



New South Wales

Bega Valley Local Environmental Plan 1987 (Amendment No 136)

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*.
(W00/00078/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 888

Clause 1 Bega Valley Local Environmental Plan 1987 (Amendment No 136)

Bega Valley Local Environmental Plan 1987 (Amendment No 136)

1 Name of plan

This plan is *Bega Valley Local Environmental Plan 1987 (Amendment No 136)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies from community to operational land within the meaning of the *Local Government Act 1993* so as to enable consideration by the Bega Valley Shire Council of its future disposal. The land is within Zone No 2 (e) (the Urban Zone) under *Bega Valley Local Environmental Plan 1987*.
- (2) This plan incidentally makes further provision 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 land situated in the local government area of Bega Valley, being part of Lot B, DP 157709, Cocora Street, Eden, as shown edged heavy black on the map marked "Bega Valley Local Environmental Plan 1987 (Amendment No 136)" deposited in the office of the Bega Valley Shire Council.

4 Amendment of other environmental planning instruments

Bega Valley Local Environmental Plan 1987 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 50

Omit the clause. Insert instead:

50 Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 6 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 land described in Part 1 of Schedule 6.
- (3) Land described in Part 2 of Schedule 6:
 - (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 6, 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 6.
- (5) In this clause, *the relevant amending plan*, in relation to land described in Part 3 of Schedule 6, means the local environmental plan cited at the end of the description of the land.

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Schedule 1 Amendments

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

[2] Schedule 6 Classification and reclassification of public land as operational land

Insert before the heading of “**Bega**” the following heading:

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

[3] Schedule 6

Insert at the end of Schedule 6 the following Parts:

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

Part 3 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
Eden		
Cocora Street	So much of Lot B, DP 157709, as is shown edged heavy black on the map marked “Bega Valley Local Environmental Plan 1987 (Amendment No 136)”— <i>Bega Valley Local Environmental Plan 1987 (Amendment No 136)</i> .	Nil.

BY AUTHORITY