



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

**Legislative Council Office Sydney 20 November 2003**

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Act passed by the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, viz.:

Act No. 65, 2003 - An Act to amend the *Transport Administration Act 1988* to constitute the Independent Transport Safety and Reliability Regulator and to establish the Independent Transport Safety and Reliability Advisory Board, to amend other Acts with respect to their functions and to make other provision with respect to the safety and reliability of public transport services and the investigation of public transport accidents; and for other purposes. [**Transport Legislation Amendment (Safety and Reliability) Act 2003**]

John Evans  
Clerk of the Parliaments

**ACTS OF PARLIAMENT ASSENTED TO****Legislative Assembly Office, Sydney, 20 November 2003**

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 66 2003 - An Act to amend the Constitution Act 1902 and the Statutory and Other Offices Remuneration Act 1975 with respect to the salary of the Governor. **[Constitution Amendment (Governor's Salary) Bill]**

Act No. 67 2003 - An Act to amend the Coptic Orthodox Church (NSW) Property Trust Act 1990 to make further provision with respect to the trust constituted by that Act; and for other purposes. **[Coptic Orthodox Church (NSW) Property Trust Amendment Bill]**

Act No. 68 2003 - An Act to amend the Motor Accidents Compensation Act 1999 to provide that the exclusion of acts of terrorism from the compulsory third-party insurance coverage under that Act and from claims against the Nominal Defendant will operate until a date appointed by proclamation. **[Motor Accidents Compensation Amendment (Terrorism) Bill]**

Act No. 69 2003 - An Act to provide for the registration of podiatrists; to repeal the Podiatrists Act 1989; and for other purposes. **[Podiatrists Bill]**

Act No. 70 2003 - An Act to amend the Sydney Water Catchment Management Act 1998 with respect to the generation and supply of hydro-electricity by the Sydney Catchment Authority. **[Sydney Water Catchment Management Amendment Bill]**

Act No. 71 2003 - An Act to amend certain Acts with respect to courts and court procedures and proceedings; to amend the Oaths Act 1900 with respect to persons who may witness affidavits and statutory declarations; and for other purposes. **[Courts Legislation Amendment Bill]**

Act No. 72 2003 - An Act to make miscellaneous amendments to the Coroners Act 1980 with respect to the holding of inquests and inquiries; and for other purposes. **[Coroners Amendment Bill]**

Act No. 73 2003 - An Act to amend the Independent Commission Against Corruption Act 1988 in relation to the designation of a committee of the Legislative Assembly to carry out functions concerned with parliamentary ethical standards; and for other purposes. **[Independent Commission Against Corruption Amendment (Ethics Committee) Bill]**

Act No. 74 2003 - An Act to amend the Employees Liability Act 1991 to confirm that police officers are employees of the Crown for the purposes of that Act; to amend the Law Reform (Vicarious Liability) Act 1983 to require persons seeking damages for

torts committed by police officers in the performance or purported performance of their official functions generally to sue the Crown instead of the police officers concerned; to amend the Police Act 1990 to extend the exclusion from civil liability of members of NSW Police; and for other purposes. **[Police Legislation Amendment (Civil Liability) Bill]**

Russell D. Grove PSM  
Clerk of the Legislative Assembly

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## Proclamations

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### Proclamation

under the

Dams Safety Act 1978 No 96

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 27 (1) of the *Dams Safety Act 1978*, do, by this my Proclamation, amend Schedule 1 to that Act:

(a) by inserting in alphabetical order of names of dams the following matter:

Bengalla Stage Discharge	Unnamed creek, Bengalla, near Muswellbrook
Broula King Gold Mine Tailings	Tyagong Creek, Bumbaldry
Cadia North Waste Dump Detention Basin	Hoare's Creek, Cadia, near Orange
Camberwell Tailings 2	Station Creek, Singleton
Campbelltown Link Area Basin 1	Tributary of Bow Bowing Creek, Campbelltown
Chain of Ponds 13B	Chain of Ponds Creek, Muswellbrook
Donaldson Coal Dirty Water	Tributary of Weakley's Flat Creek, Beresfield
Duralie Coal Mine Water	Cheer Up Gully, Muswellbrook

Proclamation

Explanatory note

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Duralie Coal Shaft Creek	Coal Shaft Creek, Muswellbrook
Edgewood Detention Basin	Hollymount Creek, Woonona
Elanora	Tributary of Bakers Creek, Hillgrove
Greenway Drive Retarding Basin 10A–B	Tributary of Cabramatta Creek, Leppington
Hunter Valley North Pit Tailings	Singleton
Lake Pambulong Detention Basin	Unnamed watercourse, West Wallsend
Lidcombe Basin No 6	Tributary of Haslams Creek, Lidcombe
Liddell Ash Levee	Bayswater Creek, Muswellbrook
Mt Owen North Void Tailings	Hebden
Mt Owen Rail Loop Tailings	Hebden
Pecan Close Retarding Basin	Wingello Creek, Wyoming
Rouse Hill Detention Basin 9B	Smalls Creek, Kellyville
Shellcove Estate Dention Basin 1	Watercourse No 1, Shellharbour

(b) by omitting the following matter:

Bengalla Mine Raw Water	Unnamed Creek, Bengalla, near Muswellbrook
Bulli Colliery Mine Dam	Slacky Creek, Bulli
Donaldson Mine Tailings Dam	Tributary of Weakley's Flat Creek, Hunter Valley
Dora Creek Effluent Pond	Off-stream of Dora Creek near Morrisset

Proclamation

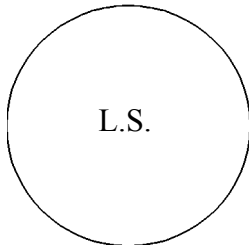
Explanatory note

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London Victoria Tailings	London Victoria Mine near Parkes
Lucky Draw Tailings	Burruga
Retention Basin 2 B	Toongabbie Creek, Toongabbie
Stoney Pinch Reservoir	Beresfield, Newcastle
Wellington	Bushrangers Creek at Wellington
Wellington	Bushrangers Creek near Wellington
Wollondilly Washery Tailings	Unnamed creek near Nattai

Signed and sealed at Sydney, this 12th day of November 2003.

By Her Excellency's Command,



CRAIG KNOWLES, M.P.,  
Minister for Natural Resources

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to amend Schedule 1 to the *Dams Safety Act 1978* (Prescribed dams):

- (a) to add the names of dams to the list of prescribed dams under the Act so as to enable the Dams Safety Committee to exercise certain powers in relation to those dams (including issuing notices requiring work to be done in relation to the safety of those dams), and
- (b) to omit the names of other dams from the list.

This proclamation is made under section 27 (1) of the Act.



New South Wales

## Proclamation

under the

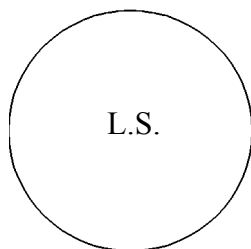
Environmental Planning and Assessment Amendment  
(Development Consents) Act 2003 No 60

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Environmental Planning and Assessment Amendment (Development Consents) Act 2003*, do, by this my Proclamation, appoint 1 December 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of November 2003.

By Her Excellency's Command,



CRAIG KNOWLES, M.P.,  
Minister for Infrastructure and Planning

GOD SAVE THE QUEEN!



## Proclamation

under the

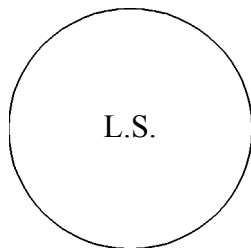
Gaming Machines Amendment (Miscellaneous) Act 2003

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Gaming Machines Amendment (Miscellaneous) Act 2003*, do, by this my Proclamation, appoint 1 December 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of November 2003.

By Her Excellency's Command,



GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

GOD SAVE THE QUEEN!





New South Wales

## Proclamation

under the

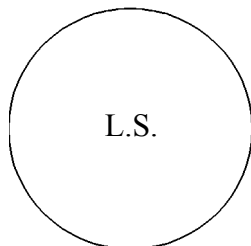
Gaming Machines Amendment (Shutdown Periods) Act 2003  
No 16

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Gaming Machines Amendment (Shutdown Periods) Act 2003* do, by this my Proclamation, appoint 1 December 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of November 2003.

By Her Excellency's Command,



GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

GOD SAVE THE QUEEN!



## Proclamation

under the

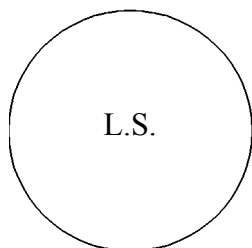
Independent Commission Against Corruption Amendment  
(Ethics Committee) Act 2003

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Independent Commission Against Corruption Amendment (Ethics Committee) Act 2003*, do, by this my Proclamation, appoint 1 December 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of November 2003.

By Her Excellency's Command,



BOB CARR, M.P.,  
Premier

GOD SAVE THE QUEEN!



## Proclamation

under the

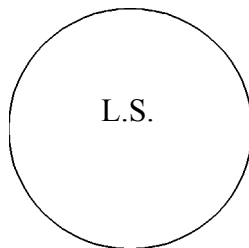
Lotteries and Art Unions Amendment Act 2003 No 19

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Lotteries and Art Unions Amendment Act 2003*, do, by this my Proclamation, appoint 1 December 2003 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of November 2003.

By Her Excellency's Command,



GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

GOD SAVE THE QUEEN!

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# Regulations

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New South Wales

## Gaming Machines Amendment (Hardship Applications) Regulation 2003

under the

Gaming Machines Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gaming Machines Act 2001*.

GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

### Explanatory note

Section 26 of the *Gaming Machines Act 2001* provides for the making of an application for approval to keep an additional number of approved gaming machines to the number kept when the section commenced. Such an application is called a “hardship application”. Section 33, which applies to hardship applications in respect of a new hotel, requires an applicant to provide a social impact assessment in connection with the application. Clause 40 of the *Gaming Machines Regulation 2002* exempts hardship applications from certain hotels from the requirement to provide a social impact assessment, namely hotels in respect of which the licence under the *Liquor Act 1982* was or is removed after 26 July 2001 to other premises within the same neighbourhood as the previous premises.

The object of this Regulation is to include within that exemption hotels in respect of which the licence under the *Liquor Act 1982* was or is removed after 26 July 2001 to other premises within 1 kilometre of the previous premises.

This Regulation is made under the *Gaming Machines Act 2001*, in particular section 210 (4) which provides for the regulations to exempt persons from any requirements of the Act or the regulations.

Clause 1 Gaming Machines Amendment (Hardship Applications) Regulation 2003

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## **Gaming Machines Amendment (Hardship Applications) Regulation 2003**

under the

Gaming Machines Act 2001

### **1 Name of Regulation**

This Regulation is the *Gaming Machines Amendment (Hardship Applications) Regulation 2003*.

### **2 Amendment of Gaming Machines Regulation 2002**

The *Gaming Machines Regulation 2002* is amended by omitting the definition of *relevant hotel* from clause 40 (1) and by inserting instead:

*relevant hotel* means a hotel in respect of which the licence under the *Liquor Act 1982* was or is removed after 26 July 2001 to other premises:

- (a) within the same neighbourhood as the previous premises, or
- (b) within one kilometre of the previous premises.



# Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

under the

Lotteries and Art Unions Act 1901

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Lotteries and Art Unions Act 1901*.

GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

## Explanatory note

The object of this Regulation is to make various amendments to the *Lotteries and Art Unions Regulation 2002*. The amendments insert Part 7A which provides special conditions in respect of not-for-profit promotional raffles conducted in registered clubs and Part 7B which provides special conditions in respect of club bingo conducted in registered clubs. This Regulation also makes provision for records to be kept for games of chance conducted in registered clubs and provides for the keeping and lodgment of certain financial records in relation to lotteries conducted by art unions.

This Regulation is made under the *Lotteries and Art Unions Act 1901*, including sections 4 (1), 4C, 17B (2) and 23 (the general regulation-making power).

Clause 1 Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

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## **Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003**

under the

Lotteries and Art Unions Act 1901

### **1 Name of Regulation**

This Regulation is the *Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003*.

### **2 Commencement**

This Regulation commences on 1 December 2003.

### **3 Amendment of Lotteries and Art Unions Regulation 2002**

The *Lotteries and Art Unions Regulation 2002* is amended as set out in Schedule 1.

Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

### [1] Parts 7A and 7B

Insert after Part 7:

## Part 7A Not-for-profit promotional raffles conducted by registered clubs

### Division 1 Preliminary

#### 112A Application

- (1) This Part applies to not-for-profit promotional raffles conducted by a registered club under section 4C of the Act.
- (2) For the purposes of the definition of *Lottery* in section 4 (1) of the Act, a not-for-profit promotional raffle conducted in the premises of a registered club is prescribed as a game or method of disposing of prizes that is not a lottery within the meaning of that section.

#### 112B Definitions

- (1) In this Part:
  - not-for-profit promotional raffle* means a raffle conducted by a registered club:
    - (a) for the purpose of attracting patronage to the club's facilities, and
    - (b) the profits of which are wholly or substantially used to meet the cost of prizes in such raffles.
  - rules* means the rules formulated under clause 112C.
  - session* of raffles means a number of raffles held in succession on the same occasion at the same place.
  - ticket* includes a right to participate in a not-for-profit promotional raffle.
- (2) In this Part, a reference to a not-for-profit promotional raffle conducted by a registered club includes a reference to a not-for-profit promotional raffle conducted under the authority of a registered club.



Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Schedule 1 Amendments

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## **Division 2 Requirements when conducting not-for-profit promotional raffles**

### **112C Formulation and display of rules**

- (1) A registered club that intends to conduct a not-for-profit promotional raffle must formulate rules in accordance with this clause under which a person may participate in the raffle.
- (2) The rules must make provision for the following:
  - (a) the conditions of entry (including the minimum age of the participants),
  - (b) the charge, if any, to be made for participating in the raffle and the method, if any, for discounting the charge,
  - (c) the manner in which any prizes are to be calculated, determined and awarded,
  - (d) the place, time and date of the raffle,
  - (e) the manner in which prizewinners are to be notified under clause 112J,
  - (f) the method for claiming prizes under clause 112J,
  - (g) the manner in which disputes concerning the conduct of the raffle or the claiming of the prizes are to be resolved,
  - (h) that persons conducting or assisting in the conduct of the raffle cannot enter the raffle.
- (3) The rules must be displayed prominently at the place where the raffle is being conducted.
- (4) The rules must be consistent with the provisions of the Act and this Regulation.

### **112D Information to be made available to participants**

- (1) A registered club that conducts a not-for-profit promotional raffle or a session of raffles must use its best endeavours to ensure the following information is made available to participants:
  - (a) the cost of the tickets,
  - (b) details of the prizes and their value,
  - (c) the rules.

## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

## Amendments

## Schedule 1

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- (2) A registered club that conducts a not-for-profit promotional raffle may change the place, date and time of the draw if notice of the change is prominently displayed for at least 24 hours immediately before the new date and time of the draw.
  - (3) A registered club that conducts a not-for-profit promotional raffle must use its best endeavours to ensure that any draw takes place in accordance with the information provided to the participants.
  - (4) Nothing in this clause limits any requirements arising under the *Registered Clubs Act 1976*.

**112E Sale and distribution of tickets**

Tickets for entry into a not-for-profit promotional raffle:

- (a) are to be distributed only within the premises of the registered club that conducts the raffle, and
- (b) are to be available only to members of the registered club and their guests.

**112F Maximum charge for entry**

For the purposes of section 4C (3) (d) of the Act, any charge or consideration for participating in a not-for-profit promotional raffle must not exceed \$5 for a ticket.

