



New South Wales

Coonabarabran Local Environmental Plan 1990 (Amendment No 3)

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 574

Clause 1 Coonabarabran Local Environmental Plan 1990 (Amendment No 3)

Coonabarabran Local Environmental Plan 1990 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Coonabarabran Local Environmental Plan 1990 (Amendment No 3)*.

2 Commencement

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

3 Land to which Plan applies

- (1) To the extent this Plan reclassifies land from community land to operational land under *Coonabarabran Local Environmental Plan 1990*, this Plan applies to the land set out in Schedule 1 [2].
- (2) To the extent this Plan reclassifies land from community land to operational land under *Coolah Local Environmental Plan 2000*, this Plan applies to the land set out in Schedule 2 [2].

Schedule 1 Amendment of Coonabarabran Local Environmental Plan 1990

[1] Schedule 6 Classification and reclassification of public land

Omit “Nil” wherever occurring in Part 2.

[2] Schedule 6, Part 2

Insert the following in Columns 1, 2 and 3, respectively:

Baradine	Lot 205, DP 704113, Coonabarabran Road	Nil
Baradine	Lot 12, DP 600701, Liverpool Street	Nil
Binnaway	Lot 2, DP 1079791, Yarren Street	Nil
Bugaldie	Lot 1, DP 417380, Baradine Road	Nil
Coonabarabran	Lot 2, DP 200690, 61 Cassillis Street	Nil
Coonabarabran	Lot 266, DP 753378, Dalgarno Street	Nil
Coonabarabran	Lots 1–3, DP 1007189, Essex Street	Nil
Coonabarabran	Lot 2, Section 27, DP 758281, 8 Essex Street	Nil
Coonabarabran	Lot 1, DP 1103578, 27–29 John Street	Nil
Coonabarabran	Lot 6, Section 10, DP 758281, Namoi Street	Nil
Coonabarabran	Lot 2, DP 712551, Newell Highway	Nil
Coonabarabran	Lots 3–5, DP 18607, Newell Highway	Nil
Coonabarabran	Lot 11, Section 3, DP 758281, 14 Robertson Street	Nil
Coonabarabran	Lot 443, DP 753378, Ulan Street	Nil

Schedule 2 Amendment of Coolah Local Environmental Plan 2000

[1] Clause 38

Insert after clause 37:

38 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

- (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

Insert after Schedule 4:

Schedule 5 Classification and reclassification of public land

(Clause 38)

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

Column 1	Column 2
Locality	Description
Nil	

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

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Coolah, 1 Lew Close	Lot 2, DP 875499	Nil
Coolah, 139 Martin Street	Lot 3, DP 875499	Nil
Coolah, 143 Martin Street	Lot 1, DP 875499	Nil
Dunedoo, 38–40 Bolaro Street	Lot 3, Section 2, DP 758364	Nil
Dunedoo, Wargundy Street	Lot 321A, DP 938173; Lot 321C, DP 938174; Lot 2, DP 234563	Nil
Leadville, Ivan Dougherty Drive	Lot 1, DP 883570	Nil

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Schedule 2 Amendment of Coolah Local Environmental Plan 2000

Part 3 Land classified, or reclassified, as community land

Column 1	Column 2
Locality	Description
Nil	