



Hawkesbury Local Environmental Plan 1989 (Amendment No 138)

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*. (P03/00151/S69)

DIANE BEAMER, M.P.,

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

2005 No 39

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 138)

Hawkesbury Local Environmental Plan 1989 (Amendment No 138)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 138)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies, being public land, from community land to operational land within the meaning of the *Local Government Act 1993 (1993 Act)*.
- (2) This plan also incidentally makes more extensive provisions in *Hawkesbury Local Environmental Plan 1989* 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:

- (a) Lot 11, DP 861071, 14 Havelock Street, McGraths Hill, and
- (b) part of Lot 133, DP 752032, Richmond Road, Richmond, and
- (c) Lots 3 and 4, DP 816809, 2 and 16 Stewart Street, South Windsor, and
- (d) Lots X and Y, DP 163621, 292–296 George Street, Windsor, and
- (e) Lot 50, DP 1035291, 320 George Street, Windsor,

as shown edged heavy red on the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 138)” deposited in the office of Hawkesbury City Council.

4 Amendment of Hawkesbury Local Environmental Plan 1989

Hawkesbury Local Environmental Plan 1989 is amended as set out in Schedule 1.

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Schedule 1 Amendments

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(Clause 4)

[1] Clause 40C Classification and reclassification of public land as operational

Insert “, subject to this clause” after “*Local Government Act 1993*” in clause 40C (1).

[2] Clause 40C (2) (aa)

Insert before clause 40C (2) (a):

- (aa) those trusts, estates, interests, dedications, conditions, restrictions and covenants (if any) specified in relation to the land in Part 2 of Schedule 5, and

[3] Clause 40C (4)

Omit “cited at the end of the description of the parcel”.

Insert instead “that inserted the description of the parcel of land into that Part”.

[4] Clause 40C (4A)

Insert after clause 40C (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.

[5] Schedule 5 Classification and reclassification of public land as operational

Omit the heading to Part 1. Insert instead:

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Locality	Description

[6] Schedule 5, Part 1

Omit “Amendment No 43” from the matter relating to land at the corner of George Street and Rifle Range Road, Windsor.

Insert instead “Amendment No 76”.

[7] Schedule 5, Part 2

Omit the heading to the Part. Insert instead:

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Locality	Description

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Schedule 1 Amendments

[8] Schedule 5, Part 3

Insert after Part 2:

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests not changed

Locality	Description
McGraths Hill	
No 14 Havelock Street	Lot 11, DP 861071
Richmond	
Richmond Road	Part of Lot 133, DP 752032, as shown edged heavy red on Sheet 3 of the map marked "Hawkesbury Local Environmental Plan 1989 (Amendment No 138)"
South Windsor	
No 2 Stewart Street	Lot 3, DP 816809
No 16 Stewart Street	Lot 4, DP 816809
Windsor	
Nos 292–296 George Street	Lots X and Y, DP 163621
No 320 George Street	Lot 50, DP 1035291

BY AUTHORITY