**112G Conduct of raffle**

- (1) A not-for-profit promotional raffle must not take place unless it is conducted:
  - (a) within the premises of a registered club and in an area at which the members may attend, and
  - (b) in the presence of and under the supervision of 2 or more persons engaged in the conduct of the raffle or the management of the registered club.
- (2) If more than one prize is offered in a not-for-profit promotional raffle:
  - (a) the major prize must be drawn first and the other prizes must be then drawn in descending order of number and value, or
  - (b) if the rules describe a different method of drawing prizes, in the manner described in the rules.

## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Schedule 1 Amendments

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**112H Number and duration of sessions**

- (1) A registered club must not conduct more than 7 not-for-profit promotional raffle sessions per week.
- (2) Any such session must not exceed 3 hours in duration.

**112I Value of prizes**

- (1) For the purposes of section 4C (3) (b) of the Act, the prescribed amount is \$300.
- (2) The value of any prize in a not-for-profit promotional raffle must not exceed \$100.
- (3) Despite subclause (1), a single major prize of a value greater than \$100 may be offered during a session of not-for-profit promotional raffles, if the value of the prize does not exceed \$300.

**112J Notification of results and claiming prizes**

- (1) A registered club that conducts a not-for-profit promotional raffle must ensure that an announcement of the result of a draw occurs immediately after the draw takes place.
- (2) If the winner of a prize does not claim the prize within a reasonable time after the result of the draw is announced, the result must be announced again at least 3 more times (if the prize is not claimed before then).
- (3) If the winner of a prize does not claim the prize within a reasonable time after the result of the draw is announced for the fourth time, a redraw for the prize may take place.
- (4) Any announcement required under this clause is to be made to the participants present at the draw and throughout the registered club by use of the club's public address system or closed circuit television.

**112K Conduct of other lotteries in conjunction with not-for-profit promotional raffle**

- (1) During a session of not-for-profit promotional raffles the following lotteries and games of chance may also be conducted in conjunction with that session:
  - (a) one draw lottery may be conducted subject to compliance with section 4 of the Act and this Regulation,

Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Amendments

Schedule 1

- 
- (b) a lottery or game of chance for the promotion of trade may be conducted subject to compliance with section 4B of the Act, if the right of entry into that lottery or game of chance is not based predominantly on a person's participation in a not-for-profit promotional raffle or a session of such raffles.
- (2) Despite clause 53 (1), when a draw lottery is conducted in conjunction with a session of not-for-profit promotional raffles, for the purposes of section 4 (3) (a) of the Act the prescribed amount for a prize is \$5,000.

## **Part 7B Club bingo in registered clubs**

### **Division 1 Preliminary**

#### **112L Application**

This Part applies to games of club bingo conducted by a registered club under section 4C of the Act.

#### **112M Definitions**

- (1) In this part:
- club bingo* means a game of bingo conducted by a registered club and includes the game commonly known as housie and any similar game.
- rules* means the rules formulated under clause 112N.
- session* of club bingo means a number of games of club bingo played in succession on the same occasion at the same place.
- ticket* includes a right to participate in a game of club bingo.
- (2) In this Part, a reference to a game of club bingo conducted by a registered club includes a reference to a game of club bingo conducted under the authority of a registered club.

### **Division 2 Requirements when conducting club bingo**

#### **112N Formulation and display of rules**

- (1) A registered club that intends to conduct a game of club bingo must formulate rules in accordance with this clause under which a person may participate in the game.

## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Schedule 1 Amendments

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- (2) The rules must make provision for the following:
- (a) the conditions of entry (including the minimum age of the participants),
  - (b) the charge, if any, to be made for participating in the game and the method, if any, for discounting the charge,
  - (c) the manner in which any prizes are to be calculated, determined and awarded,
  - (d) the place, time and date of the game,
  - (e) the manner in which prizewinners are to be notified,
  - (f) the method for claiming prizes (including the course of action to be adopted if a prize remains unclaimed),
  - (g) the manner in which disputes concerning the conduct of the game or the claiming of the prizes are to be resolved,
  - (h) that persons conducting or assisting in the conduct of the game cannot participate as a player,
  - (i) a description of the particular arrangement of numbers and symbols that are required to be covered in order to win the game,
  - (j) the course of action to be adopted by the organisers of the game if an incorrect call is made by the caller,
  - (k) the manner in which numbers or symbols appearing in a winning ticket are to be verified by an independent person and called back to the participants of the game.
- (3) The rules must be displayed prominently at the place where the game is being conducted.
- (4) The rules must be consistent with the provisions of the Act and this Regulation.

**1120 Information to be made available to participants**

- (1) A registered club that conducts a game or session of club bingo must use its best endeavours to ensure the following information is made available to participants:
- (a) the cost of the tickets,
  - (b) details of the prizes and their value,
  - (c) the rules.

## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

## Amendments

## Schedule 1

- 
- (2) A registered club that conducts a game of club bingo must use its best endeavours to ensure that the game takes place in accordance with the information provided to the participants.
  - (3) Nothing in this clause limits any requirements arising under the *Registered Clubs Act 1976*.

**112P Sale and distribution of tickets**

Tickets for entry into a game of club bingo:

- (a) are to be distributed only within the premises of the registered club that is conducting the game, and
- (b) are to be available only to members of the registered club and their guests.

**112Q Maximum charge for entry**

For the purposes of section 4C (3) (d) of the Act, any charge or consideration to participate in a game of club bingo must not exceed \$0.05 for each ticket.

**112R Conduct of game**

- (1) A game of club bingo must not take place unless:
  - (a) it is conducted within the premises of a registered club and in an area which the members may attend, and
  - (b) it is conducted in the presence of and under the supervision of 2 or more persons engaged in the conduct of the game or the management of the registered club, and
  - (c) a description of the particular arrangement of numbers and symbols that are required to be covered in order to win the game has been announced in such a way that it can be heard by all participants present at the game.
- (2) A game of club bingo cannot be advertised or conducted in aid of a charitable organisation.
- (3) No person conducting or assisting in the conduct of club bingo is to participate as a player.

**112S Club bingo not to be conducted on weekend**

A registered club must not conduct a game of club bingo between 6 pm on a Friday and midnight on the following Sunday.

## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

## Schedule 1 Amendments

**112T Value of prizes in club bingo**

- (1) For the purposes of section 4C (3) (b) of the Act, the prescribed amount is \$50.
- (2) The value of any prize in a game of club bingo must not exceed \$30.
- (3) Despite subclause (1), a single bonus prize of a value greater than \$30 may be offered at the end of a session of club bingo, if the value of the prize does not exceed \$50.
- (4) No prize in club bingo can accumulate from game to game or from session to session.
- (5) In the event of more than one winner in a game of club bingo, the prize is to be shared equally between the winners.
- (6) If this is impractical the prize must be awarded to one of the prizewinners by drawing lots.
- (7) In this clause, *bonus prize* means a prize that is awarded at the end of a club bingo session and that is linked to a clean-up scheme that involves:
  - (a) participants recording their name on the back of used tickets which are placed into a receptacle, and
  - (b) a ticket being drawn from the receptacle to determine the winner of the prize.

**112U Notification of results of draw**

- (1) A registered club that conducts a game of club bingo must ensure that all numbers drawn are announced in such a way that they can be heard by all participants present at a game.
- (2) At the time a winner of a game of club bingo is determined, the numbers appearing on the winning club bingo ticket are to be verified by the person conducting the game in the presence of at least one independent person.

**112V Conduct of other lotteries in conjunction with club bingo**

- (1) During a session of club bingo the following lotteries and games of chance may also be conducted in conjunction with that session:
  - (a) one draw lottery may be conducted subject to compliance with section 4 of the Act and this Regulation,

## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Amendments

Schedule 1

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(b) a lottery or game of chance for the promotion of trade may be conducted subject to compliance with section 4B of the Act, provided the right of entry into that lottery or game of chance is not based predominantly on a person's participation in a game or session of club bingo.

(2) Despite clause 53 (1), when a draw lottery is conducted in conjunction with a session of club bingo, for the purposes of section 4 (3) (a) of the Act the prescribed amount for a prize is \$5,000.

**[2] Part 8, Division 3**

Omit the Division.

**[3] Clause 139 Records for lotteries**

Insert after clause 139 (1) (j):

- (k) a statement of income and expenditure,
- (l) a balance sheet.

**[4] Clause 139A**

Insert after clause 139:

**139A Financial return**

(1) The organisers of a lottery must, for the purpose of inspection, lodge with the Minister a statement of income and expenditure, a balance sheet and a statutory declaration within 2 months after the draw.

Maximum penalty: 20 penalty units.

(2) The statement of income and expenditure, balance sheet and the statutory declaration must be in a form approved by the Minister.

(3) The statement of income and expenditure and balance sheet must be audited by:

- (a) a person qualified to audit accounts for the purposes of the *Corporations Act 2001* of the Commonwealth, or
- (b) a person having other qualifications or experience approved by the Minister.



## Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

## Schedule 1 Amendments

- 
- (4) The auditor must report on:
- (a) whether the statement of income and expenditure and balance sheet show a true and fair view of the financial matters of the lottery to which they relate, and
  - (b) whether the accounts and associated records have been kept properly in accordance with the Act and this Regulation.
- (5) The statement of income and expenditure must be accompanied by a receipt from the benefiting organisation showing the amount of money it received from the proceeds of the lottery.

**[5] Part 9, Division 7**

Insert after Division 6 of Part 9:

**Division 7 Games of chance in registered clubs****146 Application**

This Division applies to a person or organisation that conducts a game of chance under section 4C of the Act.

**147 Records for games of chance in registered clubs**

- (1) For the purposes of section 17B (2) (b) of the Act, the following particulars must be included in the records of income and expenditure required to be kept by a person or organisation that conducts or has conducted a game of chance under section 4C of the Act:
- (a) the gross proceeds of the game,
  - (b) any costs and expenses of the game,
  - (c) the name of each prizewinner, together with details of the prize won by that person.
- (2) Records of income and expenditure required to be kept in relation to a game of chance may, if the game of chance is a not-for-profit raffle conducted under Part 7A or a game of club bingo conducted under Part 7B, be kept in relation to the session of raffles or games rather than in relation to each raffle or game that was part of the session.

Lotteries and Art Unions Amendment (Games of Chance) Regulation 2003

Amendments

Schedule 1

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- (3) In the case of records comprising ticket-butts, drawing docketts or corresponding computer-generated documents, the prescribed period for the purposes of section 17B (2) (c) of the Act is at least 3 months after the date the prizewinner or prizewinners are determined.

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## Orders

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New South Wales

# Public Sector Employment and Management (Town Water) Order 2003

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 26th day of November 2003.

By Her Excellency's Command,

BOB CARR, M.P.,  
Premier

Clause 1 Public Sector Employment and Management (Town Water) Order 2003

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## **Public Sector Employment and Management (Town Water) Order 2003**

under the

Public Sector Employment and Management Act 2002

### **1 Name of Order**

This Order is the *Public Sector Employment and Management (Town Water) Order 2003*.

### **2 Construction of certain references to Minister for Land and Water Conservation**

- (1) A reference in any of the following provisions (and in any instrument of any kind, or in any contract or agreement, made pursuant to any such provision) to the Minister for Land and Water Conservation is to be construed as a reference to the Minister for Energy and Utilities, except as provided by subclause (2):
  - (a) sections 57–66 of the *Local Government Act 1993*,
  - (b) clauses 7 and 16 of the *Local Government (Water Services) Regulation 1999*,
  - (c) clause 21 of the *Local Government (Approvals) Regulation 1999*.
- (2) A reference in section 57, 58 or 59 of the *Local Government Act 1993* (and in any instrument of any kind, or in any contract or agreement, made pursuant to any such provision) to the Minister for Land and Water Conservation is to be construed as a reference to the Minister for Natural Resources if the reference is used in relation to any works of water supply, sewerage or drainage that are, or are being, constructed on land within the area of operations of any of the following water supply authorities (as constituted under the *Water Management Act 2000*):
  - (a) Benerembah Irrigation District Environment Protection Trust,
  - (b) Upper Parramatta River Catchment Trust.

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### 3 Consequential provisions

- (1) The Minister for Energy and Utilities is authorised to carry on or complete any works of water supply, sewerage or stormwater drainage referred to in section 57 of the *Local Government Act 1993* that were commenced, but not completed, before the commencement of this Order.
- (2) The Minister for Energy and Utilities has all right, title and interest in any works of water supply, sewerage or stormwater drainage (and in any land acquired for the purposes of any such works) as referred to in section 57 of the *Local Government Act 1993*, being works or land that has not been vested in a council under section 59 of that Act. Accordingly, the Minister for Energy and Utilities may vest in a council all right, title and interest in any such works or land.
- (3) This clause does not apply to or in respect of any works of water supply, sewerage or drainage that are, or are being, constructed on land within the area of operations of a water supply authority referred to in clause 2 (2).

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# Rules

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New South Wales

## Supreme Court Rules (Amendment No 382) 2003

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 November 2003.

Steven Jupp

Secretary of the Rule Committee

### Explanatory note

The object of these Rules is to enable the procedures under Part 32A (Dismissal of inactive proceedings in a division) of the *Supreme Court Rules 1970* to be invoked after a period of 5 months inactivity in proceedings instead of 1 year as is currently required.

Rule 1 Supreme Court Rules (Amendment No 382) 2003

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## **Supreme Court Rules (Amendment No 382) 2003**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 382) 2003*.

### **2 Amendment of Supreme Court Rules 1970**

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.

Supreme Court Rules (Amendment No 382) 2003

Amendment

Schedule 1

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## **Schedule 1 Amendment**

(Rule 2)

### **Part 32A, rule 2 (1)**

Omit “1 year”. Insert instead “5 months”.





New South Wales

# Supreme Court Rules (Amendment No 383) 2003

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 November 2003.

Steven Jupp

Secretary of the Rule Committee

## **Explanatory note**

The object of these Rules is to amend the *Supreme Court Rules 1970* to confer additional powers on Masters of the Court.

Rule 1            Supreme Court Rules (Amendment No 383) 2003

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## **Supreme Court Rules (Amendment No 383) 2003**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 383) 2003*.

### **2 Amendment of Supreme Court Rules 1970**

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.

Supreme Court Rules (Amendment No 383) 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Rule 2)

### [1] Part 60 rule 17

Omit “and 17A” from rule 17 (a).

Insert instead “, 17A, 24, 25, 26, 27 and 28”.

### [2] Part 60 rule 17 (a1)

Omit “paragraph 5”. Insert instead “paragraphs 5, 5A and 5B”.

### [3] Schedule D

Omit the matter relating to 55 Vict No 12; *Partnership Act 1892* from Part 1.

### [4] Schedule D, Part 1

Omit the matter relating to the *Corporations Law* and the *Corporations Regulations*.

### [5] Schedule D, Part 1

Insert at the end of Part 1:

Act No 50, 2001  
(Commonwealth);  
*Corporations Act 2001*—

Section 274	Rectification of register of company charges	
Part 5.3A	Administration of company's affairs with view to executing deed of company arrangement	
Part 5.4	Winding up	
Section 461	Winding up	Where the application is not opposed.

## Supreme Court Rules (Amendment No 383) 2003

## Schedule 1 Amendments

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Part 5.4B	Winding up	Except ss 472 (2), (3) and (6), 486A, 486B and 487.
Section 495 (4)	Members' voluntary winding up: meeting	
Section 500	Creditor's voluntary winding up	
Section 504	Voluntary winding up: remuneration of liquidator	
Part 5.6	Winding up: companies	In a winding up by the court and except ss 532 (2), 536, 540 (1), 544 (2) and 568.
Part 5.7	Winding up: bodies other than companies	Except in respect of ss 532 (2), 536, 540 (1), 544 (2) and 568.
Section 597	Examination of persons concerned with corporations	
Section 1274	Directions to make good default in lodgement of documents	
Section 1319	Directions, meetings ordered by the Court	
Section 1321	Appeals from decisions of receivers, liquidators etc	Restricted to appeals in respect of decisions under section 430 (3) or 475 (8) of the <i>Corporations Act 2001</i> .

