



New South Wales

# **Brewarrina Local Environmental Plan 2000 (Amendment No 1)**

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*. (DUB004846A/PC)

FRANK SARTOR, M.P.,  
Minister for Planning

## **2008 No 75**

Clause 1            Brewarrina Local Environmental Plan 2000 (Amendment No 1)

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# **Brewarrina Local Environmental Plan 2000 (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Brewarrina Local Environmental Plan 2000 (Amendment No 1)*.

### **2 Aims of plan**

This plan aims to amend *Brewarrina Local Environmental Plan 2000*:

- (a) to provide for the classification or reclassification of public land within the meaning of the *Local Government Act 1993*, and
- (b) to classify or reclassify certain public lands as operational land within the meaning of the *Local Government Act 1993*.

### **3 Land to which plan applies**

- (1) To the extent that this plan makes provision for the classification or reclassification of public land, it applies to all land in the local government area of Brewarrina.
- (2) To the extent that this plan classifies or reclassifies public land as operational land, it applies to the land described in Schedule 1 [3].

### **4 Amendment of Brewarrina Local Environmental Plan 2000**

*Brewarrina Local Environmental Plan 2000* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Interpretation

Insert in alphabetical order the following:

*community land* means land classified or reclassified as community land within the meaning of the *Local Government Act 1993*.

*operational land* means land classified or reclassified as operational land within the meaning of the *Local Government Act 1993*.

### [2] Clause 43

Insert after clause 42:

#### 43 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council, by means of this plan, 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 and Part 2 of Schedule 6 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 6 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 6:
- does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
  - 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.

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Schedule 1 Amendments

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- (5) The public land described in Part 2 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 classification 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:
- (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 6, 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) In this clause, the **relevant classification plan**, in relation to land described in Part 2 of Schedule 6, means this plan or, if the description of the land is inserted into that Part by another environmental planning instrument, that instrument.
- (7) Before the relevant classification plan inserted a description of land into Part 2 of Schedule 6, the Governor approved of subclause (5) applying to the land.

### [3] Schedule 6

Insert after Schedule 5:

## Schedule 6 Classification and reclassification of public land

(Clause 43)

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

Column 1	Column 2
Locality	Description
Angledool	Lots 5 and 6, Sec 2, DP 2749, Angledool Environs, Henry Street
Angledool	Lots 10, 11 and 12, Sec 10, DP 2918, Petworth Street
Brewarrina	Lot 4, DP 3207, 16 Barwon Street
Brewarrina	Lot 2, DP 834798, Bathurst Street

<b>Column 1</b>	<b>Column 2</b>
<b>Locality</b>	<b>Description</b>
Brewarrina	Lot 1, DP 903423, 30 Bathurst Street
Brewarrina	Lot 11, DP 731399, 47–49 Bathurst Street
Brewarrina	Lot 1, DP 662476, 91 Bathurst Street
Brewarrina	Lot 156, DP 751553, Bokhara Street
Brewarrina	Portion 9, DP 1033446, Bokhara Street
Brewarrina	Lot 1304, DP 762910, WLL 3542, Bourke Road
Brewarrina	Lot 1, DP 945055, Bourke Street
Brewarrina	Lot 2, DP 1044943, Bundabulla Street
Brewarrina	Lot 3, DP 834798, Doyle Street
Brewarrina	Lot 9, Sec 1, DP 758161, 5–7 Doyle Street
Brewarrina	Lots 3 and 4, Sec 6, DP 751553, Wilson Street
Brewarrina	Lot 8, Sec 6, DP 758161, Wilson Street
Brewarrina	Lot 2, Sec 2, DP 2802, 3 Wilson Street
Brewarrina	Lot A, DP 441773; Lot 72, DP 558846, 9–11 Young Street
Brewarrina	Lots 1 and 2, DP 545076, Bundabulla Street
Goodooga	Lots 2–8, Sec 8, DP 758459, 23–27 Adam Street
Goodooga	Lot 1, DP 189615, 40b Adam Street
Goodooga	Lot 4251, DP 46644, Goodooga Airport
Goodooga	Lots 101–103, DP 1034321, Goodooga Environs

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

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

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**Part 3 Land classified, or reclassified, as community land**

<b>Column 1</b>	<b>Column 2</b>
<b>Locality</b>	<b>Description</b>

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BY AUTHORITY