



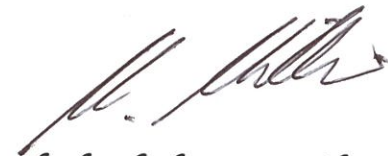
Minute Paper for the Executive Council

Subject: - Approval of the Governor under section 30(2) of the Local Government Act 1993

Department of Planning, Industry
and Environment

Document Number: IRF19/4630

*Approved by the
Executive Council,*



Clerk of the Council.

Minute No. -- 35 --

Date 11 DEC 2019

Approved,



Governor

*Her Excellency the Governor
and The Executive Council*

I RECOMMEND for the approval of Her Excellency the Governor, with the advice of the Executive Council, pursuant to section 30(2) of the *Local Government Act 1993*, the insertion of certain land into Part 2 of Schedule 4 to the *Cowra Local Environmental Plan 2012* by the *Cowra Local Environmental Plan 2012 (Amendment No 4)*.

Clause 5.2 of the *Cowra Local Environmental Plan 2012* provides that the public land described in Part 2 of Schedule 4, 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 interests affecting the land or any part of the land (unless otherwise specified).



The Hon. Robert Stokes MP
Minister for Planning and Public
Spaces



New South Wales

Cowra Local Environmental Plan 2012 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

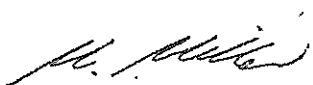
The following local environmental plan is made by the local plan-making authority under the
Environmental Planning and Assessment Act 1979.

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Approved by the
Executive Council

MIN No. - 3 5 - -

11 DEC 2019



Clerk of the Council

Cowra Local Environmental Plan 2012 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Cowra Local Environmental Plan 2012 (Amendment No 4)*.

2 Commencement

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

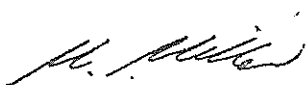
3 Land to which Plan applies

This Plan applies to the land to which *Cowra Local Environmental Plan 2012* applies.

Approved by the
Executive Council!

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Clerk of the Council

Schedule 1 Amendment of Cowra Local Environmental Plan 2012

[1] Schedule 4 Classification and reclassification of public land

Omit "Nil" from Part 1. Insert instead:

Sloan Street, Billimari	Lots 5 and 6, Section 2, DP 758107
Lowes Lane, Cowra	Lot 45, DP 975291
Pack Street, Cowra	Lots 1 and 2, DP 1092182
Railway Lane, Cowra	Lot 22, DP 1104564
North Logan Road, Cowra	Lots 146–148, DP 1122349
Doncaster Drive, Cowra	Lot 1, DP 1001730
Lachlan Valley Way, Cowra	Lot 1, DP 180296
Darling Street, North Cowra	Lot 6, DP 304949
Evans Street, Cowra	Lot 21, DP 862774
Lachlan Valley Way, Koorawatha	Lot 1, DP 1099236
Camp Road, Cowra	Lot 1, DP 1060195
Lachlan Street, Cowra	Lot 2260, DP 1122311
Brisbane Street, Cowra	Lot 50, DP 862889
Bennelong Place, Cowra	Lot 2, DP 867898
Clearview Road, Darbys Falls	Lot 1, DP 1118115
Clearview Road, Darbys Falls	Lot 2, DP 1118115
Forbes Street, Gooloogong	Lot 2, Section 27, DP 758462
Oaky Creek Road, Wyangala	Lot 1, DP 1063303
Rankin Street, Woodstock	Lot 1, DP 382774

[2] Schedule 4, Part 2

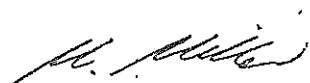
Omit "Nil". Insert instead:

Waratah Street, Cowra	Lot 4, DP 811274	Reservations and conditions in the Crown Grant (s) as noted on Certificate of Title Folio Identifier 4/811274
Kangaroooby Road, Gooloogong	Lot 16, DP 845643	Land excludes minerals and is subject to reservations and conditions in favour of the Crown – see Crown Grant (s), and land excludes the road (s) shown in the title diagram, as noted on Certificate of Title Folio Identifier 16/845643

Approved by the
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MIN No. - 3 5 - -

11 DEC 2019



Clerk of the Council



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Cowra Local Environmental Plan 2012 (Amendment No 4)

Your ref: Barbara Wehbe
Our ref: e2019-123.d05

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

Before the instrument is made, the approval of the Governor should be obtained in accordance with section 30 (2) of the *Local Government Act 1993* (relating to the operational land described in Part 2 of Schedule 4, to be inserted by the instrument)

The environmental planning instrument should be published on the NSW legislation website.

