



New South Wales

Hastings Local Environmental Plan No 72

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G00/00188/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 8th March 2001.

2001 No 206

Clause 1

Hastings Local Environmental Plan No 72

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1 What is this plan called?

This plan is *Hastings Local Environmental Plan No 72*.

2 What are the aims of this plan?

- (1) This plan aims to reclassify the land to which this plan applies from community to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan incidentally makes further provision for the classification or reclassification of public land as operational land as a consequence of major changes to the statutory scheme in section 30 (Reclassification of community land as operational) of the *Local Government Act 1993*.

3 Where does this plan apply?

This plan applies to part of Lot 45, DP 260243, as shown edged heavy black on the map marked “Hastings Local Environmental Plan No 72” deposited in the office of the Hastings Council.

4 How does this plan affect other environmental planning instruments?

Hastings Local Environmental Plan No 21 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 41

Omit the clause. Insert instead:

41 Classification and reclassification of public land as operational land

- (1) Land described in Part 1 of Schedule 7 is land that was classified, or reclassified, as operational land before the application of the amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.
- (2) Land described in Part 2 of Schedule 7:
 - (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.
- (3) Land described in Columns 1 and 2 of Part 3 of Schedule 7, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except those specified opposite the land in Column 3 of Part 3 of Schedule 7.
- (4) In this clause, ***the relevant amending plan***, in relation to land described in Part 3 of Schedule 7, means the local environmental plan cited at the end of the description of the land.
- (5) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 7, the Governor approved of subclause (3) applying to the land.

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[2] Schedule 7 Classification and reclassification of public land as operational

Insert “**land**” after “**operational**” in the heading to the Schedule.

[3] Schedule 7, Part 1

Insert in the Schedule before the entry for Ocean Drive, Lake Cathie, the following heading:

Part 1 Land classified, or reclassified, before the application of amendments made to s 30 of LGA 1993

[4] Schedule 7, Parts 2 and 3

Insert at the end of the Schedule the following Parts:

Part 2 Interests not changed

Part 3 Interests changed

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged
Lake Cathie		
Banjora Place	Part of Lot 45, DP 260243, as shown edged heavy black on the map marked “Hastings Local Environmental Plan No 72”— <i>Hastings Local Environmental Plan No 72.</i>	Nil

BY AUTHORITY