



Warringah Local Environmental Plan 2000 (Land Reclassifications)— (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01654/S69)

DIANE BEAMER, M.P.,
Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Warringah Local Environmental Plan 2000 (Land Reclassifications)—(Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Warringah Local Environmental Plan 2000 (Land Reclassifications)—(Amendment No 5)*.

2 Aims of plan

This plan aims to reclassify the public land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to Lot 3, DP 243145, and known as No 10 Kimbriki Road, Terrey Hills, as shown edged heavy black on Sheet 8 of the map marked “Warringah Local Environmental Plan 2000 (Land Reclassifications)” deposited in the office of Warringah Council.

4 Amendment of Warringah Local Environmental Plan 2000 (Land Reclassifications)

Warringah Local Environmental Plan 2000 (Land Reclassifications) is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 1 Name of plan

Omit “*Land Reclassifications*”.

Insert instead “*Classification and Reclassification of Public Land*”.

[2] Clause 2 Aims of plan

Omit “reclassify land from ‘community’ to ‘operational’ within the meaning”.

Insert instead “classify or reclassify public land as operational land for the purposes”.

[3] Clause 4

Omit the clause. Insert instead:

4 Classification and reclassification of public land as operational land

- (1) The public land described in 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 Columns 1 and 2 of 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 amending 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:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 1, and

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Schedule 1 Amendments

- (b) any reservations that except land out of a Crown grant relating to the land, and
- (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(4) In this clause, ***the relevant amending plan***, in relation to land described in Part 2 of Schedule 1, means the local environmental plan that inserted the description of the land into that Part.

(5) Before the relevant amending plan inserted the 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 a reference to a map deposited in the office of Warringah Council.

[4] Schedule 1 Classification and reclassification of public land as operational land

Insert before the headings “Column 1”, “Column 2” and “Column 3”:

Part 1 Interests not changed

Column 1	Column 2
Locality	Description
Terrey Hills	
10 Kimbriki Road	Lot 3, DP 243145, as shown edged heavy black on Sheet 8 of the map marked “Warringah Local Environmental Plan 2000 (Land Reclassifications)”.

Part 2 Interests changed

BY AUTHORITY