



Lake Macquarie Local Environmental Plan 1984 (Amendment No 173)

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*. (N01/00186/S69)

DIANE BEAMER, M.P.,

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

2003 No 356

Clause 1

Lake Macquarie Local Environmental Plan 1984 (Amendment No 173)

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1 Name of plan

This plan is *Lake Macquarie Local Environmental Plan 1984 (Amendment No 173)*.

2 Aims of plan

The aims of this plan are:

- (a) to reclassify the land to which this plan applies (being land that is used as an access to a private residence) from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (b) to allow:
 - (i) to the extent (if any) that the land is a public reserve, the land to remain a public reserve, and
 - (ii) the land to continue to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its reclassification as operational land.

3 Land to which plan applies

This plan applies to part of Lot 55, DP 25476, Bareki Road, Eleebana, as shown edged heavy black on the map marked "Lake Macquarie Local Environmental Plan 1984 (Amendment No 173)" deposited in the office of the Council of the City of Lake Macquarie.

4 Amendment of Lake Macquarie Local Environmental Plan 1984

Lake Macquarie Local Environmental Plan 1984 is amended as set out in Schedule 1.

2003 No 356

Lake Macquarie Local Environmental Plan 1984 (Amendment No 173)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 32 Classification and reclassification of public land as operational

Insert after clause 32 (5):

- (6) Land described in Part 3 of Schedule 4:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as operational land.

[2] Schedule 4 Classification and reclassification of public land as operational

Insert after Part 2:

Part 3 Public reserve status and trusts etc not changed

Eleebana

Bareki Road

Part of Lot 55, DP 25476, as shown edged heavy black on the map marked "Lake Macquarie Local Environmental Plan 1984 (Amendment No 173)".

BY AUTHORITY