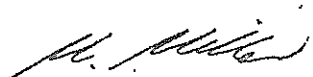
A handwritten signature in black ink, appearing to read 'A O'Callaghan'.

(A O'CALLAGHAN)
Parliamentary Counsel
12 July 2019

Approved by the
Executive Council

MIN No. - 3 5 - -

11 DEC 2019



Clerk of the Council

EXPLANATORY NOTE

Proposed reclassification of land under *Cowra Local Environmental Plan 2012* (Amendment No 4)

The *Cowra Local Environmental Plan 2012* (Amendment No 4) (proposed LEP) involves the reclassification of land under the *Local Government Act 1993* from community to operational land. Following a review of the *Cowra Local Environmental Plan 2012* (Cowra LEP), the council has identified the need to reclassify 25 parcels of community land to operational land to benefit the broader community.

The subject land comprises these lots:

- | | | |
|------------------------------|-------------------------|--------------------------------|
| 1. Lot 5 section 2 DP 758107 | 9. Lot 148 DP 1122349 | 17. Lot 50 DP 862889 |
| 2. Lot 6 section 2 DP 758107 | 10. Lot 1 DP 1001730 | 18. Lot 2 DP 867898 |
| 3. Lot 45 DP 975291 | 11. Lot 1 DP 180296 | 19. Lot 1 DP 1118115 |
| 4. Lot 1 DP 1092182 | 12. Lot 6 DP 304949 | 20. Lot 2 DP 1118115 |
| 5. Lot 2 DP 1092182 | 13. Lot 21 DP 862774 | 21. Lot 2 section 27 DP 758462 |
| 6. Lot 22 DP 1104564 | 14. Lot 1 DP 1099236 | 22. Lot 1 DP 1063303 |
| 7. Lot 146 DP 1122349 | 15. Lot 1 DP 1060195 | 23. Lot 1 DP 382774 |
| 8. Lot 147 DP 1122349 | 16. Lot 2260 DP 1122311 | 24. Lot 4 DP 811274 |
| | | 25. Lot 16 DP 845643 |

Clause 5.2 of the Cowra LEP was made pursuant to section 30 of the *Local Government Act 1993* and provides for the reclassification of community land as operational. This clause provides that the public land described in Part 2 of Schedule 4, 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 interests affecting the land or any part of the land (unless otherwise specified).

The proposed LEP will insert Lot 4 DP 811274 and Lot 16 DP 845643 into Part 2 of Schedule 4 to the Cowra LEP to remove the interests on title and enable their reclassification from community to operational land. The proposed LEP will also insert the remaining 23 lots into Part 1 of Schedule 4 to enable their reclassification from community to operational land, with no interests removed.

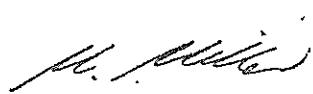
Section 30(2) of the *Local Government Act 1993* provides that a provision of a proposed LEP that reclassifies community land as operational has effect according to its tenor, but only if the Governor has approved the provision before the making of the plan. Accordingly, the Governor's approval is sought to include Lot 4 DP 811274 and Lot 16 DP 845643 in Part 2 of Schedule 4 to the Cowra LEP.

The Parliamentary Counsel has issued an opinion dated 11 October 2019 that the proposed LEP may be legally made.

Department contact:	Monica Gibson	Damien Pfeiffer	Legal contact:	Barbara Wehbe
Title:	Executive Director, Local and Regional Planning	Director, Western Region, Local and Regional Planning	Title:	Legal Officer
Mobile:	0402 968 834	0400 978 105	Phone:	02 9274 6172

Approved by the
Executive Council

MIN No. - 3 5 - - 11 DEC 2019



Clerk of the Council