



New South Wales

## **Pittwater Local Environmental Plan 1993 (Amendment No 56)**

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*.  
(S01/00487/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## 2001 No 517

Clause 1 Pittwater Local Environmental Plan 1993 (Amendment No 56)

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# Pittwater Local Environmental Plan 1993 (Amendment No 56)

## 1 Name of plan

This plan is *Pittwater Local Environmental Plan 1993 (Amendment No 56)*.

## 2 Aims of plan

- (1) This plan aims to reclassify the Council owned public land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan incidentally makes more extensive provisions in *Pittwater Local Environmental Plan 1993* 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 within the local government area of Pittwater, being Lot 267, DP 27013, 205 Powderworks Road, Elanora Heights, as shown edged heavy black on the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 56)" deposited in the office of Pittwater Council.

## 4 Amendment of Pittwater Local Environmental Plan 1993

*Pittwater Local Environmental Plan 1993* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 54

Omit the clause. Insert instead:

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

- (1) The public land described in Schedule 13 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 13.
- (3) Land described in Part 2 of Schedule 13:
  - (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 13, 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 13.
- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 13, means the local environmental plan cited at the end of the description of the land.

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Schedule 1      Amendments

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- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 13, the Governor approved of subclause (4) applying to the land.

**[2] Schedule 13 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**

**[3] Schedule 13, Parts 2 and 3**

Insert at the end of the Schedule the following Parts:

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

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

Pittwater Local Environmental Plan 1993 (Amendment No 56)

Amendments

Schedule 1

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged
<b>Elanora Heights</b>		
205 Powderworks Road	Lot 267, DP 27013, as shown edged heavy black on the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 56)"— <i>Pittwater Local Environmental Plan 1993 (Amendment No 56)</i>	Nil.

BY AUTHORITY