## Supreme Court Rules (Amendment No 383) 2003

Amendments

Schedule 1

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Section 1322	Irregularities, extension of time etc	Restricted to orders or declarations in or for the purposes of proceedings for other relief under the <i>Corporations Act 2001</i> which the Master may grant.
Section 1324	Injunctions	Restricted to orders where it is alleged that there has been an inappropriate reduction of capital or share buy back.
Section 1335	Security for costs etc	
<i>Corporations Regulations 2001</i> (Commonwealth)—		
Part 5.6	Winding up	

**[6] Schedule D, Part 3**

Omit paragraph 5. Insert instead:

- 5** An appeal from, or an application for prerogative or declaratory relief relating to, the Consumer, Trader and Tenancy Tribunal.
- 5A** Proceedings referred to a master by a Judge where those proceedings are an appeal from, or an application for prerogative or declaratory relief relating to, the Administrative Decisions Tribunal.
- 5B** An appeal from a Local Court in any civil matter.

**[7] Schedule D, Part 3**

Omit paragraphs 20 and 21.

## Supreme Court Rules (Amendment No 383) 2003

## Schedule 1 Amendments

**[8] Schedule D, Part 3**

Insert at the end of Part 3:

- 24** Trial (except with a jury) of any proceedings arising out of or under the *Partnership Act 1892* or any question arising in proceedings where the plaintiff alleges the plaintiff and any defendant were partners and that the partnership has terminated.
- 25** Trial (except with a jury) of proceedings for any of the following matters:
- (a) the foreclosure or redemption of a mortgage or the enforcing of any charge or lien,
  - (b) the specific performance, rectification, delivery up or cancellation of any agreement for the sale or purchase of any property or the lease of any property,
  - (c) relief against fraud or mistake,
  - (d) the execution of a trust or a declaration that a trust subsists,
  - (e) the administration of the estate of a deceased person,
  - (f) any equitable claim or demand for recovery of money or damages, whether liquidated or unliquidated (not being a claim or demand of a kind to which paragraph (a), (b), (c), (d) or (e) applies).
- 26** Trial (except with a jury) of any proceedings in the Equity Division in which all the parties are related to each other by blood or marriage (other than adoption proceedings or matters arising in the Court's *parens patriae* jurisdiction).
- 27** Trial (except with a jury) of any proceedings arising out of or under the *Frustrated Contracts Act 1978*, the *Contracts Review Act 1980* or the *Fair Trading Act 1987*.
- 28** In proceedings in which a master has jurisdiction to determine a matter under these rules, any inherent jurisdiction of the Court to decide any associated or appendant matter in issue in the proceedings.
- 29** Any jurisdiction of the Court that is exercisable by a registrar of the Court.



New South Wales

## Supreme Court Rules (Amendment No 384) 2003

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 November 2003.

Steven Jupp

Secretary of the Rule Committee

### Explanatory note

The object of these Rules is to amend Part 50 of the *Supreme Court Rules 1970* in relation to money that has been paid into the Supreme Court and is the subject of an order to pay the money to a party. In particular, these rules make provision for the following:

- (a) the payment of interest accruing on money that has been paid into Court to abide the decision in the proceedings,
- (b) the payment of such money and interest if parties fail to appear before the Court after being notified of the Court's intention to order the payment of the money or interest,
- (c) the payment of unclaimed money.

Clause 1            Supreme Court Rules (Amendment No 384) 2003

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## **Supreme Court Rules (Amendment No 384) 2003**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 384) 2003*.

### **2 Amendment of Supreme Court Rules 1970**

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.



Supreme Court Rules (Amendment No 384) 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Rule 2)

### [1] Part 50, rules 5A and 6

Omit rule 6. Insert instead:

#### **5A Interest—money paid into Court as security for costs or as security on an appeal**

- (1) If money is paid into Court as security for costs or as security on an appeal, or is paid into Court pursuant to Part 72A Division 2 (which relates to money paid into Court in an arbitration), interest on the money is not to be paid to any party.
- (2) Subrule (1) does not apply to interest accruing on money paid to the Public Trustee under rule 6A.

#### **6 Interest—money paid into Court to abide the decision in proceedings**

- (1) This rule applies if money is paid into Court pursuant to an order, to abide the decision in the proceedings, and the money is invested under rule 5 or is paid to the Public Trustee as referred to in rule 6A.
- (2) The Court may, on application by a party or by its own motion, order the payment of interest to any party.
- (3) Despite subrule (2), if the Court makes an order that the whole of the money be paid to one or more parties and the order does not expressly provide for the payment (or non-payment) of any interest accruing on the money, any interest accruing on the money is to be paid to the party or parties.
- (4) The interest paid to a party under subrule (3) is to bear the same proportion to the total interest accruing on the total amount of money paid into Court as the money paid to the party bears to the total amount of money paid into Court, unless the Court orders otherwise.
- (5) In this rule:  
*interest* accruing on money means any interest accruing on the money as a result of its investment under rule 5 or payment to the Public Trustee under rule 6A.

Supreme Court Rules (Amendment No 384) 2003

Schedule 1 Amendments

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**[2] Rule 6AA**

Insert after rule 6A:

**6AA Non-attendance of parties following notice by Court**

- (1) If the Court has given notice to parties of its intention to order the payment to a party or parties of money paid into Court or any interest accruing on that money and one or more of those parties fails or fail to attend Court as directed in the notice, the Court may:
  - (a) order the payment of the money or any interest accruing on that money (or both) to one or more parties, in such proportions as the Court thinks fit, or
  - (b) direct the registrar to pay the money or interest accruing on the money (or both) to the Treasurer for the purpose of paying the money and any interest on the money to the Consolidated Fund, or
  - (c) determine not to make any order.
- (2) In this rule:

*interest* accruing on money means any interest accruing on the money as a result of its investment under rule 5 or payment to the Public Trustee under rule 6A.

**[3] Part 50, rule 6B Unclaimed funds**

Insert “or interest accruing on those funds” after “into Court” in subrule (1).

**[4] Part 50, rule 6B**

Insert after subrule (1):

- (1A) For the purposes of subrule (1), funds or interest are unclaimed if:
  - (a) the funds or interest have not been paid to the Treasurer pursuant to a direction made under rule 6AA (1) (b), and
  - (b) judgment has been entered on a matter in relation to which funds have been paid into Court, and

Supreme Court Rules (Amendment No 384) 2003

Amendments

Schedule 1

- 
- (c) the whole or any part of those funds is unclaimed within 6 years of either of the following:
- (i) the making of an order for the payment of the whole of the funds (or any part that is unclaimed),
  - (ii) if no such order is made—the date of judgment.

**[5] Part 50, rule 6B**

Insert after subrule (6):

- (7) In this rule:

*interest* accruing on funds means any interest accruing on the funds as a result of its investment under rule 5 or payment to the Public Trustee under rule 6A.

**[6] Schedule E Powers of registrars**

Insert in Part 1 of Schedule E after the matter relating to Part 49:

Part 50—

Rule 6 (2)	Payment out of Court of interest accruing on money paid into Court.	Restricted to matters where 12 months or more has elapsed since the Court has ordered that any money remaining in Court be paid.
Rule 6AA	Non-attendance of parties following notice by Court in relation to proposed order concerning money paid into Court.	Restricted to matters where 12 months or more has elapsed since judgment given.



## Supreme Court Rules (Amendment No 385) 2003

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 17 November 2003.

Steven Jupp

Secretary of the Rule Committee

### Explanatory note

The object of these Rules is to amend the *Supreme Court Rules 1970* to deal with certain matters relating to multi-disciplinary partnerships (that is, partnerships of solicitors and non-solicitors) and solicitor corporations. These rules provide that:

- (a) only a partner of a solicitor, or the partner of an agent of a solicitor, who is a solicitor (and not a partner who is not a solicitor) may sign a document for the purpose of any proceedings on behalf of the solicitor under rule 9 of Part 66 of the *Supreme Court Rules 1970*, and
- (b) a document that may be executed on behalf of a solicitor corporation under rule 9 (1A) of Part 66 of the *Supreme Court Rules 1970* must be signed by a person who is a solicitor (and not merely have the corporation's seal affixed or be signed by a director of the corporation who is not a solicitor), and
- (c) an act, matter or thing that is authorised or required to be done by a solicitor may be done by a director, officer or employee of a solicitor corporation who is a solicitor on behalf of the corporation under rule 10 of Part 66 of the *Supreme Court Rules 1970* (and not by a director of the corporation who is not a solicitor).

Rule 1 Supreme Court Rules (Amendment No 385) 2003

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## **Supreme Court Rules (Amendment No 385) 2003**

under the

Supreme Court Act 1970

### **1 Name of Rules**

These Rules are the *Supreme Court Rules (Amendment No 385) 2003*.

### **2 Amendment of Supreme Court Rules 1970**

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.

Supreme Court Rules (Amendment No 385) 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Rule 2)

### [1] Part 66 rule 9

Insert “a solicitor who is” before “a partner” in rule 9 (1) (a).

### [2] Part 66 rule 9 (1) (c)

Insert “a solicitor who is” before “a partner”.

### [3] Part 66 rule 9 (1A) (a)

Insert “it is signed by a solicitor and” before “it has”.

### [4] Part 66 rule 9 (1A) (b)

Omit the paragraph. Insert instead:

- (b) it is signed by a solicitor who is a director, officer or employee of the corporation.

### [5] Part 66 rule 10

Omit “director of the corporation or by an officer or employee of the corporation who is a solicitor”.

Insert “solicitor who is a director, officer or employee of the corporation”.

**DISTRICT COURT RULES 1973****FORMS**

In pursuance of Part 47 rule 2(2) of the District Court Rules 1973, I have amended the following forms for use in Court.

Dated: November 2003

The Hon Justice R. O. BLANCH,  
Chief Judge of the District Court

Form 1 – Heading of any document filed before judgment, and any form of judgment

Delete the word “the” from the words “Filed for the”, where appearing in Form 1.

**DISTRICT COURT RULES 1973****FORMS**

In pursuance of Part 47 rule 2(2) of the District Court Rules 1973, I have amended the following forms for use in Court.

Dated: November 2003

The Hon Justice R. O. BLANCH,  
Chief Judge of the District Court

Delete Form 81 and Form 82 and insert the following:

Form 81

Affidavit in support of application for garnishee order (S97)(1.)

[See Pt 30 r 1(2)(b).]

1. I am the judgment creditor [or the judgment creditor's solicitor or agent].
2. The judgment debt in this action remains unsatisfied to the extent of \$ .
- 2a. Interest in the sum of \$ is claimed pursuant to section 85 of the District Court Act, 1973.
3. The garnishee [name], of [address] is indebted to the judgment debtor in an amount not being for salary or wages.
4. I apply for the issue of a garnishee order to which section 97(2)(a) of the District Court Act, 1973, applies.

[Where applicable - see Pt 33 r 3(1): The account on which the garnishee is indebted to the judgment debtor is kept by the garnishee at [place] in the name of and numbered ].

Form 82

Affidavit in support of application for garnishee order attaching wage or salary (S97)(1.)

[See Pt 30 r 1(2)(b).]

1. I am the judgment creditor [or the judgment creditor's solicitor or agent].
2. The judgment debt in this action remains unsatisfied to the extent of \$ .
- 2a. Interest payable under section 85 of the Act as at the date of swearing of this affidavit amounts to \$ .



3. The judgment debtor is in the employ of the garnishee [name], of [address], and receives from the garnishee from time to time salary or wages in excess of the prescribed rate as defined in section 99(1) of the District Court Act, 1973.
4. I apply for the issue of a garnishee order to which section 97(2)(b) of the Act applies [or a garnishee order expressed to be for the continuous attachment of the wage or salary of the judgment debtor].

# OFFICIAL NOTICES

## Appointments

### ELECTION FUNDING ACT 1981

Appointment of Members and Alternate Members to the  
Election Funding Authority

The Cabinet Office, Sydney  
26 November 2003

IT is hereby notified for public information that Her Excellency, the Governor, with the advice of the Executive Council, and in pursuance of the provisions of the *Election Funding Act 1981*, has been pleased to make the following appointments to the Election Funding Authority of New South Wales:

Mr STEVEN DAVID LEWIS as the member appointed on the nomination of the Premier;

Mr MICHAEL EDWARD CAUSER as alternate for the member appointed on the nomination of the Premier;

The Hon. EDWARD PHILLIP PICKERING, as the member appointed on the nomination of the Leader of the Opposition in the Legislative Assembly; and

Mr JAMES ALAN LONGLEY as alternate for the member appointed on the nomination of the Leader of the Opposition in the Legislative Assembly.

BOB CARR, M.P.,  
Premier

### MINISTERIAL ARRANGEMENTS DURING THE ABSENCE OF THE MINISTER FOR REGIONAL DEVELOPMENT, MINISTER FOR THE ILLAWARRA, AND MINISTER FOR SMALL BUSINESS

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable JJ Della Bosca MLC, Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast, to act for and on behalf of the Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business, as on and from 5 December 2003, with a view to him performing the duties of the Honourable DA Campbell MP, during his absence from State.

# NSW Agriculture

## NOXIOUS WEEDS ACT 1993

### ORDER NO. 18

Order amending Orders Nos. 14, 15 and 16 declaring noxious weeds and specifying control categories for noxious weeds I, IAN MACDONALD MLC, Minister for Agriculture and Fisheries, pursuant to sections 7 and 8 of the Noxious Weeds Act 1993:

1. amend Order No. 14 made under the Act by:
  - (a) omitting in respect of the local control authorities specified in Schedule 1 of this Order, the matter specified in that Schedule;
  - (b) declaring in respect of the local control authorities specified in that Schedule, the plants specified in Schedule 2 of this Order to be noxious weeds for the purposes of this Act, to which the control categories specified in that Schedule apply; and
2. amend Orders Nos. 14, 15 and 16 made under the Act by omitting the W4d action specified in those Orders, and by inserting instead the following W4d action:
 

“W4d The weed:

  - (a) must not be sold, propagated or knowingly distributed; and
  - (b) must be fully and continuously suppressed and destroyed unless it is:
    - listed on the State Heritage Register under the Heritage Act 1977;
    - listed for preservation or protection as a heritage item under an Environmental Planning Instrument under the Environmental Planning and Assessment Act 1979;
    - listed for preservation or protection in a Tree Preservation Order of the council for the Local Government Area;
    - included for preservation or protection in a Plan of Management for a local government area under section 40 of the Local Government Act 1993; or
    - included for preservation or protection in a noxious weed control policy or a noxious weed control program approved by the local control authority for the area for which it is the local control authority.”

