



New South Wales

Lane Cove Local Environmental Plan 1987 (Amendment No 66)

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*. (S07/01791/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

2009 No 16

Clause 1 Lane Cove Local Environmental Plan 1987 (Amendment No 66)

Lane Cove Local Environmental Plan 1987 (Amendment No 66)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lane Cove Local Environmental Plan 1987 (Amendment No 66)*.

2 Aims of plan

This plan aims to amend *Lane Cove Local Environmental Plan 1987* to suspend (with some exceptions) any agreement, covenant or similar instrument applying to the land to which this plan applies that would otherwise restrict the carrying out of development on the land, or a development consent granted under the *Environmental Planning and Assessment Act 1979*, so as to permit the erection 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 Lot 17, DP 29396) and 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, agreements and instruments affecting land at Nos 83 and 85 Kenneth Street, Longueville

- (1) This clause applies to Lots 1 and 2, DP 1063151 (formerly Lot 17, DP 29396) and known, respectively, as Nos 83 and 85 Kenneth Street, Longueville.
- (2) For the purpose of enabling development on the land to which this clause applies to be carried out in accordance with this plan or with a development consent granted under the *Environmental Planning and Assessment Act 1979*, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (3) This clause does not apply:
 - (a) to a covenant imposed by the council or that the council requires to be imposed, or
 - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
 - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
 - (d) to any trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
 - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
 - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*.
- (4) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (5) Under section 28 of the *Environmental Planning and Assessment Act 1979*, the Governor, before the making of this clause, approved of subclauses (2)–(4).

BY AUTHORITY