



New South Wales

## **Woollahra Local Environmental Plan 1995 (Amendment No 34)**

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*.  
(S00/01568/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## 2001 No 561

Clause 1                      Woollahra Local Environmental Plan 1995 (Amendment No 34)

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# Woollahra Local Environmental Plan 1995 (Amendment No 34)

## 1 Name of plan

This plan is *Woollahra Local Environmental Plan 1995 (Amendment No 34)*.

## 2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies, being public land owned by Woollahra Municipal Council, from community land to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan incidentally makes more extensive provisions in *Woollahra Local Environmental Plan 1995* 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*.

## 3 Land to which plan applies

This plan applies to Lot 2, DP 304163, being land at the rear of (but not forming part of) 37 Union Street, Paddington, as shown edged black on the map marked “Woollahra Local Environmental Plan 1995 (Amendment No 34)—Classification Map” deposited in the office of Woollahra Municipal Council.

## 4 Amendment of Woollahra Local Environmental Plan 1995

*Woollahra Local Environmental Plan 1995* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 25A

Omit the clause. Insert instead:

#### **25A Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) The amendments made by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993* do not apply to the land described in Part 1 of Schedule 4.
- (3) Land described in Part 2 of Schedule 4:
  - (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.
- (4) Land described in Columns 1 and 2 of Part 3 of Schedule 4, 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 3 of Schedule 4.
- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 4, means the local environmental plan cited at the end of the description of the land.

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Schedule 1 Amendments

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- (6) Before the relevant amending plan inserted the description of land into Part 3 of Schedule 4, the Governor approved of subclause (4) applying to the land.

**[2] Schedule 4 Classification and reclassification of public land as operational land**

Insert after the heading to the Schedule:

**Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993**

**[3] Schedule 4, Parts 2 and 3**

Insert at the end of the Schedule the following Parts:

**Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests not changed**

<b>Column 1</b>	<b>Column 2</b>
<b>Locality</b>	<b>Description</b>
<b>Paddington</b>	
Land at the rear of (but not forming part of) 37 Union Street	Lot 2, DP 304163, as shown edged heavy black on the map marked “Woollahra Local Environmental Plan 1995 (Amendment No 34)—Classification Map”

**Part 3 Land classified, or reclassified, under  
amended section 30 of Local Government  
Act 1993—interests changed**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Locality</b>	<b>Description</b>	<b>Trusts etc not discharged</b>