#### SCHEDULE 1

Council	Botanical Name	Common Name	Category
Maitland City Council	<i>Alternanthera philoxeroides</i>	Alligator weed	W2
Upper Hunter County Council	<i>Cestrum parqui</i>	Green cestrum	W3

#### SCHEDULE 2

Council	Botanical Name	Common Name	Category
Blue Mountains City Council	<i>Salix nigra</i>	Black willow	W2
Blue Mountains City Council	<i>Salix cinerea</i>	Grey sallow	W2
Blue Mountains City Council	<i>Chrysanthemoides monilifera</i>	Bitou bush / boneseed	W2
Maitland City Council	<i>Alternanthera philoxeroides</i>	Alligator weed	W1
Nambucca Shire Council	<i>Cinnamomum camphora</i>	Camphor laurel	W4d
North West Weeds County Council	<i>Bryophyllum</i> spp.	Mother-of-millions	W2
Upper Hunter County Council	<i>Cestrum parqui</i>	Green cestrum	W2

#### Notes - Orders under the Noxious Weeds Act 1993

Order No. 14 published in the *Government Gazette* No. 88 of 6 August 1999 at pages 5489-5573  
 Order No. 15 published in the *Government Gazette* No. 93 of 21 July 2000 at pages 6515-6516  
 Order No. 16 published in the *Government Gazette* No. 120 of 3 August 2001 at pages 5784-5786  
 Order No. 17 published in the *Government Gazette* No. 13 of 10 January 2003 at pages 115-116

Dated: 19th November 2003

IAN MACDONALD MLC,  
 NSW Minister for Agriculture and Fisheries

**POULTRY MEAT INDUSTRY ACT 1986**

## PRICE ORDER NO. 33

THE Poultry Meat Industry Committee, pursuant to Sections 6 (c) and 10 of the Poultry Meat Industry Act 1986, has determined on 20 October 2003, the base rates for the following classes of batch poultry to be paid by processors to growers for designated poultry, namely chickens of the species *Gallus gallus* which are not more than 18 weeks old, and turkeys of the species *Meleagris gallopavo* from 1 July 2003, being the base rate adjustment date from which this order has effect, being base rates as follows, based on the requirements of Section 10 (4) of the Act. Base rates for Baiada (Sydney and Tamworth divisions) and Red Lea, have not yet been determined for this period.

**Bartter Enterprises Pty Ltd:**

Tunnel shed class of batch poultry: 54.26 cents per bird

Conventional shed class of batch poultry: 54.51 cents per bird

Bartter Griffith tunnel ventilated class of batch poultry: 49.56 cents per bird

Bartter turkey conventional shed class of batch poultry: \$2.31 per bird.

**Cordina Chicken Farms Pty Ltd/Summertime Chicken Pty Ltd:**

Tunnel shed class of batch poultry: 53.75 cents per bird

Conventional shed class of batch poultry: 52.5 cents per bird.

**Inghams Enterprises Pty Ltd:**

Southern tunnel shed class of batch poultry: 53.5 cents per bird

Northern tunnel shed class of batch poultry: 54.25 cents per bird

Northern conventional shed class of batch poultry: 55.17 cents per bird

Inghams turkey standard facilities of batch poultry: \$38.74 per m<sup>2</sup> plus a brooding gas allowance.

**Sunnybrand Chickens Pty Ltd:**

Tunnel shed class of batch poultry: 53.7 cents per bird

Conventional shed class of batch poultry: 56.0 cents per bird.

B. BUFFIER  
Chairman, PMIC

24 October 2003

## NSW Fisheries

### MARITIME SERVICES ACT 1935

#### NOTIFICATION

#### LIMITATION OF SPEED OF VESSELS WITHIN CERTAIN NAVIGABLE WATERS

THE Waterways Authority (the Authority), in pursuance of the provisions of Section 13SA of the Maritime Services Act 1935, does, from the date of publication of this notification in the Government Gazette;

Limits the speed of vessels of the Class set out hereunder in the area of navigable waters described in the First Column of the "Table of Area and Maximum Speed" set out hereunder, to a speed not exceeding that stated opposite that area in the Second Column of that "Table of Area and Maximum Speed".

Class – All vessels propelled by mechanical power, except vessels engaged in an activity authorised under an Aquatic Licence issued by the Waterways Authority pursuant to Clause 8 of the Water Traffic Regulations - NSW.

#### TABLE OF AREA AND MAXIMUM SPEED

First Column	Second Column
<u>Wagonga Inlet (Forsters Bay) Area:</u> The navigable waters of that part of Wagonga Inlet at Forsters Bay east of a line commencing from the north western extremity of a point on the eastern shore of that Bay known locally as Davisons Point in a northerly direction for approximately 500 metres across that waterway to a point on the opposite north eastern shore adjacent the south western corner of the Fisheries Building at No.11 Riverside Drive, Narooma.	Four Knots
<u>Wagonga Inlet (Upstream) Area:</u> The navigable waters of that part of Wagonga Inlet and its tributaries upstream of a line across the waterway commencing from a point on the southern shore 400 metres east of Hobbs Point in a northerly direction to a point on the opposite northern shore.	Four Knots

Dated this 21st day of November 2003.

Matthew Taylor  
Chief Executive  
Waterways Authority

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# Department of Infrastructure, Planning and Natural Resources

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## Infrastructure and Planning

### **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

#### DECLARATION

I, the Minister for Infrastructure and Planning, in pursuance of section 76A(7)(b) of the Environmental Planning and Assessment Act 1979, having formed the opinion that development as set out in Schedule 1 to this Declaration within land as described in Schedule 2 to this Declaration is of State and regional environmental planning significance, declare such development to be State significant development.

CRAIG KNOWLES, M.P.,  
Minister for Infrastructure and Planning

Sydney, 11 November, 2003

#### Schedule 1

All development except alterations and additions to existing development which, in the opinion of the Minister in consultation with Council, are of a minor nature and do not to any significant extent, change the scale, size, design or environmental impact of the existing development.

#### Schedule 2

The property described as being Lot 1 DP 520478, 2 Shirley Street, Rosehill and Lot 2 DP 864567, 3 Shirley Street, Rosehill, Corner of Unwin and Shirley Streets, Rosehill, within the Parramatta Local Government Area.



## **Ballina Local Environmental Plan 1987 (Amendment No 83)**

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*. (G03/00053/PC)

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

Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 83)

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## **Ballina Local Environmental Plan 1987 (Amendment No 83)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 83)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies to Zone No 4 (the Industrial Zone) under the provisions of *Ballina Local Environmental Plan 1987*.

### **3 Land to which plan applies**

This plan applies to all land in SP 64456 and SP 34603 (being a re-subdivision of Lot 6, DP 749498), Southern Cross Drive, Ballina, as shown by distinctive colouring and lettering on the map marked "Ballina Local Environmental Plan 1987 (Amendment No 83)" deposited in the office of the Ballina Shire Council.

### **4 Amendment of Ballina Local Environmental Plan 1987**

*Ballina Local Environmental Plan 1987* is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Ballina Local Environmental Plan 1987 (Amendment No 83)





## **Manly Local Environmental Plan 1988 (Amendment No 63)**

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*. (S03/00983/S69)

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

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 63)

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## **Manly Local Environmental Plan 1988 (Amendment No 63)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Manly Local Environmental Plan 1988 (Amendment No 63)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to prohibit all dwelling-houses within the Business Zone and to clarify the types of dwellings permitted within the Industrial Zone, and
- (b) to define 2 new land uses relating to residential purposes, and
- (c) to incorporate those land uses in the Development Control Table as applicable.

### **3 Land to which plan applies**

This plan applies to the land to which *Manly Local Environmental Plan 1988* applies.

### **4 Amendment of Manly Local Environmental Plan 1988**

*Manly Local Environmental Plan 1988* is amended as set out in Schedule 1.

Manly Local Environmental Plan 1988 (Amendment No 63)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 7 Interpretation

Insert in alphabetical order in clause 7 (1):

*ancillary residence* means one dwelling used in conjunction with any permissible use carried out on land and situated on the same allotment as that use.

*residential use* means a dwelling (including an ancillary residence), a dwelling-house or a multi-dwelling development.

### [2] Clause 10 Zone objectives and development control table

Omit “other than those erected and used in conjunction with any permissible use and situated on the same allotment as that use” from item 4 of Zone No 3 in the Table to clause 10.

### [3] Clause 10, Table, Zone No 4

Omit “; dwellings other than those above ground floor level, erected and used in conjunction with any industry included in item 3 and situated on the same land as that industry” from item 4.

### [4] Clause 10, Table, Zone No 4

Insert “residential uses other than ancillary residences above ground floor level used in conjunction with any permissible industry;” after “purposes listed in Schedule 3;” in item 4.



## **North Sydney Local Environmental Plan 2001 (Amendment No 8)**

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*. (S02/02400/S69)

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

Clause 1 North Sydney Local Environmental Plan 2001 (Amendment No 8)

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## **North Sydney Local Environmental Plan 2001 (Amendment No 8)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *North Sydney Local Environmental Plan 2001 (Amendment No 8)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone the land to which this plan applies from Public Open Space to Waterfront, and
- (b) to amend Schedule 9 to *North Sydney Local Environmental Plan 2001* so that the rezoned land will no longer be reserved for acquisition as local open space, and
- (c) to allow development for non-maritime commercial purposes on the rezoned land, but to limit the allowable gross floor area of all buildings resulting from such development to 325 square metres so as to ensure that the viability of that land as a working harbour site is maintained.

### **3 Land to which plan applies**

This plan applies to part Lot B, DP 935347, and Lots 12–14 and part Lots 15–17, DP 4416, Stannards Place, Kirribilli (also known as 1 Bradly Avenue, Kirribilli), as shown edged heavy black on the map marked “North Sydney Environmental Plan 2001 (Amendment No 8)”, deposited in the office of North Sydney Council.

### **4 Amendment of North Sydney Local Environmental Plan 2001**

*North Sydney Local Environmental Plan 2001* is amended as set out in Schedule 1.

North Sydney Local Environmental Plan 2001 (Amendment No 8)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 64

Insert after clause 63:

#### 64 1 Bradly Avenue

(1) **Subject land**

This clause applies to part Lot B, DP 935347, and Lots 12–14 and part Lots 15–17, DP 4416, Stannards Place, Kirribilli (also known as 1 Bradly Avenue, Kirribilli), as shown edged heavy black on the map marked “North Sydney Environmental Plan 2001 (Amendment No 8)”.

(2) **Objective**

The specific objective of the control in relation to the land is to allow limited development for non-maritime commercial purposes to ensure that the viability of the land as a working harbour site is maintained.

(3) **Permissible development**

Despite the Table to Part 2, development for non-maritime commercial purposes is permitted, with development consent, on the land.

(4) **Control**

The gross floor area of all buildings resulting from development for non-maritime commercial purposes on the land must not exceed a total of 325 square metres.

(5) **Definition**

In this clause:

*non-maritime commercial purposes* means commercial purposes that are not directly related to charter or tourist boat facilities, marinas, ship building or repair, or water based transport facilities.

### [2] Schedule 2 Definitions

Insert at the end of the definition of *map*:

North Sydney Local Environmental Plan 2001 (Amendment No 8)

## North Sydney Local Environmental Plan 2001 (Amendment No 8)

Schedule 1 Amendments

**[3] Schedule 9 Local open space reservations**

Omit the matter relating to Lot B, DP 935347, and Lots 12–17, DP 4416, Stannards Place, Kirribilli.

Insert instead in the appropriate columns:

935347	B (except so much of Lot B as forms part of the land shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2001 (Amendment No 8)”)	Stannards Place	Kirribilli
4416	15 (except so much of Lot 15 as forms part of the land shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2001 (Amendment No 8)”)	Stannards Place	Kirribilli
	16 (except so much of Lot 16 as forms part of the land shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2001 (Amendment No 8)”)	Stannards Place	Kirribilli
	17 (except so much of Lot 17 as forms part of the land shown edged heavy black on the map marked “North Sydney Local Environmental Plan 2001 (Amendment No 8)”)	Stannards Place	Kirribilli



New South Wales

## **Parramatta Local Environmental Plan 2001 (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*. (P02/00573/S69)

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



Clause 1 Parramatta Local Environmental Plan 2001 (Amendment No 5)

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## **Parramatta Local Environmental Plan 2001 (Amendment No 5)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Parramatta Local Environmental Plan 2001 (Amendment No 5)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone 7 (Environment Protection (Bushland) Zone) to Zone 2 (a) (2A Residential Zone) under *Parramatta Local Environmental Plan 2001*.

### **3 Land to which plan applies**

This plan applies to proposed Lot 1 in Lot C, DP 344018, and known as part of 10 Hillside Crescent, Epping, as shown edged heavy black on the map marked "Parramatta Local Environmental Plan 2001 (Amendment No 5)" deposited in the office of the Parramatta City Council.

### **4 Amendment of Parramatta Local Environmental Plan 2001**

*Parramatta Local Environmental Plan 2001* is amended by inserting in appropriate order in the definition of *zoning map* in the Dictionary the following words:

Parramatta Local Environmental Plan 2001 (Amendment No 5)



## **Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)**

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*. (P02/00080/PC)

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

Clause 1 Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

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## **Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)*.

### **2 Aims of plan**

This plan aims to amend *Penrith Local Environmental Plan 1996 (Industrial Land)*:

- (a) to update the aims and objectives of the plan and the objectives of the zones to ensure that development of land to which the plan applies does not significantly affect the road network, and to include provisions restricting development on land having direct access to certain roads, and
- (b) to make provision with respect to covenants prohibiting or restricting development otherwise permitted by the plan, and
- (c) to permit, with the consent of the Council of the City of Penrith, building, hardware or garden supplies premises in industrial zones, and
- (d) to prohibit restaurants in industrial zones, and
- (e) to update provisions with respect to tree preservation, and
- (f) to provide for development involving the temporary use of land, and
- (g) to consolidate certain land already zoned "Industrial" in another environmental planning instrument into one environmental planning instrument, and
- (h) to update several existing definitions and add several new definitions.

### **3 Land to which plan applies**

This plan applies to the land to which *Penrith Local Environmental Plan 1996 (Industrial Land)* applies.

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4) Clause 4

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**4 Amendment of Penrith Local Environmental Plan 1996 (Industrial Land)**

*Penrith Local Environmental Plan 1996 (Industrial Land)* is amended as set out in Schedule 1.

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 2 Aims and objectives of this plan

Omit clause 2 (2) (f). Insert instead:

- (f) to ensure that development of land to which this plan applies does not significantly affect the function, efficiency and safety of the road network, particularly Castlereagh Road, the Great Western Highway, Mulgoa Road and Parker Street, and

### [2] Clause 7A

Insert after clause 7:

#### 7A Suspension of certain covenants etc

- (1) Any agreement, covenant or similar instrument which would otherwise prohibit or restrict development permitted by this plan does not apply to the extent necessary to permit that development.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) In accordance with section 28 of the Act, the Governor approved of subclauses (1) and (2) before this clause was made.

### [3] Clause 9 Zone objectives and development control Table

Omit clause 9 (2) and (3). Insert instead:

- (2) Except as otherwise provided by this plan, the council must not grant consent to development of land to which this plan applies unless the council:
  - (a) is satisfied that the carrying out of such development is consistent with:
    - (i) the aims of this plan, and
    - (ii) the objectives of the zone within which the development is to be carried out, and
  - (b) has considered the objectives of any development control plans applying to the land.

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

Amendments

Schedule 1

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**[4] Clause 9, Table**

Omit paragraph (a) (vii) of the matter relating to Zone No 4 (a) General Industry Zone.

Insert instead:

- (vii) to prohibit development of land for any purpose if the development will:
  - (A) have direct vehicular access between that land and Castlereagh Road or Parker Street, and
  - (B) significantly affect the function, efficiency and safety of Castlereagh Road or Parker Street.

**[5] Clause 9, Table**

Insert in alphabetical order in paragraph (b) (iii) of the matter relating to Zone No 4 (a) General Industry Zone:

- restaurants

**[6] Clause 9, Table**

Omit the bullet point relating to shops from paragraph (b) (iii) of the matter relating to Zone No 4 (a) General Industry Zone.

