



# **Newcastle Local Environmental Plan 2003 (Amendment No 1)**

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*. (N03/00130/S69)

DIANE BEAMER, M.P.,

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

## **2004 No 904**

Clause 1 Newcastle Local Environmental Plan 2003 (Amendment No 1)

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## **Newcastle Local Environmental Plan 2003 (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Newcastle Local Environmental Plan 2003 (Amendment No 1)*.

### **2 Aims of plan**

- (1) This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan also aims to effect minor law revision of the provision in *Newcastle Local Environmental Plan 2003* relating to the classification and reclassification of public land as operational land.

### **3 Land to which plan applies**

This plan applies to Lots B and C, DP 37025, and known as 7A Breen Street, Stockton (Breen Street Reserve), as shown edged heavy black on the map marked "Newcastle Local Environmental Plan 2003 (Amendment No 1)" deposited in the office of Newcastle City Council.

### **4 Amendment of Newcastle Local Environmental Plan 2003**

*Newcastle Local Environmental Plan 2003* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 19, heading**

Omit “**Reclassification of community land**”.

Insert instead “**Classification and reclassification of public land as operational land**”.

**[2] Clause 19 (1)**

Insert “, subject to this clause” after “*Local Government Act 1993*”.

**[3] Clause 19 (2) (a1)**

Insert before clause 19 (2) (a):

- (a1) those (if any) specified in relation to the land in Part 2 of Schedule 5, and

**[4] Clause 19 (4A)**

Insert after clause 19 (4):

- (4A) Land described in Part 3 of Schedule 5:
  - (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 the case requires, as operational land.

**[5] Schedule 5, heading**

Omit “**Reclassification of community land**”.

Insert instead “**Classification and reclassification of public land as operational land**”.

**[6] Schedule 5, Part 1, heading**

Insert “**Land classified or reclassified under original section 30 of Local Government Act 1993**” after “**Part 1**”.

## 2004 No 904

Newcastle Local Environmental Plan 2003 (Amendment No 1)

Schedule 1 Amendments

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### [7] Schedule 5, Part 2, heading

Insert “**Land classified or reclassified under amended section 30 of Local Government Act 1993—interests changed**” after “**Part 2**”.

### [8] Schedule 5, Part 3, heading

Insert “**Land classified or reclassified under amended section 30 of Local Government Act 1993—interests not changed**” after “**Part 3**”.

### [9] Schedule 5, Part 3

Omit the note to the Part. Insert instead:

Lots B and C, DP 37025, and known as 7A Breen Street, Stockton (Breen Street Reserve), as shown edged heavy black on the map marked “Newcastle Local Environmental Plan 2003 (Amendment No 1)”.

BY AUTHORITY

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