



# Maitland Local Environmental Plan 1993 (Amendment No 74)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N04/00035/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2004 No 782

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 74)

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## Maitland Local Environmental Plan 1993 (Amendment No 74)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 74)*.

### 2 Aims of plan

The aims of this plan are:

- (a) to create a new zone, namely Zone 1 (d) Rural Residential, under *Maitland Local Environmental Plan 1993* to provide opportunities for rural living and to provide a transition zone between rural zones and areas of closer settlement with urban services, and
- (b) to rezone certain land at Largs from Zone 1 (a) Prime Rural Land to Zone 1 (d) Rural Residential under *Maitland Local Environmental Plan 1993*, being so much of Lot 1, DP 778266, Lot 1, DP 1033332 and Lot 1, DP 1032210, as is shown edged heavy black on the map marked "Maitland Local Environmental Plan 1993 (Amendment No 74)" deposited in the office of the Council of the City of Maitland.

### 3 Land to which plan applies

This plan applies to all land to which *Maitland Local Environmental Plan 1993* applies.

### 4 Amendment of Maitland Local Environmental Plan 1993

*Maitland Local Environmental Plan 1993* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 How are terms defined in this plan?

Insert in appropriate order in the definition of *The map* in clause 5 (1):

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### [2] Clause 8 What subdivision controls apply?

Omit “Zone 1 (a), (b) or (c)” from the note to clause 8.

Insert instead “Zone 1 (a), (b), (c) or (d)”.

### [3] Clause 9 What zones apply in this plan?

Insert in appropriate order:

1 (d) Rural Residential

### [4] Clause 10 What rural zones apply in this plan?

Insert in appropriate order in the first paragraph of clause 10:

1 (d) Rural Residential

### [5] Clause 10

Insert after the matter relating to Zone 1 (c) in the development control table to clause 10:

#### Zone 1 (d) Rural Residential

##### (1) Objectives of the zone

- (a) To encourage development for the purpose of closer rural settlement on land which is suitable for such a purpose.
- (b) To ensure that the semi-rural character and environmental values of the locality are protected.
- (c) To encourage rural residential subdivision which does not create unreasonable and uneconomic demands for the provision or extension of services and facilities.
- (d) To enable a range of activities and land uses associated with the residential occupation of the land.

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Schedule 1 Amendments

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(e) To prevent the establishment of traffic generating development along main and arterial roads.

**(2) Description of the zone**

The zone comprises land identified as being suitable for rural residential development and that is in proximity to a service centre.

**(3) Development allowed without development consent**

Bushfire Hazard Reduction; Home Based Child Care Establishment.

**(4) Development allowed only with development consent**

Agriculture; Bed and Breakfast Accommodation; Boarding House; Child Care Centre; Communications Facility; Community Centre; Community Facility; Dual Occupancy; Dwelling House; Education Establishment; Forestry; Home Activity; Public Building; Recreation Area; Road; Utility Undertaking; Wetlands Conservation.

**(5) Development which is prohibited**

Any development other than development included in Item 3 or 4.

**[6] Clause 11 What are the minimum allotment sizes for rural land?**

Insert at the end of the clause:

On land zoned 1 (d)                      2000 m<sup>2</sup>

**[7] Clause 12 Are smaller allotments permitted in Zone 1 (a), 1 (b), 1 (c) or 1 (d)?**

Omit "Zone 1 (a), 1 (b) or 1 (c)".

Insert instead "Zone 1 (a), 1 (b), 1 (c) or 1 (d)".

**[8] Clause 13 What are the requirements with respect to the erection of dwelling houses in rural zones?**

Omit “Zone 1 (a), 1 (b) or 1 (c)” from clause 13 (3).

Insert instead “Zone 1 (a), 1 (b), 1 (c) or 1 (d)”.

**[9] Clause 15 What provisions apply to advertising in rural zones?**

Omit “Zone 1 (a), 1 (b) or 1 (c)”.

Insert instead “Zone 1 (a), 1 (b), 1 (c) or 1 (d)”.