



New South Wales

Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)

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*.
(P00/00215/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

Sydney, 3 May 2001

2001 No 304

Clause 1 Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)

Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)*.

2 Aims of plan

- (1) This plan aims:
 - (a) to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*, and
 - (b) to rezone the land from the Open Space 6 (a) (Existing and Proposed Public Recreation) Zone to the Residential 2(b) Zone under *Baulkham Hills Local Environmental Plan 1991*,
so as to allow the land to be used as an alternate private access to an adjoining residential property.
- (2) This plan also aims to make further provision for the classification or reclassification of public land as operational land as a consequence of major changes made to the statutory scheme in section 30 (Reclassification of community land as operational) of the *Local Government Act 1993*.
- (3) This plan consequentially establishes new categories for operational land, but (subject to subclause (4)) does not make any change with respect to existing operational land.
- (4) This plan incidentally removes from the schedule of operational land in the 1991 plan land known as Lot 167, DP 872324, Adelphi Street, Rouse Hill, as that land is no longer under the care and control of Baulkham Hills Shire Council as public land.

3 Land to which plan applies

This plan applies to Lot 103, DP 244687, Sophia Crescent, North Rocks, as shown edged heavy black on the map marked "Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)" deposited in the office of Baulkham Hills Council.

4 Amendment of Baulkham Hills Local Environmental Plan 1991

Baulkham Hills Local Environmental Plan 1991 is amended as set out in Schedule 1.

2001 No 304

Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)

[2] Clause 37

Omit clause 37. Insert instead:

37 Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 4 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 4 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*.
- (3) Land described in Part 2 of Schedule 4:
 - (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.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 4, 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 4.

- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 4, means the local environmental plan cited at the end of the description of the land.
- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 4, the Governor approved of subclause (4) applying to the land.

[3] Schedule 4

Omit Schedule 4. Insert instead:

Schedule 4 Classification and reclassification of public land as operational land

(Clause 83)

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

Part of Lot 84, DP 548303 and part of Lot 7021, DP 260448, Watkins Road, Baulkham Hills, as shown edged heavy black on the map marked “Baulkham Hills Local Environmental Plan 1991 (Amendment No 36)”.

Part of Lot 14, DP 600786, Panaview Crescent, North Rocks, as shown edged heavy black on the map marked “Baulkham Hills Local Environmental Plan 1991 (Amendment No 63)”.

Lots 6, 7, 8 and 9, DP 27931 and Part Lot 1, DP 400907, 20–26 Terminus Street, Lots B and C, DP 405651, 28 Terminus Street, Lot 2, DP 20042, 265 Old Northern Road and Lot 6, DP 20042, 275 Old Northern Road, as shown edged heavy black on the map marked “Baulkham Hills Local Environmental Plan 1991 (Amendment No 69)”.

2001 No 304

Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)

Schedule 1 Amendments

Part 2 Interests not changed

Part of Lot 102, DP 711320, Portsea Place, Castle Hill, as shown edged heavy black on the map marked "Baulkham Hills Local Environmental Plan 1991 (Amendment No 82)".

Lot 105, DP 261604, Barwell Avenue, Castle Hill.

Lot 51, DP 838509, Old Northern Road, Castle Hill.

Lot 13, DP 238708, Francis Street, Castle Hill.

Part 3 Interests changed

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged
North Rocks		
Sophia Crescent	Lot 103, DP 244687— <i>Baulkham Hills Local Environmental Plan 1991 (Amendment No 81)</i>	Easement for the transmission of electricity.

BY AUTHORITY
