



New South Wales

## **Wingecarribee Local Environmental Plan 1989 (Amendment No 107)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(W00/00027/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## 2001 No 333

Clause 1 Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

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# Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

## 1 What is this plan called?

This plan is *Wingecarribee Local Environmental Plan 1989 (Amendment No 107)*.

## 2 What are the aims of this plan?

This plan aims:

- (a) to rezone part of the land to which this plan applies from Zone No 6 (a) (the Open Space (Existing Recreation) Zone) to Zone No 2 (c) (the Village or Township Zone) under *Wingecarribee Local Environmental Plan 1989* (the 1989 plan), and
- (b) to rezone the remainder of the land from Zone No 2 (c) to Zone No 6 (a) under the 1989 plan, and
- (c) to reclassify the land referred to in paragraph (a) from community to operational land within the meaning of the *Local Government Act 1993*.

## 3 Where does this plan apply?

This plan applies:

- (a) to the extent that it rezones and reclassifies certain land, to so much of Part Lot 33, Section 3, DP 6221, Boronia Avenue, Hill Top, and known as part of Boronia Park, as is shown edged heavy black on the map marked “Wingecarribee Local Environmental Plan 1989 (Amendment No 107)” deposited in the office of Wingecarribee Shire Council, and
- (b) to the extent that it rezones the remainder of the land, to part of Lot 21, Section 3, DP 6221, Boronia Avenue, Hill Top, as shown edged heavy black on that map.

## 4 How does this plan affect other environmental planning instruments?

*Wingecarribee Local Environmental Plan 1989* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Definitions

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

Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

### [2] Clause 38AA

Insert at the end of Part 4:

#### **38AA Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 9 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 9:
  - (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 the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of Part 2 of Schedule 9, 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 specified opposite the land in Column 3 of Part 2 of Schedule 9.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 9, means the local environmental plan cited at the end of the description of the land.

## 2001 No 333

Wingecarribee Local Environmental Plan 1989 (Amendment No 107)

Schedule 1 Amendments

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- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 9, the Governor approved of subclause (3) applying to the land.

### [3] Schedule 9

Insert after Schedule 8:

## Schedule 9 Classification and reclassification of public land as operational land

(Clause 38AA)

### Part 1 Interests not changed

### Part 2 Interests changed

| Column 1<br>Locality | Column 2<br>Description  | Column 3<br>Trusts etc not discharged |
|----------------------|--|---------------------------------------|
| <b>Hill Top</b>      |  |                                       |
| Boronia Avenue       | So much of Part Lot 33, Section 3, DP 6221, known as part of Boronia Park, as is shown edged heavy black on the map marked "Wingecarribee Local Environmental Plan 1989 (Amendment No 107)"—<br><i>Wingecarribee Local Environmental Plan 1989 (Amendment No 107).</i> | Nil.                                  |

BY AUTHORITY