Insert instead:

- shops (other than convenience stores, corner shops, fast food take-away restaurants and take-away food shops)

**[7] Clause 9, Table**

Insert in alphabetical order in paragraph (b) (iii) of the matter relating to Zone No 4 (a) General Industry Zone:

- shops trading principally in bulky goods or those trading in motor vehicle parts and accessories, including marine vessel parts and accessories

**[8] Clause 9, Table**

Omit paragraph (a) (vii) of the matter relating to Zone No 4 (b) Special Industry Zone.

Insert instead:

- (vii) to prohibit the development of land for any purpose if the development will:

## Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

## Schedule 1 Amendments

- 
- (A) have direct vehicular access between that land and the Great Western Highway or Mulgoa Road, and
- (B) significantly affect the function, efficiency and safety of the Great Western Highway or Mulgoa Road.

**[9] Clause 9, Table**

Omit the bullet points relating to junkyards and shops from paragraph (b) (iii) of the matter relating to Zone No 4 (b) Special Industry Zone.

**[10] Clause 9, Table**

Insert in alphabetical order in paragraph (b) (iii) of the matter relating to Zone No 4 (b) Special Industry Zone:

- materials recycling facilities
- motor vehicle and machinery wrecking facilities
- restaurants
- shops (other than convenience stores, corner shops, fast food take-away restaurants, take-away food shops, shops trading principally in bulky goods included in paragraph (b) (ii) and shops trading principally in motor vehicle parts and accessories, including marine vessel parts and accessories)

**[11] Clause 9, Table**

Omit “State Roads and State Road Widening Zone” from the heading to the matter relating to Zone No 5 (c) State Roads and State Road Widening Zone.

Insert instead “Classified Roads and Classified Road Widening Purposes”.

**[12] Clause 9, Table**

Omit “Nil” from paragraph (b) (i) of the matter relating to Zone No 5 (c) Classified Roads and Classified Road Widening Purposes.

Insert instead:

- road widening
- roads

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

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**[13] Clause 9, Table**

Omit the dot points relating to roads and road widening from paragraph (b) (ii) of the matter relating to Zone No 5 (c) Classified Roads and Classified Road Widening Purposes.

**[14] Clause 13 Tree preservation**

Omit clause 13 (1) and (2). Insert instead:

- (1) A person must not ringbark, cut down, poison, dig up, top, lop, remove, injure or wilfully destroy any tree (including by the addition of soil or drainage works around the base of a tree), except with the consent of the council.
- (2) Despite subclause (1), consent is not required if:
  - (a) the tree is dead, or
  - (b) the tree is declared a noxious weed under the *Noxious Weeds Act 1993*, or
  - (c) the tree is less than 5 metres from a building or work for which consent has been granted, or which has been approved, by the council, or
  - (d) the tree is a fruit tree that requires an annual pruning, or is a tree within a timber plantation, or
  - (e) the tree is of a species identified in a development control plan applying to land to which this plan applies as having potential to cause damage to foundations and sewer lines, or is of a species that is identified in a development control plan as undesirable.

**[15] Clause 14A**

Insert after clause 14:

**14A Temporary use of land**

Despite any other provision of this plan, a person may carry out development of land to which this plan applies with the consent of the council for any purpose for a maximum of 28 days, whether consecutive or non-consecutive, in any one year, but only if, in the council's opinion, the use of the land for that purpose contributes to the cultural well-being of the community.



Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

Schedule 1 Amendments

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**[16] Clause 20**

Omit the clause. Insert instead:

**20 Development along particular roads**

- (1) The council must not grant consent to development of land that has direct access onto Castlereagh Road, the Great Western Highway or Parker Street unless:
  - (a) the council has taken into consideration:
    - (i) whether the development enables the safe and efficient movement into and out of the development site without adversely affecting the existing or future service and safety levels of the road, highway or street, and
    - (ii) if the development is on an allotment of land created in accordance with a subdivision approved pursuant to this plan, the council has taken into consideration whether the access to that land will be in accordance with the access arrangements approved in the consent for that land, and
  - (b) a deceleration lane is provided in accordance with RTA guidelines.
- (2) The council must not grant consent to development of land that has direct access onto Mulgoa Road unless adequate provision has been made for vehicular access to that land in accordance with the plan identifying such access depicted in any development control plan applying to that land.
- (3) Despite subclauses (1) and (2), the council may consent to a development involving alterations or additions to any existing development with direct vehicular access to Castlereagh Road, the Great Western Highway, Mulgoa Road or Parker Street, if the development after such alterations or additions will not significantly increase the number of vehicles using that access.

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

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**[17] Clauses 21 and 22**

Omit the clauses. Insert instead:

**21 Development for additional purposes**

Despite any other provision of this plan, a person may, with the consent of the council, carry out development of land described in Schedule 4 for the purpose specified in that Schedule in relation to the land.

**[18] Clause 23 Development of land at Wolseley Street and Gibbes Street, Penrith**

Re-number as clause 22.

**[19] Clause 22 (3) (as renumbered)**

Omit “retail outlets,”. Insert instead “retail outlets”.

**[20] Clause 24 Development of land at North Penrith**

Omit the bullet point relating to junkyards. Insert instead:

- materials recycling facilities
- motor vehicle and machinery wrecking facilities

**[21] Schedule 1 Definitions**

Omit the definitions of *business premises*, *child care centre*, *community facility*, *contaminated land*, *convenience store*, *drain*, *flood liable land*, *general store*, *home industry*, *home occupation*, *industry*, *junkyard*, *materials recycling yard*, *motel*, *recreation facility*, *restaurant*, *road*, *tree* and *warehouse or distribution centre*.

**[22] Schedule 1**

Insert in alphabetical order:

*building, hardware or garden supplies premises* means a building, or a group of buildings, with a gross floor area greater than 5,000m<sup>2</sup> used for the purpose of retailing:

- (a) building materials, or
- (b) hardware items and tools, or
- (c) timber and other associated joinery, or

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)  
Schedule 1 Amendments

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(d) garden and landscape supplies,

but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**business premises** means a building or place in which there is carried on a light industry or trade (but does not include a brothel) which provides a service directly and regularly to the public but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**child care centre** means a building or place used for the purpose of supervising or providing care for children that caters for 6 or more children and:

- (a) may include an educational function, and
- (b) may operate for the purpose of gain, and
- (c) may include a dwelling house that is attached to, part of or associated with the building or place,

but does not include a building or place providing residential care for children and (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**community facility** means a building, place or facility, whether or not provided by the council, provided for use by groups having similar physical, cultural, social, recreational, ethnic or other interests or beliefs, but (in the development control table) does not include a club that is registered under the *Registered Clubs Act 1976* or a building or place specifically defined elsewhere in this Schedule.

**contaminated land** means land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land and that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.

**convenience store** means a building or place:

- (a) used for the purpose of selling, exposing or offering for sale by retail principally groceries, small goods and associated small items, and
- (b) used in conjunction with the sale by retail of petrol, oil and other petroleum products, and

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

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(c) that does not exceed 200 m<sup>2</sup> in gross floor area,  
but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**drain** means any channel, conduit or pipe used for removing water, other than sewage, and includes a stormwater detention basin but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**fast food take-away restaurant** means a building or place with a drive-in take-away or drive through food retail facility where food or drink is prepared or offered for sale, whether or not the food or drink is consumed in that building or place or elsewhere, but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**flood liable land** means land that would be inundated as a result of a flood having an annual exceedence probability of 1%.

**flood mitigation works** means works and measures that are intended to reduce or eliminate the possibility of, or the effects of, flooding.

**general store** means a shop:

- (a) used for the sale by retail of general merchandise and that may include the facilities of a post office, and
- (b) that does not exceed 200 m<sup>2</sup> in gross floor area,

but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

**industry** means an undertaking involving the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, processing, treating or adapting of any goods or articles for commercial purposes, but (in the development control table) does not include any form of industry defined elsewhere in this Schedule.

**materials recycling facility** means a building or place used for collecting, dismantling, salvaging, storing or recycling second hand or scrap materials, whether they are offered for sale or not, but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

Schedule 1 Amendments

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***motel*** means a building, other than a boarding house or hotel, used principally for the overnight accommodation of travellers and the parking of their vehicles, whether or not the building incorporates a common facility for the provision of meals, either to persons temporarily resident or to the public, and whether or not those facilities are licensed.

***motor vehicle and machinery wrecking facility*** means a building or place used for the accumulation, storage or dismantling of abandoned or scrap motor vehicles, car bodies, machinery and motor vehicle and machinery parts and accessories and the like, whether they are offered for sale or not, but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

***recreation facility*** means a building or place used for indoor recreation (such as a table tennis centre, squash court, swimming pool, gymnasium, health studio or bowling alley), whether or not used for the purpose of gain, but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

***restaurant*** means a building or place the purpose of which is to provide food and drink for consumption (including a cafe, tearoom or the like), but (in the development control table) does not include a building or place specifically defined elsewhere in this Schedule.

***road*** means a public thoroughfare all or part of which is used for the passage of vehicles, pedestrians, bicycles or animals, or a classified road within the meaning of the *Roads Act 1993*.

***RTA*** means the Roads and Traffic Authority constituted under the *Transport Administration Act 1998*.

***tree*** means:

- (a) a living perennial plant that exceeds 5 metres in height, being the distance measured vertically between the horizontal plane of the base of the tree which is immediately above the ground and the horizontal plane of the uppermost point of the tree, or
- (b) individual trees, gardens or native vegetation listed in any Significant Tree and Garden Register, or development control plan, adopted by the council.

Penrith Local Environmental Plan 1996 (Industrial Land) (Amendment No 4)

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*warehouse or distribution centre* means a building or place used mainly for storing or distribution of good or materials pending their distribution to the retail trade but does not include the retail sale of any of the goods or materials from that building or place.

**[23] Schedule 1, definition of “the map”**

Insert at the end of the definition:

Penrith Local Environmental Plan 1996 (Industrial Land)  
(Amendment No 4)

**[24] Schedule 4**

Insert after Schedule 3:

**Schedule 4 Development for additional purposes**  
(Clause 21)

**Emu Plains**

No 130, Old Bathurst Road, Lot 1 DP 851389—Development for the purpose of a restaurant.

No 152, Russell Street, Lot 32 DP 1005063—Development for the purpose of a restaurant.

**Penrith**

Unit 55, 61 York Road, Lot 71A DP 1687—Development for the purpose of a restaurant and reception centre.

60–64 Copeland Street, Lot 1 DP 227488—Development for the purpose of a restaurant.

**St Marys**

Unit 1A, 81 Glossop Street, Lot 2 DP603144—Development for the purpose of the manufacture, sale and installation of mufflers.

Unit 2B, 81 Glossop Street, Lot 2 DP603144—Development for the purpose of the distribution, wholesaling and retailing of automotive spare parts and accessories.



## **City of Shoalhaven Local Environmental Plan 1985 (Amendment No 211)**

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*. (S03/01902/S69)

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

Clause 1            City of Shoalhaven Local Environmental Plan 1985 (Amendment No 211)

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## **City of Shoalhaven Local Environmental Plan 1985 (Amendment No 211)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 211)*.

### **2 Aims of plan**

This plan aims to rectify an administrative error in the map that supported the recently gazetted *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 195)*.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Shoalhaven, as shown edged heavy black on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 211)” deposited in the office of the Council of the City of Shoalhaven.

### **4 Amendment of City of Shoalhaven Local Environmental Plan 1985**

The *City of Shoalhaven Local Environmental Plan 1985* is amended as set out in Schedule 1.



City of Shoalhaven Local Environmental Plan 1985 (Amendment No 211)

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 4)

### Clause 6 Interpretation

Insert in appropriate order in the definition of *the map* in clause 6 (1):

City of Shoalhaven Local Environmental Plan 1985  
(Amendment No 211)



New South Wales

## **Tweed Local Environmental Plan 2000 (Amendment No 2)**

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*. (G91/00221/S69)

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

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 2)

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## **Tweed Local Environmental Plan 2000 (Amendment No 2)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 2)*.

### **2 Aims of plan**

- (1) This plan aims:
  - (a) to rezone part of the land to which this plan applies to the Urban Expansion Zone under *Tweed Local Environmental Plan 2000 (the 2000 plan)*, and
  - (b) to rezone part of the land, identified for environment protection purposes, to partly the Environmental Protection (Scenic/Escarpment) Zone and partly the Environmental Protection (Habitat) Zone under the 2000 plan, and
  - (c) to rezone the remainder of the land, identified for open space or recreational purposes (or both) to the Recreation Zone under the 2000 plan, and
  - (d) to set out certain conditions to the granting of development consent with respect to the land.
- (2) This plan also aims to replace the Table to clause 52 of the 2000 plan with a format more suitable for searching the text of the Table electronically.

### **3 Land to which plan applies**

This plan applies to land within the local government area of Tweed, at Cobaki Lakes, as shown distinctively coloured, edged and lettered on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 2)" deposited in the office of Tweed Shire Council.

Tweed Local Environmental Plan 2000 (Amendment No 2)

Clause 4

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**4 Amendment of Tweed Local Environmental Plan 2000**

*Tweed Local Environmental Plan 2000* is amended as set out in Schedule 1.

Tweed Local Environmental Plan 2000 (Amendment No 2)

Schedule 1 Amendments

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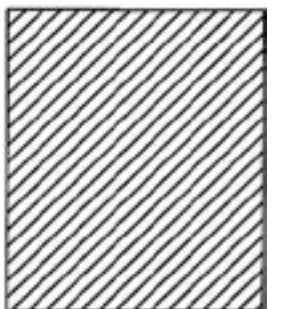
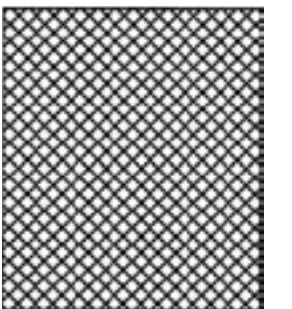
## Schedule 1 Amendments

(Clause 4)

### [1] Clause 52 Zone map overlay provisions

Omit the Table to the clause. Insert instead:

**Table**

Column 1	Column 2
Shown on the zone map by:	Applicable provisions
	<p>Consent must not be granted to development that involves the erection of a building or the carrying out of works unless:</p> <ul style="list-style-type: none"> <li>(a) the consent authority has notified the Director-General of National Parks and Wildlife of its intention to do so, and</li> <li>(b) it has taken into consideration any comments received from the Director-General within 28 days of the notice being sent.</li> </ul>
	<p>Consent must not be granted to development unless the consent authority has considered detailed plans of the development and for management of its consequences and made an assessment of the following matters:</p> <ul style="list-style-type: none"> <li>(a) the adequacy of proposed measures in a soil and water management plan for the purpose of maintaining or improving the quality of water entering Cudgera Creek, such measures to control soil erosion, sediment and stormwater run off, and release of ground water or surface water containing high acidity, nutrients or pollutants, resulting from disturbance and development of the site,</li> <li>(b) whether the proposed measures in a fauna and flora management plan for habitat enhancement and management along the eastern boundary of the land and adjacent to Cudgera Creek are satisfactory.</li> </ul>

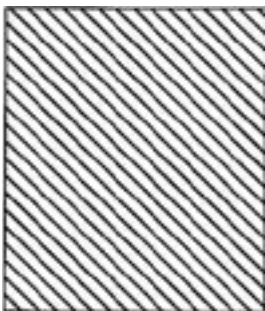
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Tweed Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

