



New South Wales

# **Blue Mountains Local Environmental Plan 1991 (Amendment No 40)**

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*.

DANIEL KEARY

As delegate for the Minister for Planning and Infrastructure

## **2013 No 380**

Clause 1            Blue Mountains Local Environmental Plan 1991 (Amendment No 40)

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### **Blue Mountains Local Environmental Plan 1991 (Amendment No 40)**

under the

Environmental Planning and Assessment Act 1979

**1 Name of Plan**

This Plan is *Blue Mountains Local Environmental Plan 1991 (Amendment No 40)*.

**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 Lot 15, DP 8715, 36R Kanimbla Street, Leura.

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## Schedule 1      Amendment of Blue Mountains Local Environmental Plan 1991

### [1]    Clause 36

Insert after clause 35:

#### **36    Classification and reclassification of public land as operational land**

- (1) The public land described in Schedule 6 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 6:
  - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
  - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of 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 amending 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 those (if any) specified for the land in Column 3 of Part 2 of Schedule 6.
- (4) In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 6, means the local environmental plan that inserted the description of the land into that Part.
- (5) Before the relevant amending plan inserted the description of land into Part 2 of Schedule 6, the Governor approved of subclause (3) applying to the land.

**2013 No 380**

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Schedule 1      Amendment of Blue Mountains Local Environmental Plan 1991

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**[2] Schedule 6**

Insert after Schedule 5:

**Schedule 6      Classification and reclassification of public land as operational land**

(Clause 36)

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

<b>Locality</b>	<b>Description</b>
Leura	Lot 15, DP 8715, 36R Kanimbla Street

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

<b>Locality</b>	<b>Description</b>	<b>Any trusts etc not discharged</b>
Nil		

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