



**KEMPSEY**  
Shire Council

## **DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT**

13 September, 2005

**DSDS5 RECLASSIFICATION OF COMMUNITY LAND  
148 MACLEAY STREET, FREDERICKTON  
FILE: P10-18 (LA 22669 & 18560) APB**

### **SUMMARY:**

Reporting on the intention to undertake reclassification by preparation of a draft LEP.

◆◆◆◆◆

**Subject Property:** Lot 49 DP832352 No 148 Macleay Street and  
Lot 12 DP 1069003 No 70 Cyrus Saul Circuit,  
Frederickton

### **Background**

Council considered a report at its meeting of 9 September 2003 which identified surplus public lands for disposal. The proceeds from sale of these lands was to be used to fund the upgrade and embellishment of public open space in the same locality.

Council resolved on 6<sup>th</sup> November 2003 to reclassify the subject lands from community land to operational land, following extensive public exhibition during October 2003.

### **Proposal**

It is proposed to prepare a draft Local Environmental Plan to reclassify the subject lands. This will be incorporated in the draft LEP for reclassification of land at South West Rocks.

### **REPORT IMPLICATIONS:**

- ***Environmental***

*No significant environmental impacts.*

- *Social*

*No significant social impacts. The community will benefit from improved open space facilities on public open space in the locality.*

- *Economic (Financial)*

*Sale of the land following reclassification will fund embellishment of existing open space in Frederickton.*

- *Policy or Statutory*

*Section 34 of the Local Government Act requires Council to give public notice of its intention to reclassify public land.*

*Section 27 provides reclassification of public land may be by preparation of a Local Environmental Plan. Section 29 requires a public hearing to be held. This takes place following public exhibition of the draft Local Environmental Plan. A report of the public hearing must be provided to Council and made public.*

**RECOMMENDATION:**

**That Council, in accordance with Section 54 of the Environmental Planning and Assessment Act 1979 prepare a draft Local Environmental Plan to reclassify Lot 49 DP 832352 (148 Macleay Street, Frederickton) from community land to operational land.**

.....  
**R B Pitt**  
**DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES**