



New South Wales

# **Singleton Local Environmental Plan 1996 (Amendment No 56)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (09/03670)

TONY KELLY, MLC  
Minister for Planning

## 2010 No 689

Clause 1 Singleton Local Environmental Plan 1996 (Amendment No 56)

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## Singleton Local Environmental Plan 1996 (Amendment No 56)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Plan

This Plan is *Singleton Local Environmental Plan 1996 (Amendment No 56)*.

### 2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

### 3 Land to which Plan applies

- (1) To the extent that this Plan provides for the classification and reclassification of public land, it applies to all land to which *Singleton Local Environmental Plan 1996* applies.
- (2) To the extent that this Plan reclassifies certain land, it applies to:
  - (a) Lots 3–5, DP 843118, Hermitage Road, Pokolbin, and
  - (b) Lots 4–7 and 21, DP 38725, Hebden Road, Ravensworth, known as Ravensworth Park, and
  - (c) Lot 1106, DP 707427, Morrison Drive, Singleton Heights.
- (3) To the extent that this Plan reclassifies and rezones certain land, it applies to part of Lot 2, DP 828371, Blaxland Avenue, Singleton Heights, known as part of Alroy Reserve, as shown edged heavy black, lettered “6 (b)” and identified as “Operational Land” on Sheet 2 of the map marked “Singleton Local Environmental Plan 1996 (Amendment No 56)” deposited in the office of Singleton Council.

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## Schedule 1      Amendment of Singleton Local Environmental Plan 1996

### [1]    Clause 9 How are terms defined in this plan?

Insert in alphabetical order in clause 9 (1):

*public land* has the same meaning as in the *Local Government Act 1993*.

**Note.** The term is defined in the *Local Government Act 1993* as follows:

*public land* means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

### [2]    Clause 9 (1), definition of “the map”

Insert in appropriate order:

Singleton Local Environmental Plan 1996 (Amendment No 56)—Sheet 2

### [3]    Clause 39

Insert after clause 38:

#### **39    Classification and reclassification of public land**

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

**Note.** Under the *Local Government Act 1993*, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this plan to discharge trusts on which public reserves are held if the land is reclassified under this plan as operational land.

- (2) The public land described in Part 1 or Part 2 of Schedule 7 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

## 2010 No 689

Singleton Local Environmental Plan 1996 (Amendment No 56)

Schedule 1 Amendment of Singleton Local Environmental Plan 1996

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- (3) The public land described in Part 3 of Schedule 7 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 7:
  - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
  - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 7, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
  - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 7, and
  - (b) any reservations that except land out of the Crown grant relating to the land, and
  - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

**Note.** In accordance with section 30 (2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 7.

**[4] Schedule 7**

Insert after Schedule 6:

**Schedule 7 Classification and reclassification of public land**

(Clause 39)

**Part 1 Land classified, or reclassified, as operational land—no interests changed**

<b>Column 1</b>	<b>Column 2</b>
<b>Locality</b>	<b>Description</b>
Nil	

**Part 2 Land classified, or reclassified, as operational land—interests changed**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Locality</b>	<b>Description</b>	<b>Any trusts etc not discharged</b>
Pokolbin	Lots 3–5, DP 843118, Hermitage Road	Nil
Ravensworth	Lots 4–7 and 21, DP 38725, Hebden Road, known as Ravensworth Park	Nil
Singleton Heights	Part of Lot 2, DP 828371, Blaxland Avenue, known as part of Alroy Reserve, as shown edged heavy black, lettered “6(b)” and identified as “Operational Land” on Sheet 2 of the map marked “Singleton Local Environmental Plan 1996 (Amendment No 56)”	Nil
Singleton Heights	Lot 1106, DP 707427, Morrison Drive	Nil

**2010 No 689**

Singleton Local Environmental Plan 1996 (Amendment No 56)

Schedule 1 Amendment of Singleton Local Environmental Plan 1996

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**Part 3 Land classified, or reclassified, as  
community land**

<b>Column 1</b>	<b>Column 2</b>
<b>Locality</b>	<b>Description</b>
Nil	

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