

2006 No 544



New South Wales

Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 12)

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*. (9040495/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 12)*.

2 Aims of plan

- (1) This plan aims to reclassify certain Council-owned land under *Canterbury Local Environmental Plan No 148—Campsie Precinct (the Campsie plan)* from community land to operational land within the meaning of the *Local Government Act 1993 (the 1993 Act)*, in order to facilitate the development of the land in accordance with its current zoning.
- (2) This plan incidentally makes more extensive provisions in the Campsie 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.

3 Land to which plan applies

This plan applies to land situated in the City of Canterbury, known as Lot 1, DP 1071701, 67C Second Avenue, Campsie, as shown edged heavy black on the map marked “Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 12)” deposited in the office of Canterbury City Council.

4 Amendment of Canterbury Local Environmental Plan No 148—Campsie Precinct

Canterbury Local Environmental Plan No 148—Campsie Precinct is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 31

Omit the clause. Insert instead:

31 Classification and reclassification of public land as operational

- (1) The public land described in Schedule 3 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 3:
 - (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.
- (3) Land described in Columns 1 and 2 of Part 2 of Schedule 3, 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 2 of Schedule 3.
- (4) In this clause, ***the relevant amending plan***, in relation to land described in Part 2 of Schedule 3, means the local environmental plan that inserted the description of land into that Part.
- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 3, the Governor approved of subclause (3) applying to the land.

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Canterbury Local Environmental Plan No 148—Campsie Precinct
(Amendment No 12)

Schedule 1 Amendments

[2] Schedule 3 Classification and reclassification of public land as operational

Insert before the heading “Campsie”:

Part 1 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests not changed**[3] Schedule 3, Part 2**

Insert at the end of Part 1 of the Schedule:

Part 2 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
Campsie		
67C Second Avenue	Lot 1, DP 1071701, as shown edged heavy black on the map marked “Canterbury Local Environmental Plan No 148—Campsie Precinct (Amendment No 12)” deposited in the office of the Council	Nil.

BY AUTHORITY
