



New South Wales

Narromine Local Environmental Plan 1997 (Amendment No 3)

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*. (D07/00011)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 378

Clause 1 Narromine Local Environmental Plan 1997 (Amendment No 3)

Narromine Local Environmental Plan 1997 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Narromine Local Environmental Plan 1997 (Amendment No 3)*.

2 Aims of plan

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

- (a) to rezone part of the land to which this plan applies from Zone No 1 (a) (General Rural) to Zone No 2 (v) (Village or Urban) so as to allow for residential expansion in a more appropriate and strategic location, and
- (b) to rezone part of the land from Zone No 2 (v) (Village or Urban) to Zone No 4 (General Industrial) so as to provide for the planned expansion of the Narromine Industrial Estate, and
- (c) to reclassify part of the land referred to in paragraph (b) from community land to operational land within the meaning of the *Local Government Act 1993* so as to allow for its future development, and
- (d) to effect minor law revision.

3 Land to which plan applies

- (1) With respect to the aim referred to in clause 2 (a), this plan applies to Lots 57–60, DP 755131, Dappo Road, Narromine, as shown edged heavy black and lettered “2 (v)” on Sheet 2 of the map marked “Narromine Local Environmental Plan 1997 (Amendment No 3)” deposited in the office of Narromine Shire Council.
- (2) With respect to the aim referred to in clause 2 (b), this plan applies to land known as the “Wrench land”, being Lots 102 and 103, DP 874678, Mitchell Highway, Narromine, as shown edged heavy black and lettered “4” on Sheet 1 of that map.
- (3) With respect to the aim referred to in clause 2 (c), this plan applies to Lot 103, DP 874678, Mitchell Highway, Narromine.

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- (4) With respect to the aim referred to in clause 2 (d), this plan applies to all land to which *Narromine Local Environmental Plan 1997* applies.

4 Amendment of Narromine Local Environmental Plan 1997

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

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

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

Narromine Local Environmental Plan 1997 (Amendment No 3)

[2] Clause 5 (2) (e)

Insert at the end of clause 5 (2) (d):

, and

(e) notes included in this plan do not form part of this plan.

[3] Part 3, Division 1A

Omit the heading “9A What is exempt and complying development?” from the Division.

[4] Clause 39

Insert after clause 38:

39 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 5 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 5 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 5:
- (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 5, 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, 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 5, 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 5, 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 5, the Governor approved of subclause (5) applying to the land.

[5] Schedule 5

Insert after Schedule 4:

Schedule 5 Classification and reclassification of public land

(Clause 39)

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

Column 1	Column 2
Locality	Description

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Schedule 1 Amendments

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

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Narromine		
Mitchell Highway	Lot 103, DP 874678	Nil.

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description

BY AUTHORITY