



New South Wales

Lane Cove Local Environmental Plan 1987 (Amendment No 62)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (9042194/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Note. On 17 September 2007 the Land and Environment Court in *Bryan v Lane Cove Council and Anor [2007] NSWLEC 586* declared "Amendment No 62 to *Lane Cove Local Environmental Plan 1987* invalid".

2006 No 805

Clause 1 Lane Cove Local Environmental Plan 1987 (Amendment No 62)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lane Cove Local Environmental Plan 1987 (Amendment No 62)*.

2 Aims of plan

This plan aims to suspend any covenant, agreement or similar instrument applying to the land to which this plan applies that would otherwise restrict the erection or use of buildings on, or the use of, the land in accordance with *Lane Cove Local Environmental Plan 1987* or a development consent, so as to permit the development of one dwelling-house on each of the 2 lots.

3 Land to which plan applies

This plan applies to Lots 1 and 2, DP 1063151 (formerly comprising Lot 17, DP 29396), known respectively as Nos 83 and 85 Kenneth Street, Longueville.

4 Amendment of Lane Cove Local Environmental Plan 1987

Lane Cove Local Environmental Plan 1987 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Clause 17D

Insert after clause 17C:

17D Suspension of certain covenants etc for land at Nos 83 and 85 Kenneth Street, Longueville

- (1) This clause applies to Lots 1 and 2, DP 1063151 (formerly comprising Lot 17, DP 29396), known respectively as Nos 83 and 85 Kenneth Street, Longueville.
- (2) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, any covenant, agreement or similar instrument imposing restrictions as to the erection or use of buildings on land to which this clause applies for certain purposes or as to the use of such land for certain purposes, to the extent necessary to serve that purpose, shall not apply to that development.
- (3) Nothing in subclause (2) shall affect the rights or interests of any statutory authority under any registered instrument.
- (4) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclauses (2) and (3).