



New South Wales

Forbes Local Environment Plan 1986 (Amendment No 14)

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*. (D07/00010/PC)

KRISTINA KENEALLY, M.P.,
Minister for Planning

2008 No 449

Clause 1 Forbes Local Environment Plan 1986 (Amendment No 14)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Forbes Local Environment Plan 1986 (Amendment No 14)*.

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 (the 1993 Act)*, and
- (b) to provide generally for the classification and reclassification of public land within the meaning of the 1993 Act.

3 Land to which plan applies

- (1) With respect to the aim referred to in clause 2 (a), this plan to certain land in Forbes as set out in Schedule 1 [2] to this plan.
- (2) With respect to the aim referred to in clause 2 (b), this plan to all the land to which *Forbes Local Environmental Plan 1986* applies.

4 Amendment of Forbes Local Environmental Plan 1986

Forbes Local Environmental Plan 1986 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 24

Insert after clause 23:

24 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 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 8 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 8 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 8:
- (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 8, 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 8, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and

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Schedule 1 Amendments

(c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

Note. In accordance with section 30 (2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 8.

[2] Schedule 8

Insert after Schedule 7:

Schedule 8 Classification and reclassification of public land

(Clause 24)

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
Forbes		
1 Angus Street	Lot 45, DP 1088423	Easements for drainage of water and overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 45/1088423.
2 Angus Street	Lot 44, DP 1088423	Nil.

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
3 Angus Street	Lot 46, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 46/1088423.
4 Angus Street	Lot 43, DP 1088423	Nil.
6 Angus Street	Lot 42, DP 1088423	Nil.
7 Angus Street	Lot 48, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 48/1088423.
8 Angus Street	Lot 41, DP 1088423	Nil.
9 Angus Street	Lot 49, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 49/1088423.
10 Angus Street	Lot 40, DP 1088423	Nil.
11 Angus Street	Lot 50, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 50/1088423.
12 Angus Street	Lot 56, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 56/1088423.

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Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
13 Angus Street	Lot 51, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 51/1088423.
15 Angus Street	Lot 52, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 52/1088423.
17 Angus Street	Lot 53, DP 1088423	Easement for overhead power lines and restrictions on the use of land (DP1088423) as noted on Certificate of Title Folio Identifier 53/1088423.
Bogan Gate Road	Lot 46, DP 1087508	Easements for services, for drainage of sewage and for drainage of water and restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 46/1087508.
36 Bogan Gate Road	Lot 1, DP 542680	Nil.
39 Browne Street	Lot 5, DP 758418	Nil.
7 Harold Street	Lot 21, DP 879550	Nil.
4 Hill Street	Lots 1 and 1A, Sec 57, DP 758108	Nil.
Landrace Road	Lot 33, DP 1041213	Nil.
2 Limousin Street	Lot 55, DP 1088423	Nil.
4 Limousin Street	Lot 54, DP 1088423	Nil.
Newell Highway and Back Yamma Road (corner of)	Lots 37, 49 and 50, DP 750154	Nil.

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
22–36 Parkes Road	Lots 1536 and 1624, DP 750158	Nil.
Unit 1, 4B Prince Street	Lot 3, SP 285915	Nil.
Unit 2, 4B Prince Street	Lot 4, SP 285915	Nil.
Unit 1, 24 Union Street	Lot 1, SP 37775	Nil.
Unit 2, 24 Union Street	Lot 2, SP 37775	Nil.
Unit 3, 24 Union Street	Lot 3, SP 37775	Nil.
Unit 4, 24 Union Street	Lot 4, SP 37775	Nil.
Unit 5, 24 Union Street	Lot 5, SP 37775	Nil.
Unit 6, 24 Union Street	Lot 6, SP 37775	Nil.
Unit 7, 24 Union Street	Lot 7, SP 37775	Nil.
Unit 8 24 Union Street	Lot 8, SP 37775	Nil.
Unit 9, 24 Union Street	Lot 9, SP 37775	Nil.
Warrul Road	Lot 8, DP 1033533	Nil.
Woolshed Road	Lot 1363, DP 750158	Nil.
85 York Street	Lot 35, DP 1087508	Easement for drainage of water (DP1087508) and restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 35/1087508.
87 York Street	Lot 36, DP 1087508	Easement for multipurpose electrical installation and restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 36/1087508.
91 York Street	Lot 38, DP 1087508	Restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 38/1087508.

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Schedule 1 Amendments

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
93 York Street	Lot 39, DP 1087508	Restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 39/1087508.
95 York Street	Lot 40, DP 1087508	Restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 40/1087508.
99 York Street	Lot 42, DP 1087508	Restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 42/1087508.
105 York Street	Lot 45, DP 1087508	Restrictions on the use of land (DP1087508) as noted on Certificate of Title Folio Identifier 45/1087508.
14 Young Street	Lot 1, DP 502029	Nil.

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description

BY AUTHORITY