

Mudgee Local Environmental Plan 2002—Classification of Public Land (2002 EPI 695)

[2002-695]



New South Wales

Status Information

Currency of version

Repealed version for 13 September 2002 to 14 February 2008 (accessed 28 September 2024 at 9:27)

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The Plan was repealed by cl 8 (1) of the [Mid-Western Regional Interim Local Environmental Plan 2008 \(34\)](#) (GG No 16 of 15.2.2008, p 847) with effect from 15.2.2008.

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](#).

File last modified 15 February 2008

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New South Wales

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New South Wales

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S99/00785/S69)

ANDREW REFSHAUGE, M.P., Minister for Planning

1 Name of plan

This plan is *Mudgee Local Environmental Plan 2002—Classification of Public Land*.

2 Aims of plan

This plan aims:

- (a) to classify or reclassify public land from community land to operation land within the meaning of the *Local Government Act 1993*, and
- (b) to ensure the public is aware that the classification or reclassification may have the following effect:
 - (i) if the land is a public reserve, it may cease to be a public reserve,
 - (ii) if the land (or part of the land) is affected any trusts, estates, interests, dedications, conditions, restrictions or covenants, those trusts, estates, interests, dedications, conditions, restrictions or covenants may be discharged, except for those that are specifically retained.

3 Land to which plan applies

This plan applies to public land within the local government area of Mudgee described in Schedule 1.

4 Classification and reclassification of public land as operational land

- (1) The public land described in Part 1 or 2 of Schedule 1 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 1:
 - (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 1, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant 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 1.
- (4) In this clause, **the relevant plan**, in relation to land described in Part 2 of Schedule 1, means this plan or, if the description of the land is inserted in that Part by another local environmental plan, that plan.
- (5) Before the relevant plan inserted a description of land into Part 2 of Schedule 1, the Governor approved of subclause (3) applying to the land.
- (6) In Schedule 1, a reference to a map is to a map deposited in the office of Mudgee Shire Council.

Schedule 1 Classification and reclassification of public land as operational land

(Clause 4)

Part 1 Land classified or reclassified—interests not changed

Column 1	Column 2
Locality	Description

Part 2 Land classified or reclassified—interests changed

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

Mudgee

Byron Place	Lots 1 and 2, DP 567513 and Lot 400, DP 756894	Nil
Mortimer Street	Lot 3, DP 830698 and Lot 1, DP 112922	Nil
Perry Street	Lot 2, DP 777991	Nil
Short Street	Lot 6, Section 55, DP 758721	Nil

Munna

Tuckermans Road	Lot 19, DP 251719	Nil
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