MW06.		selenium - ERAD. Suspended solids - ERSEWPD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Oct-10	NE	Copper and zinc - all monitoring wells (GW1-GW5). Chromium - GW3 and GW4. Lead - (GW1 - GW4).	lead - (GW1 - GW4)		Iron - MW05 and MW06	lead, copper and zinc - all monitoring wells. Chromium - MW06	lead - all monitoring wells, arsenic - MW05 and MW06.		selenium - ERAD	selenium - ERAD. Copper - EROC. Zinc - MR217	selenium - ERAD	
Nov-10	NE	copper and zinc - all monitoring wells (GW1-GW5). Chromium - GW3. Lead - (GW1 - GW4).	lead - (GW1 - GW4)		Iron - MW05 and MW06	lead - MW05, copper - MW03. Zinc - MW02, MW03, MW05	lead -MW05		selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Dec-10	Iron - GW5	Copper and zinc - all monitoring wells (GW1-GW5). Chromium - GW4. Lead - (GW1 - GW4).	lead - GW1, GW3 and GW4		Iron - MW05, selenium - MW03	lead - MW02, MW03, MW05, copper - MW02, MW03, MW05. Zinc - all monitoring wells, cadmium - MW03	lead -MW02, MW03, MW05		selenium - ERAD	selenium - ERAD	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Jan-11	Iron - GW4	copper, zinc and lead - all monitoring wells (GW1-GW5). Chromium - GW4.	lead - (GW1 - GW4)		Iron - all monitoring wells	lead and zinc- all monitoring wells. cadmium, chromium, copper - MW03	lead -MW02, MW03, MW06. Arsenic - MW03 and MW05		selenium - ERAD	Copper - ERIC and EROC	NE	
Feb-11	Iron - GW4	copper and zinc - all monitoring wells (GW1-GW5). Chromium - GW3. Lead - (GW1 - GW4)	lead - GW1 and GW3		Iron - MW03, MW05, MW06	zinc- all monitoring wells. Lead - MW02, MW03, MW05. cadmium- MW05. Copper - MW03 and MW05	lead -MW05. Arsenic - MW05		selenium - ERAD. Suspended solids - ERTOE	NE	NE	Metals not tested. No values for selenium in other samples except ERAD.
Mar-11	Iron - GW2 and GW4	copper, zinc and lead - GW1, GW2, GW4, GW5	lead - GW2	GW3 not sampled	Iron - MW03, MW05, MW06	zinc, copper, lead - all monitoring wells. Cadmium - MW03 and MW05	lead -all monitoring wells. Arsenic - MW05		selenium - ERAD. Suspended solids - ERSEWPD	NE	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Apr-11	-	-	-		Iron - all monitoring wells	zinc and lead - all monitoring wells. Copper - MW02, MW05, MW06	lead - MW02 and MW05. Arsenic - MW05		suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	Copper - ERIC and EROC. Zinc - ERIC, ERTOE, ERAD	Arsenic - ERAD	

	Attenuation Reservoir - Groundwater Sampling				CCP - Groundwater Sampling				Surface Water Sampling			
May-11	Iron - GW2 and GW4	copper and zinc - GW1, GW2, GW4, GW5. Lead - GW1, GW2, GW4.	lead - GW2		Iron - MW03, MW05, MW06	zinc - all monitoring wells. Copper - MW03 and MW05. Lead - MW03	Arsenic - MW05		selenium - ERAD. Suspended solids - ERSEWPD	NE	NE	Metals not tested. No values for selenium in other samples except ERAD.
Jun-11		copper and zinc - GW1, GW2, GW4, GW5			Iron - MW03, MW05, MW06. Selenium - MW03	zinc, copper, lead - all monitoring wells	Lead - MW02, MW03, MW06. Arsenic - MW02 and MW05		suspended solids - ERSEWPD. Selenium - ERAD. Iron - ERTOE	Copper - ERIC, EROC, MR217. Zinc - MR217, WHITEHEADS, BOATSHED. Lead - MR217	Arsenic - ERAD. Lead - MR217	
Jul-11	Iron - GW2	copper, zinc and lead - all monitoring wells (GW1-GW5)	lead - GW2, GW3, GW4		Iron - MW05 and MW06	copper, lead - all monitoring wells. Zinc - MW02, MW03, MW05	lead - MW02 and MW05. Arsenic - MW05		Selenium - ERAD. Iron - ERTOE	Copper - ERIC, EROC, WHITEHEADS, BOATSHED. Zinc - MR217 and BOATSHED	Arsenic, Selenium - ERAD	
Aug-11		copper and zinc - GW1, GW2, GW4, GW5. Lead - GW1 and GW2.	lead - GW1	GW3 not sampled	Iron - MW05 and MW06. Selenium - MW03	zinc - all monitoring wells. Copper and lead - MW02, MW03, MW05	Lead - MW02, MW03, MW05. Arsenic - MW03 and MW05		selenium - ERAD	NE	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Sep-11	NE	NE	NE		NE	NE	NE		selenium - ERAD	NE	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Oct-11	NE	NE	NE		NE	NE	NE		Selenium - ERAD. Iron - ERTOE	Copper - ERIC and EROC. Zinc - BOATSHED. Lead - MR217	selenium - ERAD	
Nov-11	Iron - all monitoring wells (GW1-GW5)	copper and zinc - all monitoring wells (GW1-GW5). Chromium - GW3. Lead - GW1, GW3, GW5	lead - GW3		Iron - MW02, MW05, MW06. Selenium - MW03 and MW05	zinc - all monitoring wells. Copper - MW02 and MW03. lead - MW02, MW03, MW05	Lead - MW02 and MW05. Arsenic - MW02 and MW05		selenium - ERAD	NE	selenium - ERAD	Metals not tested. No values for selenium in other samples except ERAD.