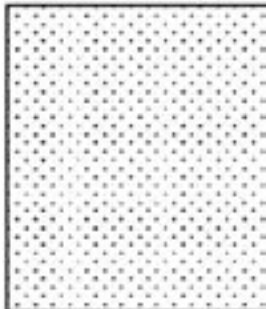

**Table**

Column 1	Column 2
Shown on the zone map by:	Applicable provisions
	<ol style="list-style-type: none"> <li>(1) Consent must not be granted to development for residential purposes unless the area of each allotment, or the site area per dwelling, is not less than 1,200 square metres.</li> <li>(2) A person must not remove a tree or erect a building without development consent.</li> <li>(3) Consent must not be granted to the erection of a building, the removal of trees or excavation unless the consent authority has made an assessment as to whether it should impose conditions relating to: <ol style="list-style-type: none"> <li>(a) the height and location of buildings, and</li> <li>(b) the colour of materials, and</li> <li>(c) the removal and planting of trees,</li> </ol> so as to ensure that the development will preserve or enhance the scenic quality of the land and surrounding land </li> </ol>
#	<p>A person must not carry out any development (except for purposes authorised under the <i>Forestry Act 1916</i> and purposes ordinarily incidental or ancillary to such purposes) on the land that will substantially change the topographic features or landscape or the natural state of the land, except with development consent.</p>

## Tweed Local Environmental Plan 2000 (Amendment No 2)

## Schedule 1 Amendments

Table

Column 1	Column 2
Shown on the zone map by:	Applicable provisions
	<p>Where the exact on-site location of a zone boundary is unclear (due to the scale of the zone map or mapping errors) and a determination of its exact location is necessary for the purposes of a development application, consent must not be granted to development unless:</p> <ul style="list-style-type: none"> <li>(a) the zone boundary is determined by a survey carried out by a suitably qualified person at the cost of the applicant and approved by the Council, and</li> <li>(b) the survey line, based on on-site investigations, achieves the primary objective of the most environmentally sensitive or restrictive of the zones involved.</li> </ul>
	<p>Consent must not be granted to development unless the consent authority:</p> <ul style="list-style-type: none"> <li>(a) has notified the Director-General of National Parks and Wildlife of the development application, and</li> <li>(b) has taken into consideration any comments received from the Director-General within 28 days of the notice being sent, and</li> <li>(c) has considered a report from a suitably qualified person recommending: <ul style="list-style-type: none"> <li>(i) that part of the land be conserved and protected from development, and</li> <li>(ii) that part of the land be rezoned to Zone 7 (1), and</li> <li>(iii) that a plan of management for the land be prepared.</li> </ul> </li> </ul>

Tweed Local Environmental Plan 2000 (Amendment No 2)

Amendments

Schedule 1

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**[2] Schedule 6 Maps and Zones**

Insert in appropriate order in Part 2 (**Zone Map Amendments**) of the Schedule:

Tweed Local Environmental Plan 2000 (Amendment No 2)



## **Wyong Local Environmental Plan 1991 (Amendment No 135)**

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*. (N00/00280/PC)

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

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 135)

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## Wyong Local Environmental Plan 1991 (Amendment No 135)

### 1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 135)*.

### 2 Aims of plan

- (1) This plan aims to amend *Wyong Local Environmental Plan 1991* so as:
  - (a) to rectify mapping anomalies, and
  - (b) to update planning controls for the local government area of Wyong to, among other things, reflect recent legislative changes and improve the effectiveness of that plan, and
  - (c) to introduce a new urban Investigation Precinct Zone to enable better management of potential future urban areas, and
  - (d) to introduce a new residential zone (the Urban Release Area Zone) for current urban release areas, and
  - (e) to introduce provisions relating to acid sulfate soils, and
  - (f) to modify other provisions relating to subdivision, home businesses and general stores, and
  - (g) to apply lot amalgamation provisions to certain land and to provide that those provisions cease to apply to certain other land.
- (2) Provisions relating to cluster housing have been excluded from this plan, being deferred matter within the meaning of section 68 (5) of the *Environmental Planning and Assessment Act 1979*.

### 3 Land to which plan applies

This plan applies to all land within the local government area of Wyong.

Wyong Local Environmental Plan 1991 (Amendment No 135)

Clause 4

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**4 Relationship to other environmental planning instruments**

- (1) This plan amends *Wyong Local Environmental Plan 1991* as set out in Schedule 1.
- (2) This plan amends *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* by inserting at the end of Schedule 1 the following words:

*Clause 15 of Wyong Local Environmental Plan 1991*

Wyong Local Environmental Plan 1991 (Amendment No 135)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4 (1))

### [1] Clause 2 Aims, objectives etc

Insert at the end of clause 2 (1) (b):

- , and
- (c) to facilitate and encourage ecological, economic and social sustainability.

### [2] Clause 2 (2) (b) (iii)

Insert at the end of clause 2 (2) (b) (ii):

- , and
- (iii) to encourage mixed use development in appropriate locations,

### [3] Clause 7 Definitions

Insert in alphabetical order in clause 7 (1):

***acid sulfate soils*** means actual or potential acid sulfate soils, as defined in the *Acid Sulfate Soils Assessment Guidelines*.

***Acid Sulfate Soils Assessment Guidelines*** means the *Acid Sulfate Soils Assessment Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director-General.

***Acid Sulfate Soils Planning Maps*** means the series of maps (dated December 1997) produced by the then Department of Land and Water Conservation for the purpose of identifying land affected by acid sulfate soils, and held at the offices of Wyong Council.

### [4] Clause 7 (1), definition of “agriculture”

Omit the definition. Insert instead:

***agriculture*** means the sustainable use of land for:

- (a) the cultivation of fruit, vegetable or flower crops, or

Wyong Local Environmental Plan 1991 (Amendment No 135)

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- (b) the keeping or breeding of livestock, bees or poultry or other birds, or
  - (c) the cultivation of plants in a wholesale plant nursery, for commercial purposes,
- but, in the Table to clause 10, does not include intensive agriculture.

**[5] Clause 7 (1), definition of “bushfire hazard reduction”**

Omit the definition. Insert instead.

*bushfire hazard reduction* means a reduction (by controlled burning or mechanical or manual means) of material that constitutes a bushfire hazard but, in the Table to clause 10, does not include a work elsewhere specifically defined in this clause.

**[6] Clause 7 (1), definition of “caravan park”**

Omit the definition of *camping or caravan site*. Insert instead:

*caravan park* means land used as a site for moveable dwellings, including tents and caravans or other vehicles used for temporary or permanent accommodation or the erection, assembly or placement of cabins for temporary accommodation of tourists.

**[7] Clause 7 (1), definition of “hospital”**

Omit the definition. Insert instead:

*hospital* means a building or place used for providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or restaurants, and ancillary accommodation for persons receiving health care or for their visitors, and

Wyong Local Environmental Plan 1991 (Amendment No 135)

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- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers.

**[8] Clause 7 (1), definition of “housing for older persons or people with a disability”**

Omit the definition of *housing for aged or disabled persons*. Insert instead:

*housing for older persons or people with a disability* means residential accommodation, which may take any building form, which is or is intended to be used permanently as housing for the accommodation of aged persons or disabled persons, and which may consist of hostels or a grouping of 2 or more self-contained dwellings, or a combination of both, and which includes 1 or more of the following facilities provided for use in connection with that accommodation:

- (a) accommodation for staff employed in connection with that accommodation,
- (b) chapels,
- (c) medical consulting rooms,
- (d) meeting rooms,
- (e) recreational facilities,
- (f) shops,
- (g) therapy rooms,
- (h) any other facilities for the use or benefit of older persons or persons with a disability.

**[9] Clause 7 (1), definition of “the map”**

Insert in appropriate order:

Wyong Local Environmental Plan 1991 (Amendment No 135)

**[10] Clause 9 Zones indicated on the map**

Omit “Rural Holding Zone” from the matter relating to Zone No 1 (c).  
Insert instead “Non Urban Constrained Lands Zone”.

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**[11] Clause 9**

Insert after the matter relating to Zone No 2 (d):

Zone No 2 (e) (Urban Release Area Zone)—identified with heavy black edging and lettered “2 (e)”.

**[12] Clause 9**

Insert after the matter relating to Zone No 8 (a):

Zone No 10 (a) (Investigation Precinct Zone)—identified with heavy black edging and lettered “10 (a)”.

**[13] Clause 10 Zone objectives and development control table**

Omit the Table to the clause. Insert instead:

**Table**

**Zone No 1 (a) (Rural Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to protect, enhance and conserve agricultural land in a manner which sustains its efficient, sustainable and effective agricultural production potential, and
- (b) to facilitate development requiring a rural or isolated location or associated with agricultural pursuits, and rural industry, provided that it is unlikely to:
  - (i) prejudice the present environmental quality of the land within this zone, or
  - (ii) generate significant additional traffic, or create or increase a condition of ribbon development on any road, relative to the capacity and safety of the road, or
  - (iii) prejudice the intent of the objective specified in paragraph (a), or

Wyong Local Environmental Plan 1991 (Amendment No 135)

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- (iv) have an adverse impact on the region's water resources.

**2 Without development consent**

Home occupations.

**3 Only with development consent**

Any purpose other than a purpose included in item 2 or 4 of the matter relating to this zone.

**4 Prohibited**

Aerodromes; boarding houses; brothels; building products sales rooms or showrooms; bulky goods sales rooms or showrooms; caravan parks; carparking stations; child care centres; commercial premises; detached dual occupancies; entertainment facilities; exhibition homes; general stores; generating works; hazardous industries; hazardous storage establishments; hotels; housing for older persons or people with a disability; industries; large scale commercial premises; large scale retail premises; light industries; materials recycling depots; medical centres; motels; motor showrooms; offensive industries; offensive storage establishments; passenger transport terminals; plant hire establishments; reception establishments; recreation facilities; registered clubs; residential flat buildings; restaurants; road transport terminals; self storage establishments; service stations; shops; tourist accommodation; toxic waste incinerators; vehicle body repair workshops; vehicle repair stations; warehouses.

**Zone No 1 (c) (Non Urban Constrained Lands) Zone**

**1 Objectives of zone**

The objectives are:

- (a) to limit the development of land that may be affected by flooding, coastal erosion, slope, and other physical constraints (including lack of adequate water supply and sewerage), and



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- (b) to prohibit development that is likely to prejudice the present and future environmental quality of the land, and
  - (c) to ensure that development is carried out in a manner that minimises risks from natural hazards and does not detract from the scenic quality.

**2 Without development consent**

Home occupations.

**3 Only with development consent**

Agriculture; animal establishments; bushfire hazard reduction; drainage; dwellings; flood mitigation works; home businesses; nutrient control facilities; recreation areas; roadside stalls; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 1 (d) (Village Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to preserve the small scale of activities and general residential character of village areas, and
- (b) to provide facilities and services to support adjoining agricultural land uses providing they do not prejudice the intent of the objective specified in paragraph (a), and
- (c) to restrict development which may have an adverse impact on the region's water resources.

**2 Without development consent**

Home occupations.

Wyong Local Environmental Plan 1991 (Amendment No 135)

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**3 Only with development consent**

Advertisements; child care centres; commercial premises, communications facilities; community facilities; drainage; dual occupancy buildings; education establishments; excavation and filling; general stores; group homes; home businesses; palliative day care centres; places of worship; recreation areas; restaurants; tourist accommodation; transitional group homes; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 1 (f) (Forestry Zone)**

**1 Objectives of zone**

The objective of this zone is to conserve forest resources.

**2 Without development consent**

Any purpose authorised under the *Forestry Act 1916*.

**3 Only with development consent**

Nil.

**4 Prohibited**

Any purpose other than a purpose included in item 2 of the matter relating to this zone.

**Zone No 2 (a) (Residential Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to provide land primarily for detached housing generally not exceeding a height of 2 storeys and with private gardens in an environment free

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from commercial and other incompatible activities and buildings, and

- (b) to provide for other uses, but only where they:
  - (i) are compatible with the residential environment and afford services to residents at a local level, and
  - (ii) are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for detached housing, and
- (c) to provide for home-based employment where such will not:
  - (i) involve exposure to view from any public place of any unsightly matter, or any raw material, equipment, machinery, product or stored finished goods, or
  - (ii) have a material adverse impact on residents.

**2 Without development consent**

Home occupations.

**3 Only with development consent**

Advertisements; bushfire hazard reduction; child care centres; communications facilities; community facilities; detached dual occupancies; drainage; dual occupancy buildings; dwelling-houses; education establishments; exhibition homes; flood mitigation works; general stores; group homes; home businesses; hospitals; nutrient control facilities; palliative day care centres; places of worship; recreation areas; transitional group homes; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

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## **Zone No 2 (b) (Multiple Dwelling Residential Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to cater for a wide range of housing types essentially domestic in scale and character and generally not exceeding a height of 2 storeys, and
- (b) to provide for other uses which:
  - (i) are compatible with the residential environment and afford services to residents at a local level, and
  - (ii) are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential uses, and
- (c) to provide home-based employment where such will not:
  - (i) involve exposure to view from any public place of any unsightly matter, or any raw material, equipment, machinery, product or stored finished goods, or
  - (ii) have a material adverse impact on residents.

### **2 Without development consent**

Home occupations.

### **3 Only with development consent**

Advertisements; boarding houses; bushfire hazard reduction; child care centres; communications facilities; community facilities; detached dual occupancies; drainage; dual occupancy buildings; dwelling-houses; education establishments; exhibition homes; flood mitigation works; general stores; group homes; home businesses; hospitals; housing for older persons or people with a disability; motels; nutrient control

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facilities; palliative day care centres; places of worship; recreation areas; residential flat buildings; tourist accommodation; transitional group homes; utility installations.

#### **4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

### **Zone No 2 (c) (Medium Density Residential Zone)**

#### **1 Objectives of zone**

The objectives are:

- (a) to cater primarily for residential flat buildings generally not exceeding a height of 3 storeys (except as otherwise provided for by clause 42B), and
- (b) to provide for other uses which:
  - (i) are compatible with the residential environment and afford services to residents at a local level, and
  - (ii) are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential uses, and
- (c) to provide home-based employment where such will not:
  - (i) involve exposure to view from any public place of any unsightly matter, or raw material, equipment, machinery, product or stored finished goods, or
  - (ii) have a material adverse impact on residents.

#### **2 Without development consent**

Home occupations.

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### **3 Only with development consent**

Advertisements; boarding houses; bushfire hazard reduction; child care centres; communications facilities; community facilities; detached dual occupancies; drainage; dual occupancy buildings; dwelling-houses; education establishments; exhibition homes; flood mitigation works; general stores; group homes; home businesses; hospitals; housing for older persons or people with a disability; motels; nutrient control facilities; palliative day care centres; places of worship; recreation areas; residential flat buildings; tourist accommodation; transitional group homes; utility installations.

### **4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

## **Zone No 2 (d) (High Density Residential Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to allow for high density residential development in suitable locations, and
- (b) to provide for other uses which:
  - (i) are compatible with the residential environment and afford services to residents at a local level, and
  - (ii) are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential use, and
- (c) to provide home-based employment where such will not:
  - (i) involve exposure to view from any public place of any unsightly matter, or any raw material, equipment, machinery, product or stored finished goods, or

Wyong Local Environmental Plan 1991 (Amendment No 135)

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- (ii) have a material adverse impact on residents.

**2 Without development consent**

Home occupations.

