



New South Wales

Scone Local Environmental Plan 1986 (Amendment No 43)

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*. (N00/00308/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 220

Clause 1 Scone Local Environmental Plan 1986 (Amendment No 43)

Scone Local Environmental Plan 1986 (Amendment No 43)

1 Name of plan

This plan is *Scone Local Environmental Plan 1986 (Amendment No 43)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*. This plan makes extensive provisions in *Scone Local Environmental Plan 1986* 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 *Local Government Act 1993*.
- (2) This plan also aims to rezone the land from Zone No 6 (a) (the Open Space—Public Recreation Zone) to Zone No 2 (a) (the Residential “A” Zone) under the 1986 plan.

3 Land to which plan applies

This plan applies to Lot 11, DP 239406, corner of Little and Dangar Streets, Scone, as shown edged heavy black on the map marked “Scone Local Environmental Plan 1986 (Amendment No 43)” deposited in the office of Scone Shire Council.

4 Amendment of Scone Local Environmental Plan 1986

Scone Local Environmental Plan 1986 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Insert in appropriate order in the definition of *the map* in clause 5 (1):

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[2] Clause 45

Insert after clause 44:

45 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 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 those (if any) specified opposite the land in Column 3 of Part 2 of Schedule 7.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 7, means the local environmental plan cited at the end of the description of the land.

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Schedule 1 Amendments

- (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.

[3] Schedule 7

Insert after Schedule 6:

**Schedule 7 Classification and reclassification of
public land as operational land**

(Clause 42)

**Part 1 Land classified, or reclassified, under
amended section 30 of Local Government
Act 1993—interests not changed**

Column 1

Column 2

Locality

Description

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

Column 1	Column 2	Column 3
Locality	Description	Trusts etc not discharged
Scone		
Little and Dangar Streets	Lot 11, DP 239406— <i>Scone Local Environmental Plan 1986 (Amendment No 43)</i>	Nil.