



New South Wales

Lane Cove Local Environmental Plan 1987 (Amendment No 53)

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*. (S02/02520/S69)

DIANE BEAMER, M.P.,

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

2004 No 230

Clause 1 Lane Cove Local Environmental Plan 1987 (Amendment No 53)

Lane Cove Local Environmental Plan 1987 (Amendment No 53)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lane Cove Local Environmental Plan 1987 (Amendment No 53)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies, being public land owned by Lane Cove Municipal Council, from community land to operational land within the meaning of the *Local Government Act 1993 (the 1993 Act)*.
- (2) This plan also:
 - (a) incidentally makes more extensive provisions in *Lane Cove Local Environmental Plan 1987 (the 1987 plan)* 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 1993 Act, and
 - (b) provides a separate clause and schedule in the 1987 plan for the classification or reclassification of public land as community land.

3 Land to which plan applies

This plan applies to part of Lot 67, DP 13316, Lloyd Rees Drive, Lane Cove West, as shown edged heavy black on the map marked “Lane Cove Local Environmental Plan 1987 (Amendment No 53)” deposited in the office of Lane Cove Municipal Council.

4 Amendment of Lane Cove Local Environmental Plan 1987

Lane Cove Local Environmental Plan 1987 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clauses 19CA and 19CB

Omit clause 19CA. Insert instead:

19CA Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 7 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Columns 1 and 2 of Part 1 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:
 - (a) those (if any) specified for the land in Column 3 of Part 1 of Schedule 7, and
 - (b) any reservations that except land out of a Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).
- (3) In this clause, ***the relevant amending plan***, in relation to land described in Part 1 of Schedule 7, means the local environmental plan that inserted the description of the land into that Part.
- (4) Before the relevant amending plan inserted a description of land into Part 1 of Schedule 7, the Governor approved of subclause (2) applying to the land.
- (5) 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

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Schedule 1 Amendments

reclassification, as the case requires, as operational land.

19CB Classification and reclassification of public land as community land

The public land described in Schedule 8 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

[2] Schedules 7 and 8

Omit Schedule 7. Insert instead:

Schedule 7 Classification and reclassification of public land as operational land

(Clause 19CA)

Part 1 Interests changed

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

Part 2 Interests not changed

Column 1	Column 2
Locality	Description
Lane Cove West	

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Amendments

Schedule 1

**Schedule 8 Classification and reclassification of
public land as community land**

(Clause 19CB)

Column 1	Column 2
Locality	Description

BY AUTHORITY