



New South Wales

# **Liverpool Local Environmental Plan 1997 (Amendment No 103)**

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*. (SRW0000650/PC)

FRANK SARTOR, M.P.,  
Minister for Planning

## 2007 No 544

Clause 1 Liverpool Local Environmental Plan 1997 (Amendment No 103)

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# Liverpool Local Environmental Plan 1997 (Amendment No 103)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Liverpool Local Environmental Plan 1997 (Amendment No 103)*.

### 2 Aims of plan

This plan aims to amend *Liverpool Local Environmental Plan 1997*:

- (a) to rezone part of the land to which this plan applies from 2 (a) Residential to 6 (a) Recreation Public, and
- (b) to reclassify the remaining land from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (c) to update provisions relating to the classification and reclassification of public land within the meaning of the *Local Government Act 1993*.

### 3 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies to Lot 184, DP 241158, Lot 100, DP 788434 and part of Lot 2, DP 730829, being part of 107 Congressional Drive near the corner of the Hume Highway, Liverpool, as is shown distinctively coloured, edged heavy black and lettered "6 (a)" on Sheet 1 of the map marked "Liverpool Local Environmental Plan 1997 (Amendment No 103)" deposited in the office of Liverpool City Council.
- (2) To the extent that this plan reclassifies land, it applies to the remainder of Lot 2, DP 730829, being part of 107 Congressional Drive, Liverpool, as shown edged heavy black on Sheet 2 of that map.

### 4 Amendment of Liverpool Local Environmental Plan 1997

*Liverpool Local Environmental Plan 1997* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 6 Definitions**

Insert in appropriate order in the definition of *The Map* in clause 6 (1):

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**[2] Clause 29**

Omit the clause. Insert instead:

**29 Classification and reclassification of public land**

- (1) The objective of this clause is to enable the Council, by means of this plan, to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

**Note.** Under the *Local Government Act 1993*, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this plan to discharge trusts on which public reserves are held if the land is reclassified under this plan as operational land.

- (2) The public land described in Part 1 or Part 2 of Schedule 6 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 6 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 6:
- (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
  - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 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 classification plan and, by the operation of that plan, is discharged from all trusts, estates,

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Schedule 1 Amendments

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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 6, and
  - (b) any reservations that except land out of the Crown grant relating to the land, and
  - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).
- (6) In this clause, the *relevant classification plan*, in relation to land described in Part 2 of Schedule 6, means this plan or, if the description of the land is inserted into that Part by another environmental planning instrument, that instrument.
- (7) Before the relevant classification plan inserted a description of land into Part 2 of Schedule 6, the Governor approved of subclause (5) applying to the land.

### [3] Schedule 6

Omit the Schedule. Insert instead:

## Schedule 6 Classification and reclassification of public land

(Clause 29)

### Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1	Column 2
Locality	Description

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**Part 2 Land classified, or reclassified, as operational land—interests changed**

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
<b>Liverpool</b>		
107 Congressional Drive (part)	Part of Lot 2, DP 730829, as shown edged heavy black on Sheet 2 of the map marked "Liverpool Local Environmental Plan 1997 (Amendment No 103)"	Nil.

**Part 3 Land classified, or reclassified, as community land**

Column 1	Column 2
Locality	Description