



New South Wales

# **Ku-ring-gai Local Environmental Plan (Town Centres) 2010 (Amendment No 1)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the  
*Environmental Planning and Assessment Act 1979*. (10/15578)

TONY KELLY, MLC  
Minister for Planning

## 2010 No 711

Clause 1

Ku-ring-gai Local Environmental Plan (Town Centres) 2010 (Amendment No 1)

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# Ku-ring-gai Local Environmental Plan (Town Centres) 2010 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of Plan

This Plan is *Ku-ring-gai Local Environmental Plan (Town Centres) 2010 (Amendment No 1)*.

## 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) In respect of the amendment relating to the suspension of covenants, agreements and instruments, this Plan applies to all land to which *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* applies.
- (2) In respect of the amendment relating to a heritage item, this Plan applies to the house and land at 20 Park Crescent, Pymble.

## 4 Maps

Each map adopted by *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* that is specified in Column 1 of the following Table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the Table as approved by the Minister on the making of this Plan.

| Column 1                                                                                                 | Column 2                                                                                                 |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Name of map being amended or replaced                                                                    | Name of amending or replacement map                                                                      |
| Ku-ring-gai Local Environmental Plan (Town Centres) 2010 Heritage Map<br>(4500_CEN_HER_010_005_20100503) | Ku-ring-gai Local Environmental Plan (Town Centres) 2010 Heritage Map<br>(4500_CEN_HER_010_005_20101109) |

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## **Schedule 1      Amendment of Ku-ring-gai Local Environmental Plan (Town Centres) 2010**

### **[1]    Clause 1.9A**

Insert after clause 1.9:

#### **1.9A    Suspension of covenants, agreements and instruments**

- (1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
  - (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
  - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
  - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
  - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
  - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
  - (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

### **[2]    Schedule 5 Environmental heritage**

Omit all matter relating to item I70 from Part 1 of Schedule 5.