



New South Wales

Tumbarumba Local Environmental Plan 1988 (Amendment No 8)

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*. (Q02/00030/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

Tumbarumba Local Environmental Plan 1988 (Amendment No 8)

1 Name of plan

This plan is *Tumbarumba Local Environmental Plan 1988 (Amendment No 8)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies, being public land, from community to operational land within the meaning of the *Local Government Act 1993 (the 1993 Act)*.
- (2) This plan incidentally makes extensive provisions in *Tumbarumba Local Environmental Plan 1988 (the 1988 plan)* for the classification or reclassification of public land as operational land as a consequence of major changes made to the statutory scheme in section 30 (Reclassification of community land as operational) of the 1993 Act.
- (3) This plan also provides in the 1988 plan for the classification or reclassification of public land as community land.

3 Land to which plan applies

- (1) To the extent that this plan reclassifies land to operational land, it applies to land situated in the local government area of Tumbarumba as described in Schedule 1 [2].
- (2) To the extent that this plan makes provision in the 1988 plan for the classification or reclassification of public land from community to operational land or from operational to community land, it applies to all land in the local government area of Tumbarumba under the 1988 plan.

4 Amendment of Tumbarumba Local Environmental Plan 1988

Tumbarumba Local Environmental Plan 1988 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clauses 37 and 38

Insert after clause 36:

37 Classification and reclassification of public land as community land

The public land described in Schedule 6 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.

38 Classification and reclassification of public land as operational land

- (1) The public land described in Part 1 or 2 of 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 the case requires, 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 for 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 this plan or, if the description of the land is inserted in that Part by another local environmental plan, that plan.
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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.

[2] Schedules 6 and 7

Insert after Schedule 5:

Schedule 6 Classification and reclassification of public land as community land
(Clause 37)

Column 1	Column 2
Locality	Description

Schedule 7 Classification and reclassification of public land as operational land
(Clause 38)

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

Column 1	Column 2
Locality/type of land	Description
Khancoban	
Alpine Way	Lot 3, DP 830807
Alpine Way	Lot 18, DP 250141
Byatt Street	Lot 1, DP 857905

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Amendments

Schedule 1

Column 1	Column 2
Locality/type of land	Description
Mitchell Avenue	Lots 5, 6, 10, 15 and 16, DP 215605
Mitchell Avenue	Lot 2, DP 841379
Mitchell Street	Lot 4, DP 816017
Nankervis Street	Lot 8, DP 250141
Pendergast Street	Lot 4, DP 838130
Pierce Street	Lot 2, DP 857905
Tumbarumba	
Bridge Street	Lots 1 and 2, DP 164512
Gilbert Street	Lot 1, DP 22042
The Parade	Lot 1, DP 565659
The Parade	Lot 13, Section 2, DP 759003
Union Lane	Lot 1, DP 728287
Winton Street	Lot B, DP 411172
Winton Street	Lot 16, Section 2, DP 759003
Winton Street	Lot 13, Section 1, DP 759003
Industrial land	
Jingellic Road	Lots 1 and 3, DP 1031033
Jingellic Road	Lot A, DP 338630
Rural land	
Craven Road	Lot 148, DP 755860
Linden Roth Drive	Lot 1, DP 1012371
Part of Mannus Lake	Lot 2, DP 608847
Murrays Crossing Road	Lots 91, 92, 97 and 98, DP 755892

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Schedule 1 Amendments

**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	Any trusts etc not discharged

BY AUTHORITY