



New South Wales

Cooma-Monaro Local Environmental Plan 1993—(Urban) (Amendment No 7)

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*. (Q04/00021/PC)

KRISTINA KENEALLY MP
Minister for Planning

Cooma-Monaro Local Environmental Plan 1993— (Urban) (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cooma-Monaro Local Environmental Plan 1993—(Urban) (Amendment No 7)*.

2 Aims of plan

- (1) This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.
- (2) This plan also provides for the classification and reclassification of public land as community land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Cooma-Monaro, being Lot 1, DP 62685 and Lot 12, DP 854182, as shown edged heavy black on the map marked “Cooma-Monaro Local Environmental Plan 1993—(Urban) (Amendment No 7)” deposited in the office of the Cooma-Monaro Council.

4 Amendment of Cooma-Monaro Local Environmental Plan 1993—(Urban)

Cooma-Monaro Local Environmental Plan 1993—(Urban) is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Interpretation

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*.

[2] Clause 6 (3)

Insert after clause 6 (2):

- (3) Notes included in this plan do not form part of this plan.

[3] Clause 29

Insert after clause 28:

29 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 2 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 2 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 2:
- (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and

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Schedule 1 Amendments

- (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 2, 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 2, 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*).

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 2.

[4] Schedule 2

Insert after Schedule 1:

Schedule 2 Classification and reclassification of public land

(Clause 29)

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
Cooma		
Rear of 130 Sharp Street	Lot 1, DP 62685 and Lot 12, DP 854182, as shown edged heavy black on the map marked “Cooma-Monaro Local Environmental Plan 1993—(Urban) (Amendment No 7)”.	Right-of-carriageway 3.6 metres wide and variable (DP 630214), easement to drain sewage 2 metres wide (DP 630214), right-of-carriageway 3.5 metres wide and variable (DP 630214), easement to drain sewage 2 metres wide (DP 630214), easement to drain sewage over approximate position of existing line pipes (DP 630214), right-of-carriageway 3.656 metres wide created by registration of Book 2393, No 960, right-of-way 3.05 metres wide created by registration of Book 2392, No 960, right-of-carriageway 3.655 metres wide (DP 580491) and right-of-carriageway 3.655 metres wide, as noted on Certificate of Title Folio Identifier 12/854182.

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description