



New South Wales

## **Lismore Local Environmental Plan 2000 (Amendment No 4)**

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*.  
(G00/00003/PC)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

Sydney, 8 February 2001.

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## 2001 No 94

Clause 1                      Lismore Local Environmental Plan 2000 (Amendment No 4)

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# Lismore Local Environmental Plan 2000 (Amendment No 4)

### 1 What is this plan called?

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 4)*.

### 2 What are the aims of this plan?

- (1) This plan aims:
  - (a) to rezone part of the land to which this plan applies from Zone No 6 (a) (the Recreation Zone) to Zone No 6 (b) (the Private Recreation Zone) under *Lismore Local Environmental Plan 2000*, and
  - (b) to reclassify the land referred to in paragraph (a) and the remainder of the land to which this plan applies from community to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan incidentally makes further provision 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 Where does this plan apply?

This plan applies:

- (a) to the extent that it rezones and reclassifies certain land, to Lot 22, DP 701863 (45 Wilson Street, South Lismore), as shown edged heavy black on Sheet 5 of the map marked “Lismore Local Environmental Plan 2000 (Amendment No 4)” deposited in the office of the Lismore City Council, and
- (b) to the extent that it reclassifies other land, to Lot 1, DP 6361233 (50 Dawson Street, Lismore), Lot 34, DP 219592 (22 Ballina Road, Goonellabah), Lot 23, DP 829442 (15 Westview Drive, Goonellabah) and Lot 29, DP 262148 (3 Barr Scott Drive, Lismore Heights), as shown edged heavy black on Sheets 1–4, respectively, of that map.

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**4 How does this plan affect other environmental planning instruments?**

*Lismore Local Environmental Plan 2000* is amended as set out in Schedule 1.

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

#### [1] Clauses 74 and 74A

Omit clause 74. Insert instead:

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

- (1) Land described in Part 1 of Schedule 6 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*.
- (2) Land described in Part 2 of Schedule 6:
  - (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.
- (3) Land described in Columns 1 and 2 of Part 3 of Schedule 6, 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 6.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 6, means the local environmental plan cited at the end of the description of the land.
- (5) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 6, the Governor approved of subclause (3) applying to the land.

**74A Classification and reclassification of public land as community land**

The public land described in Schedule 6A is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

**[2] Schedule 6 Classification and reclassification of public land**

Insert “as operational land” after “public land” in the heading to the Schedule.

**[3] Schedule 6, Part 1**

Omit the heading to Part 1 of the Schedule. Insert instead:

**Part 1 Land classified, or reclassified, before the application of amendments made to s 30 of LGA 1993**

**[4] Schedule 6, Parts 2 and 3**

Insert at the end of Part 1 of the Schedule the following Parts:

**Part 2 Interests not changed**

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Schedule 1 Amendments

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### Part 3 Interests changed

Column 1 Locality	Column 2 Description	Column 3 Trusts etc not discharged
<b>Goonellabah</b>		
22 Ballina Road	Lot 34, DP 219592, as shown edged heavy black on Sheet 2 of the map marked "Lismore Local Environmental Plan 2000 (Amendment No 4)"— <i>Lismore Local Environmental Plan 2000 (Amendment No 4)</i> .	Nil.
15 Westview Drive	Lot 23, DP 829442, as shown edged heavy black on Sheet 3 of the map marked "Lismore Local Environmental Plan 2000 (Amendment No 4)"— <i>Lismore Local Environmental Plan 2000 (Amendment No 4)</i> .	Easements noted on Certificate of Title Folio Identifier 23/829442.
<b>Lismore</b>		
50 Dawson Street	Lot 1, DP 636233, as shown edged heavy black on Sheet 1 of the map marked "Lismore Local Environmental Plan 2000 (Amendment No 4)"— <i>Lismore Local Environmental Plan 2000 (Amendment No 4)</i> .	Easements and lease noted on Certificate of Title Folio Identifier 1/636233.
<b>Lismore Heights</b>		
3 Barr Scott Drive	Lot 29, DP 262148, as shown edged heavy black on Sheet 4 of the map marked "Lismore Local Environmental Plan 2000 (Amendment No 4)"— <i>Lismore Local Environmental Plan 2000 (Amendment No 4)</i> .	Nil.

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Amendments

Schedule 1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Locality</b>	<b>Description</b>	<b>Trusts etc not discharged</b>
<b>South Lismore</b>		
45 Wilson Street	Lot 22, DP 701863, as shown edged heavy black on Sheet 5 of the map marked "Lismore Local Environmental Plan 2000 (Amendment No 4)"— <i>Lismore Local Environmental Plan 2000 (Amendment No 4)</i> .	Nil.

**[5] Schedule 6**

Omit from the Schedule the following heading:

**Part 2 Classification and reclassification of public land as community land**

Insert instead:

**Schedule 6A Classification and reclassification of public land as community land**

(Clause 74A)

**[6] Schedule 7 Definitions**

Omit "(1) In this plan". Insert instead "In this plan".

**[7] Schedule 7, definition of "the map"**

Insert in appropriate order at the end of the definition:

Lismore Local Environmental Plan 2000 (Amendment No 4)—Sheet 5.

BY AUTHORITY