**3 Only with development consent**

Advertisements; boarding houses; bushfire hazard reduction; child care centres; communications facilities; community facilities; detached dual occupancies; drainage; dual occupancy buildings; dwelling-houses; education establishments; exhibition homes; flood mitigation works; general stores; group homes; home businesses; hospitals; housing for older persons or people with a disability; motels; nutrient control facilities; palliative day care centres; places of worship; recreation areas; residential flat buildings; tourist accommodation; transitional group homes; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 2 (e) (Urban Release Area Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to cater for a range of housing types appropriate to a greenfield urban release area and not exceeding a height of 2 storeys, and
- (b) to provide for other uses which:
  - (i) are compatible with the residential environment and afford services to residents at a local level, and
  - (ii) are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential uses, and

## Wyong Local Environmental Plan 1991 (Amendment No 135)

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- (c) to provide home-based employment where such will not:
  - (i) involve exposure to view from any public place of any unsightly matter, or any raw material, equipment, machinery, product or stored finished goods, or
  - (ii) have a material adverse impact on residents, and
- (d) to ensure development includes appropriate water sensitive urban design.

**2 Without development consent**

Home occupations.

**3 Only with development consent**

Advertisements; agriculture; boarding houses; bushfire hazard reduction; child care centres; communications facilities; community facilities; detached dual occupancies; drainage; dual occupancy buildings; dwelling-houses; education establishments; exhibition homes; flood mitigation works; general stores; group homes; home businesses; hospitals; housing for older persons or people with a disability; motels; nutrient control facilities; palliative day care centres; places of worship; recreation areas; residential flat buildings; tourist accommodation; transitional group homes; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 2 (g) (Residential Tourist Zone)****1 Objectives of zone**

The objectives are:

- (a) to encourage residential development of various types primarily intended to accommodate tourists and visitors and not exceeding a height



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of 3 storeys (except as otherwise provided for in clause 42B), and

- (b) to accommodate other types of development which complement tourist uses, and
- (c) to ensure that tourist development does not significantly adversely impact on the amenity of residential areas in adjacent zones, and
- (d) to ensure that the scale and function of tourist development is appropriate in the context of the form of development which might occur in the zone for tourist purposes.

**2 Without development consent**

Home occupations.

**3 Only with development consent**

Advertisements; boarding houses; bushfire hazard reduction; child care centres; communications facilities; community facilities; drainage; dwelling-houses; education establishments; entertainment facilities; hotels; motels; nutrient control facilities; recreation areas; residential flat buildings; restaurants; tourist accommodation; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 3 (a) (Business Centre Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to provide the primary opportunity for the development of retail and commercial activities that are appropriate to the character and needs of individual business centres within the retail hierarchy proposed by a development control plan prepared by the Council for the purpose, and

## Wyong Local Environmental Plan 1991 (Amendment No 135)

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- (b) to provide for higher intensity retail and commercial uses, while allowing for low intensity retail and commercial uses in other business zones, and
  - (c) to enable the Council to provide more detailed guidelines about preferred retail distribution and development issues in a development control plan.

**2 Without development consent**

Nil.

**3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

**4 Prohibited**

Abattoirs; aerodromes; agriculture; animal establishments; aquaculture; boarding houses; brothels; building products sales rooms or showrooms; caravan parks; depots; detached dual occupancies; dual occupancy buildings; dwellings (other than those attached to other permitted buildings); exhibition homes; extractive industries; generating works; hazardous industries; hazardous storage establishments; industries; intensive agriculture; light industries; materials recycling depots; mining; offensive industries; motor showrooms; offensive storage establishments; plant hire establishments; residential flat buildings (other than those attached to other permitted buildings); road transport terminals; roadside stalls; rural industries; sawmills; self storage establishments; stock and sale yards; tourist accommodation that is not attached to other permitted buildings or used in conjunction with other permitted uses; toxic waste incinerators; transport depots; vehicle body repair workshops; vehicle repair stations; warehouses.

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## **Zone No 3 (b) (Centre Support Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to provide opportunities for development having relatively low traffic-generating characteristics but not high turnover shops and offices that might more properly be located in the Business Centre Zone, and
- (b) to provide for relatively low intensity commercial and retail uses with extensive floor space requirements, but not including supermarkets or other food or produce markets, and
- (c) to provide for development which does not have the potential to result in a detrimental impact on uses in the Business Centre Zone, and
- (d) to create opportunities for development within district and regional business centres which support and enhance the range of retail opportunities within those centres, and
- (e) to enable the Council to provide more detailed guidelines about preferred retail distribution and development issues in a development control plan.

### **2 Without development consent**

Nil.

### **3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

### **4 Prohibited**

Abattoirs; aerodromes; agriculture; animal establishments; aquaculture; boarding houses; brothels; caravan parks; depots; detached dual occupancies; dual occupancy buildings; dwellings (other than those used in conjunction with a permitted business and situated on

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the same land as the permitted business); exhibition homes; extractive industries; general stores; generating works; group homes; hazardous industries; hazardous storage establishments; industries; intensive agriculture; light industries; materials recycling depots; mining; offensive industries; offensive storage establishments; plant hire establishments; residential flat buildings; road transport terminals; roadside stalls; rural industries; sawmills; self storage establishments; shops; stock and sale yards; tourist accommodation; toxic waste incinerators; transitional group homes; transport depots; vehicle body repair workshops; warehouses.

### **Zone No 3 (d) (Tourist Business Zone)**

#### **1 Objectives of zone**

The objectives are:

- (a) to encourage development providing accommodation, services, entertainment and attractions for tourists, and
- (b) to complement the functions of a nearby town centre, and
- (c) to ensure that development is of a type and scale that is appropriate to a tourist-orientated character, and enables the maintenance of the area's attraction to tourists.

#### **2 Without development consent**

Nil.

#### **3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

#### **4 Prohibited**

Abattoirs; aerodromes; agriculture; animal establishments; aquaculture; boarding houses; brothels; building products sales rooms or showrooms; bulky goods sales rooms or showrooms; caravan parks;

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depots; detached dual occupancies; dual occupancy buildings; dwellings (other than those used in conjunction with a permitted business and situated on the same land as the permitted business); education establishments; exhibition homes; extractive industries; generating works; group homes; hazardous industries; hazardous storage establishments; heliports; hospitals; industries; intensive agriculture; light industries; materials recycling depots; medical centres; mining; motor showrooms; offensive industries; offensive storage establishments; palliative day care centres; places of worship; plant hire establishments; plant nurseries; residential flat buildings (other than those attached to other permitted buildings); road transport terminals; roadside stalls; rural industries; sawmills; self storage establishments; service stations; stock and sale yards; toxic waste incinerators; transitional group homes; transport depots; vehicle body repair workshops; vehicle repair stations; veterinary hospitals; warehouses.

## **Zone No 4 (a) (General Industrial Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to provide opportunities for the development of large scale industrial, service and storage activities which by nature of their operations should be isolated from residential areas, and
- (b) to restrict commercial, retail or other development except where it is ancillary to the use of land within this zone for industrial, service and storage purposes, and
- (c) to enable the Council to provide more detailed guidelines about industrial development in a development control plan.

### **2 Without development consent**

Nil.

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### **3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

### **4 Prohibited**

Aerodromes; agriculture; boarding houses; brothels; building products sales rooms or showrooms; bulky goods sales rooms or showrooms; caravan parks; commercial premises; detached dual occupancies; dual occupancy buildings; dwellings (other than those used in conjunction with a permitted industry and situated on the same land as the permitted industry); exhibition homes; group homes; hazardous industries; hazardous storage establishments; hotels; intensive agriculture; large scale commercial premises; large scale retail establishments; medical centres; motels; motor showrooms; offensive industries; offensive storage establishments; palliative day care centres; plant hire establishments; plant nurseries; reception establishments; registered clubs; residential flat buildings; restaurants; roadside stalls; rural industries; self storage establishments; service stations; shops; tourist accommodation; toxic waste incinerators; transitional group homes.

## **Zone No 4 (b) (Light Industrial Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to provide opportunities for the development of a wide range of industrial, service and storage activities which do not have a materially detrimental effect on the amenity of adjoining residential areas, and
- (b) to restrict commercial, retail or other development except where it is ancillary to the use of land within this zone for light industrial, service and storage purposes, and

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- (c) to enable the Council to provide more detailed guidelines about industrial development in a development control plan.

**2 Without development consent**

Nil.

**3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

**4 Prohibited**

Abattoirs; aerodromes; agriculture; boarding houses; bulky goods sales rooms or showrooms; caravan parks; commercial premises; detached dual occupancies; dual occupancy buildings; dwellings (other than those used in conjunction with a permitted industry and situated on the same land as the permitted industry); exhibition homes; generating works; group homes; hazardous industries; hazardous storage establishments; industries (other than light industries); intensive agriculture; large scale commercial premises; large scale retail establishments; medical centres; motels; offensive industries; offensive storage establishments; palliative day care centres; reception establishments; residential flat buildings; restaurants; roadside stalls; rural industries; sawmills; shops; tourist accommodation; toxic waste incinerators; transitional group homes.

**Zone No 4 (c) (Business Park Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to provide for the integrated development of an industrial business park, and
- (b) to allow for large scale commercial development which is not in conflict with sustaining and developing commercial zones, and

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- (c) to encourage development appropriate to an industrial business park which generates multi-sector employment, and
  - (d) to enable the Council to provide more detailed guidelines about industrial development in a development control plan.

**2 Without development consent**

Nil.

**3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

**4 Prohibited**

Abattoirs; aerodromes; agriculture; animal establishments; boarding houses; brothels; building products sales rooms or showrooms; bulky goods sales rooms or showrooms; caravan parks; commercial premises; detached dual occupancies; dual occupancy buildings; dwellings (other than those used in conjunction with a permitted industry and situated on the same land as the permitted industry); exhibition homes; generating works; group homes; hazardous industries; hazardous storage establishments; industries (other than light industries); intensive agriculture; large scale retail establishments; materials recycling depots; medical centres; motels; motor showrooms; offensive industries; offensive storage establishments; palliative day care centres; plant hire establishments; reception establishments; residential flat buildings; restaurants; roadside stalls; rural industries; sawmills; self storage establishments; service stations; shops; stock and sale yards; tourist accommodation; toxic waste incinerators; transitional group homes; vehicle body repair workshops; vehicle repair stations.



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## **Zone No 4 (e) (Regional Industrial and Employment Development Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to provide land to cater primarily for the special requirements of major industrial or employment-generating development which is within convenient distances to support population growth within the urban centres of the local government area of Wyong and has good road and rail access links, and
- (b) to facilitate major industrial and employment-generating activities by permitting development which:
  - (i) generates significant new employment on-site, or
  - (ii) requires a large site area but has a significant multiplier effect in the regional economy, and
- (c) to facilitate other industrial and employment-generating activities only where:
  - (i) the development needs to be located with other major industry or activities within the zone, or
  - (ii) the development requires a location with convenient access to the freeway or railway, and
- (d) to provide that new industrial development and other development does not present unacceptable risks by limiting development which:
  - (i) exposes residences and the natural environment to unacceptable levels of pollution or hazard risk and does not incorporate adequate safeguards to mitigate any potential threats, or

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- (ii) involves a process which generates toxic waste products the disposal of which cannot be properly managed either on site or otherwise, or
  - (iii) limits the potential employment capacity of the zone by sterilising large areas of land through buffer or isolation requirements, and
  - (e) to promote environmentally sustainable development by limiting development that:
    - (i) contributes to the degradation of the Tuggerah Lakes or Lake Macquarie systems, and
    - (ii) involves the transportation of hazardous or offensive materials through or in proximity to residential or environmentally sensitive areas, and
  - (f) to provide for commercial and retail development:
    - (i) that is ancillary to the main use of land within the zone, and
    - (ii) that meets the day-to-day needs of occupants and employees of the buildings within the zone.

**2 Without development consent**

Nil.

**3 Only with development consent**

Any purpose other than a purpose included in item 4 of the matter relating to this zone.

**4 Prohibited**

Abattoirs; aerodromes; agriculture; animal establishments; boarding houses; brothels; building products sales rooms or showrooms; bulky goods sales rooms or showrooms; caravan parks; community facilities; dwellings (other than those used in conjunction with a permitted industry and situated on the same land as the permitted industry); entertainment

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facilities; exhibition homes; group homes; hazardous industries; hazardous storage establishments; hospitals; hotels; intensive agriculture; large scale retail establishments; medical centres; motels; motor showrooms; offensive industries; offensive storage establishments; palliative day care centres; plant hire establishments; reception establishments; recreation facilities; registered clubs; residential flat buildings; restaurants; roadside stalls; rural industries; self storage establishments; shops; tourist accommodation; toxic waste incinerators; transitional group homes; vehicle body repair workshops; vehicle repair stations.

### **Zone No 5 (a) (Special Uses Zone)**

#### **1 Objectives of zone**

The objectives are:

- (a) to cater for the provision of community and public facilities and services, and
- (b) to provide for any other development of land within this zone, with the consent of the Council, provided that:
  - (i) the other development is ancillary to or related to the current or future use of the land for the purpose of a community or public facility or service, and
  - (ii) the other development does not adversely affect the current or future usefulness of the land for the purpose of those facilities or services.

#### **2 Without development consent**

Nil.

#### **3 Only with development consent**

Any purpose.

#### **4 Prohibited**

Nil.

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### **Zone No 5 (b) (Railways Zone)**

#### **1 Objectives of zone**

The objective is to recognise existing railway land and to enable its future development for railway and associated purposes.

#### **2 Without development consent**

Nil.

#### **3 Only with development consent**

Any purpose.

#### **4 Prohibited**

Nil.

### **Zone No 5 (c) (Local Road Reservation Zone)**

#### **1 Objectives of zone**

The objectives are:

- (a) to provide for the acquisition and development of land principally for local roads, and
- (b) to provide for any other purpose, with the consent of the Council, provided that the purpose does not:
  - (i) adversely affect the current or future usefulness of the land for the purposes for which it is zoned, or
  - (ii) prejudice proposals for the acquisition of land as referred to in paragraph (a).

#### **2 Without development consent**

Nil.

#### **3 Only with development consent**

Any purpose.

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**4 Prohibited**

Nil.

**Zone No 5 (d) (Arterial Road Reservation Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to provide for the acquisition and development of land principally for arterial roads, and
- (b) to provide for any other purpose, with the consent of the Council, provided that the purpose does not affect the usefulness of the land for the purpose of arterial roads.

**2 Without development consent**

Nil.

**3 Only with development consent**

Any purpose.

**4 Prohibited**

Nil.

**Zone No 6 (a) (Open Space and Recreation Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to provide for the open space and recreation needs of the local community and visitors, and
- (b) to allow for other leisure and recreation-orientated development, or any other use that is authorised by a plan of management adopted under section 40 of the *Local Government Act 1993*, which:
  - (i) promotes worthwhile community benefits, and

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- (ii) would not reduce the amount and distribution of public open space areas below acceptable levels and standards which meet the needs of the community, and
  - (iii) would not have an unacceptable impact on the amenity of adjacent areas, and
  - (iv) would not have an adverse effect on water catchments, water quality, land surface conditions and important ecosystems such as Tuggerah Lakes, Lake Macquarie, streams, estuaries and wetlands.

**2 Without development consent**

Works for the purposes of landscaping, gardening or bushfire hazard reduction.

**3 Only with development consent**

Any purpose other than a purpose included in item 2 of the matter relating to this zone.

**4 Prohibited**

Nil.

**Zone No 6 (b) (Regional Open Space and Recreation Zone)****1 Objectives of zone**

The objectives are:

- (a) to identify land, not in public ownership, that will be acquired by the corporation under the Act, being land proposed to be used principally for the purposes of public recreation or nature conservation, or both, and
- (b) to allow any other use, with the consent of the Council, provided that the use does not affect the usefulness of the land for the purpose of public recreation or nature conservation, or both.

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**2 Without development consent**

Works for the purposes of landscaping, gardening or bushfire hazard reduction.

**3 Only with development consent**

Any purpose other than a purpose included in item 2 of the matter relating to this zone.

**4 Prohibited**

Nil.

