



New South Wales

Junee Local Environmental Plan 1992 (Amendment No 4)

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*. (Q07/00003/PC)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 647

Clause 1 Junee Local Environmental Plan 1992 (Amendment No 4)

Junee Local Environmental Plan 1992 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Junee Local Environmental Plan 1992 (Amendment No 4)*.

2 Aims of plan

This plan aims:

- (a) to reclassify part of the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (b) to provide generally for the classification and reclassification of public land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

- (1) With respect to the aim referred to in clause 2 (a), this plan applies to Lots 1–8, Section 3, DP 946, being land known as Wrights Oval, corner of William and Ducker Streets, Junee.
- (2) With respect to the aim referred to in clause 2 (b), this plan applies to all the land to which *Junee Local Environmental Plan 1992* applies.

4 Amendment of Junee Local Environmental Plan 1992

Junee Local Environmental Plan 1992 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

Insert in alphabetical order in clause 6 (1):

community land has the same meaning as in the *Local Government Act 1993*.

operational land has the same meaning as in the *Local Government Act 1993*.

public land has the same meaning as in the *Local Government Act 1993*.

Note. The term is defined as follows:

public land means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

public reserve has the same meaning as in the *Local Government Act 1993*.

[2] Clause 6 (4)

Insert after clause 6 (3):

- (4) Notes in this plan are provided for guidance and do not form part of this plan.

[3] Clause 27A

Insert after clause 27:

27A Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council 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

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Schedule 1 Amendments

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 4 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 4 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 4:
 - (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 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and 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 4, 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) Before a description of any land was inserted into Part 2 of Schedule 4, the Governor approved of subclause (5) applying to the land.

[4] Schedule 4

Insert after Schedule 3:

Schedule 4 Classification and reclassification of public land

(Clause 27A)

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

Column 1	Column 2
Locality	Description

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

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged

Junee

Corner of William and Ducker Streets	Lots 1–8, Section 3, DP 946, known as Wrights Oval	Nil.
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Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description