



New South Wales

## **City of Shoalhaven Local Environmental Plan 1985 (Amendment No 196)**

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*. (W00/00053/PC)

DIANE BEAMER, M.P.,

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

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## **City of Shoalhaven Local Environmental Plan 1985 (Amendment No 196)**

### **1    Name of plan**

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 196)*.

### **2    Aims of plan**

- (1) This plan aims to reclassify part of 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 rezone part of the land to which this plan applies so as to correct a zoning anomaly for certain land at Berrara, Conjola and Sussex Inlet.
- (3) This plan incidentally makes more extensive provisions in *City of Shoalhaven Local Environmental Plan 1985* 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    Land to which plan applies**

This plan applies to certain land situated in Bamarang, Bangalee, Berrara, Burrier, Cambewarra, Conjola, Coolangatta, Longreach, Mundamia, North Nowra, St Georges Basin, Shoalhaven Heads, Sussex Inlet, Vincentia and Yatte Yattah, as shown edged heavy black on Sheets 1 and 2 of the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 196)” deposited in the office of Shoalhaven City Council.

### **4    Amendment of City of Shoalhaven Local Environmental Plan 1985**

*City of Shoalhaven Local Environmental Plan 1985* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 6 Interpretation

Insert in appropriate order in the definition of *the map* in clause 6 (1):

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(Amendment No 196)—Sheet 2

### [2] Clause 55

Omit the clause. Insert instead:

#### **55 Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 11 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) The amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993* do not apply to the land described in Part 1 of Schedule 11.
- (3) Land described in Part 2 of Schedule 11:
  - (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.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 11, 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 (if any) specified opposite the land in Column 3 of Part 3 of Schedule 11.

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- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 11, means this plan or, if the description of the land is inserted in that Part by another local environmental plan, that plan.
- (6) Before the relevant amending plan inserted a description of land into Part 3 of Schedule 11, the Governor approved of subclause (4) applying to the land.

### [3] **Schedule 11 Classification and reclassification of public land as operational land**

Insert after the heading to the Schedule:

#### **Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993**

### [4] **Schedule 11, Parts 2 and 3**

Insert at the end of the Schedule:

#### **Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed**

Column 1	Column 2
Locality	Description
<b>Bamarang</b>	
Yalwal Road	Lot 1, DP 787799

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Column 1	Column 2
Locality	Description
<b>Bangalee</b>	
Illaroo Road	2,017 square metre parcel of land reserved for Nowra water supply UPN69271, as shown edged heavy black on Sheet 1 of the map marked "City of Shoalhaven Local Environmental Plan 1985 (Amendment No 196)"
<b>Berrara</b>	
Lakeland Avenue	Lots 1 and 2, DP 777354
<b>Burrier</b>	
Burrier Road	Lot 1, DP 771231
<b>Cambewarra</b>	
Tannery Road	Lot 1, DP 919211
<b>Coolangatta</b>	
Northview Close	Lot 20, DP 844288
<b>Longreach and Mundamia</b>	
Flatrock Road	Lot 1, DP 870268
<b>North Nowra</b>	
Coconut Drive	Lot 160, DP 844155
<b>St Georges Basin</b>	
Deane Street	Lot 51, DP 835254
<b>Shoalhaven Heads</b>	
Scott Street	Lot 30, DP 848048

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Column 1	Column 2
Locality	Description
<b>Sussex Inlet</b>	
Medlyn Avenue	Lot 169, DP 726741
The Springs Road	Lot 171, DP 726741
The Springs Road	Lot 1, DP 865961
<b>Vincentia</b>	
Moona Creek Road	Lot 3, DP 816315
<b>Yatte Yattah</b>	
Pointer Road	Lot 16, DP 847482

### Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged

BY AUTHORITY