



New South Wales

Holroyd Local Environmental Plan 1991 (Amendment No 54)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

2012 No 626

Clause 1 Holroyd Local Environmental Plan 1991 (Amendment No 54)

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under the

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1 Name of Plan

This Plan is *Holroyd Local Environmental Plan 1991 (Amendment No 54)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to part of Lot 1001, DP 1037793, site of former Children's Museum on Walpole Street, Holroyd, as shown hatched on the map marked "Holroyd Local Environmental Plan 1991 (Amendment No 54)" deposited in the office of Holroyd City Council.

Schedule 1 Amendment of Holroyd Local Environmental Plan 1991

[1] Clause 34A

Omit the clause. Insert instead:

34A 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 5 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 5 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 5:
- (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 5, 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 5, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and

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Schedule 1 Amendment of Holroyd Local Environmental Plan 1991

(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 5.

[2] Schedule 5

Omit the Schedule. Insert instead:

Schedule 5 Classification and reclassification of public land

(Clause 34A)

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

Column 1	Column 2
Locality	Description
Holroyd	Part of Lot 1001, DP 1037793, site of former Children's Museum on Walpole Street, Holroyd, as shown hatched on the map marked "Holroyd Local Environmental Plan 1991 (Amendment No 54)".

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

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

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

Column 1	Column 2
Locality	Description
