



Shellharbour Local Environmental Plan 2000 (Amendment No 9)

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*. (W03/00146/S69)

DIANE BEAMER, M.P.,

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

2004 No 86

Clause 1 Shellharbour Local Environmental Plan 2000 (Amendment No 9)

Shellharbour Local Environmental Plan 2000 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000 (Amendment No 9)*.

2 Aims of plan

This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

This plan also aims to effect law revision in relation to the provision in *Shellharbour Local Environmental Plan 2000* that relates to the classification or reclassification of public land as operational land.

3 Land to which plan applies

This plan applies to land within the City of Shellharbour, being Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 9)" deposited in the office of Shellharbour City Council.

4 Amendment of Shellharbour Local Environmental Plan 2000

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

Schedule 1 Amendments

(Clause 4)

[1] **Clause 81 Classification or reclassification of public land as operational land**

Insert before clause 81 (2) (a):

- (a1) those (if any) specified for the land in Part 2 of Schedule 5, and

[2] **Clause 81 (4A)**

Insert after clause 81 (4):

- (4A) Land described in Part 3 of Schedule 5:
 - (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] **Schedule 5**

Omit the heading to the Schedule. Insert instead:

Schedule 5 Classification or reclassification of public land as operational land

[4] **Schedule 5, Part 1 heading**

Insert “**Land classified, or reclassified, under original section 30 of Local Government Act 1993**” after the heading to Part 1 of the Schedule.

[5] **Schedule 5, Part 2 heading**

Insert “**Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed**” after the heading to Part 2 of the Schedule.

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Schedule 1 Amendments

[6] Schedule 5, Part 3

Insert after Part 2 of the Schedule:

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 9)".

BY AUTHORITY
