



Hastings Local Environmental Plan 2001 (Amendment No 22)

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*. (G02/00124/PC)

DIANE BEAMER, M.P.,

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

2005 No 75

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 22)

Hastings Local Environmental Plan 2001 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 22)*.

2 Aims of plan

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*, having regard to major changes to the statutory scheme in section 30 (Reclassification of community land to operational) of that Act, and
- (b) to rezone the land from Zone 7 (h) Environment Protection—Habitat to Zone 2 (a1) Residential under *Hastings Local Environmental Plan 2001*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Hastings, being part of Lot 37, DP 262273, Timber Ridge, Port Macquarie, as shown edged heavy black on the map marked “Hastings Local Environmental Plan 2001 (Amendment No 22)” deposited in the office of the Hastings Council.

4 Amendment of Hastings Local Environmental Plan 2001

Hastings Local Environmental Plan 2001 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 41

Insert after clause 40:

41 Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 7 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 7:
 - (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 2 of Schedule 7, 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:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 7, and
 - (b) any reservations that except land out of a Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).
- (4) In this clause, ***the relevant amending plan***, in relation to land described in Part 2 of Schedule 7, means the local environmental plan that inserted the description of the land into that Part.
- (5) Before the relevant amending plan inserted a description of land into Part 2 of Schedule 7, the Governor approved of subclause (3) applying to the land.

2005 No 75

Hastings Local Environmental Plan 2001 (Amendment No 22)

Schedule 1 Amendments

[2] Schedule 6 Zones and zoning map amendments

Insert in appropriate order in Part 2 of the Schedule:

Hastings Local Environmental Plan 2001 (Amendment No 22)

[3] Schedule 7

Insert after Schedule 6:

Schedule 7 Classification and reclassification of public land as operational land

(Clause 41)

Part 1 Interests not changed

Locality	Description
----------	-------------

Part 2 Interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Port Macquarie		
Timber Ridge	Part of Lot 37, DP 262273, as shown edged heavy black on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 22)"	Nil.

BY AUTHORITY