Dec-11	NE	copper - GW1, GW2, GW3, GW5. zinc - all monitoring wells (GW1-GW5). Chromium - GW5	NE		Iron - MW05, MW06. Selenium - MW03 and MW05	zinc, copper, lead - all monitoring wells. Chromium - MW05	Lead - MW03, MW05, MW06. Arsenic - MW05 and MW06		selenium - ERAD. Suspended solids - ERTOE, ERSETPD	NE	NE	Metals not tested. No values for selenium in other samples except ERAD.
Jan-12	Iron - GW2, GW3, GW4. Selenium - GW1	Copper, zinc and lead - all monitoring wells (GW1-GW5). Chromium - GW3	lead - GW1 and GW4		-	-	-		selenium - ERAD	Copper - ERIC, EROC. Zinc - MR217 and ERAD	NE	
Feb-12	Iron - All monitoring wells (GW1-GW5). Selenium - GW1	zinc and lead - all monitoring wells (GW1-GW5). Chromium - GW1, GW3, GW5. Copper - GW1, GW3, GW5	NE		-	-	-		selenium - ERAD	Copper - ERIC, EROC, and ERAD. Zinc - ERAD		
Mar-12	Iron - GW2 and GW4. Selenium - GW1	copper and zinc - all monitoring wells (GW1-GW5). Chromium - GW1, GW3, GW5. Lead - GW1, GW3-GW5	lead - GW1, GW5. Selenium - GW1		-	-	-		selenium - ERAD	Copper - ERIC, EROC, and ERAD.		
Apr-12	NE	NE	NE		-	-	-		Selenium - ERAD. Iron - ERTOE	Copper - ERIC, EROC, ERTOE and ERAD. Zinc - ERTOE		
May-12	Iron - GW2 and GW3	copper, lead and zinc - all monitoring wells (GW1-GW5)	lead - GW1 and GW2	GW5 not sampled	-	-	-		selenium - ERAD	Copper - EROC, and ERAD		
Jun-12	Iron - (GW2-GW4)	copper, lead and zinc - (GW1-GW4)	lead - (GW1-GW4)	GW5 not sampled	-	-	-		selenium - ERAD	Copper - EROC, and ERAD. Zinc - LM4		
Jul-12	Iron - (GW2-GW5)	copper, lead and zinc - all monitoring wells (GW1-GW5)	lead - (GW2 and GW5)		-	-	-		Selenium - ERAD. Iron - ERTOE	Copper - ERIC, WHITEHEADS and ERAD. Chromium - ERIC. Zinc - ERIC, EROC, and ERAD	Selenium, Arsenic - ERAD	

Attenuation Reservoir - Groundwater Sampling				CCP - Groundwater Sampling				Surface Water Sampling			
Aug-12	NE	NE	NE	-	-	-	-	selenium - ERAD	Copper -ERAD, Selenium, Chromium - ERAD	Selenium, Arsenic - ERAD	
Sep-12	NE	NE	NE	-	-	-	-	selenium - ERAD	Copper, Selenium - ERAD	selenium - ERAD	
Oct-12	NE	NE	NE	-	-	-	-	Selenium - ERAD. Iron - ERTOE	Copper - BOATSHED, WHITEHEADS and ERAD	Selenium, Arsenic - ERAD	
Nov-12	NE	NE	NE	-	-	-	-	selenium - ERAD	Copper - ERIC, EROC and ERAD	Arsenic - ERAD	
Dec-12	Iron - (GW2-GW5)	copper, lead and zinc - all monitoring wells (GW1-GW5)	lead - all monitoring wells (GW1-GW5)	-	-	-	-	Selenium - ERAD. Iron - ERTOE	Copper - EROC, ERIC and ERAD	NE	
Jan-13	-	-	-	-	-	-	-	Selenium - ERAD. Iron - ERTOE. Suspended solids - ERSEWPD	Copper - EROC, ERIC and ERAD. Zinc - WHITEHEADS	Arsenic - ERAD	
Feb-13	-	-	-	-	-	-	-	selenium - ERAD	Copper - EROC, ERIC and ERAD	Arsenic - ERAD	
Mar-13	Iron - (GW2-GW4)	copper, lead and zinc - all monitoring wells (GW1-GW5)	lead - GW2 and GW3	-	-	-	-	selenium - ERAD	Copper - EROC, ERIC and ERAD. Chromium - ERAD	Arsenic - ERAD. Selenium - ERAD	
Apr-13	-	-	-	-	-	-	-	Suspended solids - ERTOE	Copper - EROC and ERAD	Arsenic - ERAD	No values for selenium except ERTOE