

Wollongong Sportsground and Old Roman Catholic Cemetery Legislation Amendment (Transfer of Land) Act 2001 No 103

[2001-103]



New South Wales

Status Information

Currency of version

Repealed version for 1 July 2005 to 7 January 2010 (accessed 18 July 2024 at 2:28)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 6 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2009 No 106](#) with effect from 8.1.2010.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Contents

Long title	3
1 Name of Act	3
2 Commencement	3
3 Amendment of Wollongong Sportsground Act 1986 No 174	3
4 Amendment of Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969 No 56	3
5 Transitional provision closing part of road and classifying as community land	3
Schedule 1 Amendment of Wollongong Sportsground Act 1986	4
Schedule 2 Amendment of Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969	5

Wollongong Sportsground and Old Roman Catholic Cemetery Legislation Amendment (Transfer of Land) Act 2001 No 103



New South Wales

An Act to amend the *Wollongong Sportsground Act 1986* and the *Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969* with respect to the transfer and dedication of certain land; and for other purposes.

1 Name of Act

This Act is the *Wollongong Sportsground and Old Roman Catholic Cemetery Legislation Amendment (Transfer of Land) Act 2001*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of *Wollongong Sportsground Act 1986 No 174*

The *Wollongong Sportsground Act 1986* is amended as set out in Schedule 1.

4 Amendment of *Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969 No 56*

The *Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969* is amended as set out in Schedule 2.

5 Transitional provision closing part of road and classifying as community land

- (1) This section applies to the areas of land shown edged black and marked “Lot 4” and “Lot 5” on the redefinition plan.
- (2) On the commencement of this section, the land to which this section applies:
 - (a) ceases to be a public road, and
 - (b) remains vested in the Council of the City of Wollongong, and
 - (c) is taken to be classified as community land under the *Local Government Act 1993*.

- (3) The rights of passage and access that existed immediately before the commencement of this section in relation to the parts of the former road to which this section applies are extinguished.
- (4) In this section, **the redefinition plan** means the plan identified as Drawing No 3117, Sheet No RES 1, Issue E, approved by the Senior Registered Surveyor for the Council of the City of Wollongong on 27 August 2001, deposited in the office of that Council.

Schedule 1 Amendment of [Wollongong Sportsground Act 1986](#)

(Section 3)

[1]-[4] (Repealed)

[5] Part 3A

Insert after section 12:

Part 3A Vesting and dedication of certain other land

12A Vesting and dedication of land excised from Andrew Lysaght Park

- (1) This section applies to the land comprising:
 - (a) part lots 93 and 94, DP 751299, City of Wollongong, as shown edged black and marked "Lot 1" on the redefinition plan, and
 - (b) part lot 94, DP 751299, City of Wollongong, as shown edged black and marked "Lot 7" on the redefinition plan.
- (2) On the commencement of this section, the land to which this section applies:
 - (a) is by this Act vested in the Crown, freed and discharged from any trusts, estates, interests, dedications, conditions, restrictions, covenants and provisions affecting the land or any part of that land, and
 - (b) is taken to be dedicated under the [Crown Lands Act 1989](#):
 - (i) in respect of the land described in subsection (1) (a)—for tourist purposes, and
 - (ii) in respect of the land described in subsection (1) (b)—for public recreation.

12B Closing of part of road and vesting and dedication of that land

- (1) This section applies to the land shown edged black and marked "Lot 6" on the redefinition plan.

- (2) On the commencement of this section, the land to which this section applies:
 - (a) ceases to be a public road, and
 - (b) is by this Act vested in the Crown, freed and discharged from any trusts, estates, interests, dedications, conditions, restrictions, covenants and provisions affecting the land or any part of the land, and
 - (c) is taken to be dedicated under the *Crown Lands Act 1989* for public recreation.
- (3) The rights of passage and access that existed immediately before the commencement of this section in relation to the part of the former road to which this section applies are extinguished.

12C Application of *Crown Lands Act 1989*

The *Crown Lands Act 1989* applies to and in respect of:

- (a) the land to which section 12A applies, on and from the commencement of that section, and
- (b) the land to which section 12B applies, on and from the commencement of that section,

except as provided by this Act or the regulations.

[6]-[10] (Repealed)

Schedule 2 Amendment of *Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969*

(Section 4)

[1], [2] (Repealed)

[3] Section 4A

Insert after section 4:

4A Closing of part of road and dedication as a public park

- (1) This section applies to the land shown edged black and marked "Lot 3" on the redefinition plan.
- (2) On the commencement of this section, the land to which this section applies:
 - (a) ceases to be a public road, and
 - (b) is vested in the Crown, freed and discharged from any trusts, estates,

interests, dedications, conditions, restrictions, covenants and provisions affecting the land or any part of that land, and

(c) is taken to be dedicated under the *Crown Lands Act 1989* for public recreation, and

(d) is taken to form part of the public park referred to in section 4 (1).

(3) The rights of passage and access that existed immediately before the commencement of this section in relation to the part of the former road to which this section applies are extinguished.

(4) Despite subsection (2) (c), the provisions of section 4 (2)-(5) apply to the land to which this section applies in the same way as they apply to the land described in the First Schedule.

[4], [5] (Repealed)