**Zone No 6 (c) (Proposed Open Space and Recreation Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to identify land, not in public ownership, that will be acquired by the Council and is proposed to be used principally for the purposes of public open space and recreation, and
- (b) to allow any other use, with the consent of the Council, provided that the use does not:
  - (i) adversely affect the usefulness of the land for the purposes for which it is required, or
  - (ii) prejudice proposals for the acquisition of land as referred to in paragraph (a).

**2 Without development consent**

Works for the purposes of landscaping, gardening or bushfire hazard reduction.

**3 Only with development consent**

Any purpose other than a purpose included in item 2 of the matter relating to this zone.

**4 Prohibited**

Nil.

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## **Zone No 7 (a) (Conservation Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to restrict the type and scale of development which will be carried out on land possessing special aesthetic, ecological or conservation values to that compatible with such environments, and
- (b) to allow such development where:
  - (i) it can be demonstrated that it can be carried out in a manner that minimises risks from natural hazards, functions efficiently, does not prejudice other economic development and does not detract from the scenic quality of the land referred to in the objective specified in paragraph (a), and
  - (ii) it is unlikely to have a significant detrimental effect on the growth of native plant communities, the survival of native wildlife populations or the provision and quality of habitats for both indigenous and migratory species, and
  - (iii) it is unlikely to have an adverse impact on the region's water resources.

### **2 Without development consent**

Home occupations.

### **3 Only with development consent**

Agriculture; bushfire hazard reduction; communications facilities; community facilities; dams; drainage; dual occupancy buildings; dwelling-houses; home businesses; nutrient control facilities; recreation areas; utility installations.

### **4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.



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## **Zone No 7 (b) (Scenic Protection Zone)**

### **1 Objectives of zone**

The objective is to restrict the type and scale of development which will be carried out on land possessing scenic values to that unlikely to:

- (a) prejudice the present scenic quality of the land within this zone, or
- (b) generate significant additional traffic or create or increase a condition of ribbon development on any road, relative to the capacity and safety of the road, or
- (c) prejudice the viability of existing commercial centres, or
- (d) have an adverse impact on the region's water resources.

### **2 Without development consent**

Home occupations.

### **3 Only with development consent**

Any purpose other than a purpose included in item 2 or 4 of the matter relating to this zone.

### **4 Prohibited**

Abattoirs; aerodromes; boarding houses; brothels; building products sales rooms or showrooms; bulky goods sales rooms or showrooms; carparking stations; child care centres; commercial premises; depots; detached dual occupancies; entertainment facilities; exhibition homes; extractive industries; general stores; generating works; hazardous industries; hazardous storage establishments; housing for older persons or people with a disability; industries; intensive agriculture; large scale commercial premises; large scale retail premises; light industries; materials recycling depots; medical centres; mining; motor showrooms; offensive industries; offensive storage establishments; passenger transport terminals; plant hire

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establishments; reception establishments; registered clubs; residential flat buildings; road transport terminals; self storage establishments; service stations; shops; stock and sale yards; toxic waste incinerators; transport depots; vehicle body repair workshops; vehicle repair stations; warehouses.

### **Zone No 7 (c) (Scenic Protection: Small Holdings Zone)**

#### **1 Objectives of zone**

The objectives are:

- (a) to enable development for the purposes of small rural-residential holdings to be carried out on land which is suitable for those purposes and which is unlikely:
  - (i) to inhibit the potential for urban expansion, particularly at the urban fringe, or
  - (ii) to create a demand for the uneconomic provision of services, or
  - (iii) to detract from the scenic quality of rural lands, and
- (b) to allow for non-residential uses where those are compatible with rural-residential development and are unlikely to create an unreasonable demand for public services or substantially reduce the adequacy of existing levels of those services.

#### **2 Without development consent**

Home occupations.

#### **3 Only with development consent**

Advertisements; agriculture; bushfire hazard reduction; communications facilities; community facilities; dams; drainage; dual occupancy buildings; dwelling-houses;

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education establishments; group homes; home businesses; nutrient control facilities; places of worship; recreation areas; transitional group homes; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 7 (d) (Coastal Lands Protection Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to restrict the type and scale of development which will be considered on land possessing special environmental or recreational values to those compatible with such environments, and
- (b) to allow such development only where it can be demonstrated that it can be carried out in a manner that does not detract from the scenic quality of the land referred to in paragraph (a).

**2 Without development consent**

Nil.

**3 Only with development consent**

Advertisements; agriculture; bushfire hazard reduction; caravan parks; dams; drainage; dwelling-houses; home businesses; home occupations; nutrient control facilities; recreation areas; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 3 of the matter relating to this zone.

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## **Zone No 7 (e) (Coastal Lands Acquisition Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to restrict the type and scale of development which will be carried out on land possessing special environmental or recreational values to those compatible with such environments, and
- (b) to allow such development only where:
  - (i) it can be demonstrated that it can be carried out in a manner that does not detract from the scenic quality of the land referred to in paragraph (a), and
  - (ii) it is unlikely to prejudice proposals for the acquisition of land referred to in paragraph (a).

### **2 Without development consent**

Nil.

### **3 Only with development consent**

Agriculture; bushfire hazard reduction; drainage; dwelling-houses; nutrient control facilities; utility installations.

### **4 Prohibited**

Any purpose other than a purpose included in item 3 of the matter relating to this zone.

## **Zone No 7 (f) (Environmental Protection Zone)**

### **1 Objectives of zone**

The objective of this zone is to restrict the type and scale of development which will be carried out on land adjoining major noise generators (or other development with similar detrimental impact) to that compatible with such environments.

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**2 Without development consent**

Nil.

**3 Only with development consent**

Advertisements; agriculture; bushfire hazard reduction; communication facilities; dams; drainage; dual occupancy buildings; dwelling-houses; education establishments; group homes; home businesses; home occupations; nutrient control facilities; places of worship; plant nurseries; recreation areas; recreation facilities; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 3 of the matter relating to this zone.

**Zone No 7 (g) (Wetlands Management Zone)**

**1 Objectives of zone**

The objectives of this zone are:

- (a) to protect and conserve locally important wetland habitats, and
- (b) to lessen the development pressure on local wetlands by restricting the type and scale of development to which they are subjected, and
- (c) to ensure that ecological, scenic and other environmental attributes of local wetland areas are not altered, and
- (d) to limit development within the zone that is likely to have a detrimental effect on the ecological sustainability of wetland functions and values, in particular those functions relating to conservation and sediment and nutrient filtration.

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**2 Without development consent**

Bushfire hazard reduction (only where consistent with a bushfire risk management plan within the meaning of the *Rural Fires Act 1997*).

**3 Only with development consent**

Agriculture; bushfire hazard reduction; dams; drainage; dwelling-houses; flood mitigation works; nutrient control facilities; recreation areas; utility installations.

**4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

**Zone No 8 (a) (National Parks Zone)**

**1 Objectives of zone**

The objectives are:

- (a) to conserve areas of natural, ecological, scenic, educational, scientific, cultural or historical importance, and
- (b) to identify land reserved or dedicated under the *National Parks and Wildlife Act 1974*, and
- (c) to allow for the management and appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

**2 Without development consent**

Any purpose authorised by or under the *National Parks and Wildlife Act 1974*, and any purpose ancillary or incidental to such a purpose; utility installations.

**3 Only with development consent**

Nil.

**4 Prohibited**

Any purpose other than a purpose specified in item 2 of the matter relating to this zone.

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## **Zone No 10 (a) (Investigation Precinct Zone)**

### **1 Objectives of zone**

The objectives are:

- (a) to protect native vegetation, maintain ecological processes and biological diversity within land that is under investigation for conservation purposes, and
- (b) to protect rural land that, after detailed environmental investigations, may be suitable for ecological conservation or future urban development, and
- (c) to prohibit development that it is likely:
  - (i) to lead to the premature and sporadic subdivision of land, or
  - (ii) to inhibit the potential for urban expansion in selected areas, particularly the urban fringe, or
  - (iii) to prejudice the present environmental quality of the land, or
  - (iv) to generate significant additional traffic or create or increase a condition of ribbon development on any road, relative to the capacity and safety of the road, and
- (d) to ensure that any interim development is carried out in a manner that minimises risks from natural hazards, minimises degradation of environmental values, functions efficiently, does not prejudice other economic development and does not detract from the scenic quality of rural areas, and
- (e) to allow mining to occur in an environmentally acceptable manner.

### **2 Without development consent**

Home occupations.

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### **3 Only with development consent**

Agriculture; bushfire hazard reduction; communications facilities; community facilities; drainage; dwelling-houses; flood mitigation works; home businesses; mining; nutrient control facilities; recreation areas; roadside stalls; utility installations.

### **4 Prohibited**

Any purpose other than a purpose included in item 2 or 3 of the matter relating to this zone.

#### **[14] Clause 13 Subdivision of land—generally**

Insert after clause 13 (4):

- (5) Subdivision of land within Zone No 10 (a) to create additional lots is prohibited.

#### **[15] Clause 14A**

Omit the clause. Insert instead:

#### **14A Subdivision of dual occupancies within Zone No 2 (e) prohibited**

- (1) The Council must not grant consent for a subdivision (by a strata plan or otherwise) that creates separate land titles for the two dwellings comprising a dual occupancy building or a detached dual occupancy on land within Zone No 2 (e).
- (2) The separate occupation of the proposed lots illustrated by a proposed strata plan is prohibited if the proposed plan relates to a dual occupancy building or a detached dual occupancy within Zone No 2 (e).

#### **[16] Clause 15**

Insert after clause 14A:

#### **15 Development on land containing acid sulfate soils**

- (1) The objective of this clause is to require special assessment of certain development on land identified as being subject to actual acid sulfate soils or potential acid sulfate soils.



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- (2) A person must not, without the consent of the Council, carry out works described in the following Table on land of the class or classes specified for those works in that Table and shown on the Acid Sulfate Soils Planning Map, except as provided by subclause (4).

Class of land shown on Acid Sulfate Soils Planning Map	Works
1	Any works
2	Works below the natural ground surface Works by which the watertable is likely to be lowered
3	Works beyond 1 metre below the natural ground surface Works by which the watertable is likely to be lowered to any point beyond 1 metre below the natural ground surface
4	Works beyond 2 metres below the natural ground surface Works by which the watertable is likely to be lowered to any point beyond 2 metres below the natural ground surface
5	Works which are likely to lower the watertable in adjacent Class 1, 2, 3 or 4 land to any point below 1 metre AHD

- (3) For the purposes of subclause (2), *works* includes:
- (a) any disturbance of more than one tonne of soil (such as occurs in carrying out agriculture, agricultural-related works, the construction or maintenance of drains, engineering works, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works), or
  - (b) any other works that are likely to lower the watertable.

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- (4) This clause does not require consent for the carrying out of works if:
- (a) a copy of a preliminary assessment of the proposed works undertaken in accordance with the *Acid Sulfate Soils Assessment Guidelines* has been given to the Council, and
  - (b) the Council has provided written advice to the person proposing to carry out the works confirming that results of the preliminary assessment indicate the proposed works need not be carried out pursuant to an acid sulfate soils management plan prepared in accordance with the *Acid Sulfate Soils Assessment Guidelines*.
- (5) The Council must not grant a consent required by this clause unless it has considered:
- (a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Assessment Guidelines*, and
  - (b) the likelihood of the proposed development resulting in the discharge of acid water, and
  - (c) any comments received from the Department of Infrastructure, Planning and Natural Resources within 21 days of the Council having sent that Department a copy of the development application and the related acid sulfate soils management plan.
- (6) This clause requires consent for development to be carried out by the Council and other public authorities despite:
- (a) clause 35 of, and items 2 and 11 of Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*, as adopted by this plan, and
  - (b) clause 10 of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development*, and
  - (c) clause 24 of this plan.
- (7) Notwithstanding the provisions of subclause (6), the following types of development may be carried out without consent by the Council or another public authority:

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- (a) development consisting of emergency work and remediation, subject to compliance with subclause (9),
  - (b) development consisting of routine maintenance and remediation, subject to compliance with subclause (9),
  - (c) development on class 4 or 5 land (within the meaning of subclause (2)) consisting of minor work, and development ancillary to that development, such as the carrying out of excavation work, the construction of accessways and the provision of power supplies and remediation, subject to compliance with subclause (9).
- (8) Despite subclause (7), development consisting of routine maintenance or minor work may be carried out only with consent if the development is on a site listed as a heritage item.
- (9) Where the Council or another public authority carries out development described in subclause (7) and encounters, or is reasonably likely to encounter acid sulfate soils, the Council or other public authority shall properly deal with those soils in accordance with the *Acid Sulfate Soils Assessment Guidelines* so as to minimise the actual or potential impact to the environment arising from disturbance of the soils.

**[17] Clause 16 Dwelling-houses**

Omit clause 16 (1). Insert instead:

- (1) Except as otherwise provided by this plan, one dwelling-house only may be erected, with the consent of the Council, on an allotment of land that was in existence on the appointed day or with an area not less than the applicable minimum area specified in clause 14 (2) or (3) (b), within Zone No 1 (a), 1 (c), 7 (a), 7 (b), 7 (c), 7 (d), 7 (e), 7 (f), 7 (g) or 10 (a).

**[18] Clause 16 (3A)**

Insert after clause 16 (3):

- (3A) Subclause (3) (a) does not apply to land within Zone No 7 (a) or 10 (a).

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**[19] Clause 18 Restriction on development—lot amalgamation**

Omit clause 18 (1). Insert instead:

- (1) This clause applies to land in the localities shown by distinctive edging and marked “lot amalgamation” on the map, except land described in Schedule 5.

**[20] Clause 18 (3)**

Omit the subclause. Insert instead:

- (3) Where an allotment of land to which this clause applies is one of a number of adjoining allotments within the same locality, the Council must not consent to any development on the land, unless a condition of its consent requires that all the allotments within the same locality be amalgamated.

**[21] Clause 19**

Omit the clause. Insert instead:

**19 Development near lakes, rivers and creeks**

The Council shall, in respect of an application for its consent to carry out development of land adjoining Wyong River, Wallarah Creek, Tumbi Umbi Creek, Cedar Brush Creek, Ourimbah Creek, Jiliby Jiliby Creek, Little Jiliby Jiliby Creek, Lake Macquarie, Lake Munmorah, Bunning Creek, Budgewoi Lake or Tuggerah Lake, take into consideration:

- (a) the impact of that development on water quality and quantity, existing vegetation, fish, aquatic life and the location of the water body or watercourse, and
- (b) any effects of the development on water supply, and
- (c) whether the development is likely to cause detrimental effects on a watercourse or water body through erosion, sedimentation or the emission of pollutants, and
- (d) whether the development incorporates best practice water sensitive urban design techniques.

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**[22] Clause 20 Reclamation of land**

Omit “Department of Public Works and Services” from clause 20 (2) (a).  
Insert instead “Office of Government Business within the Department of Commerce”.

**[23] Clause 26 Temporary use of land**

Omit “Section 90”. Insert instead “section 79C”.

**[24] Clause 27 General stores**

Omit clause 27 (b). Insert instead:

- (b) the site is located within four hundred metres of land within a business zone.

**[25] Clause 27B**

Omit the clause. Insert instead:

**27B Home businesses—location**

The Council shall not consent to the carrying out of a home business unless:

- (a) the development is located more than four hundred metres from land within a business zone, or
- (b) the development is located within four hundred metres of land within a business zone and:
  - (i) is not located on any public road on which the business zone is located, or
  - (ii) the Council is satisfied that the development will not adversely impact on any existing or potential future use in a business or industrial zone.

**[26] Clause 38**

Omit the clause. Insert instead:

**38 Agriculture**

- (1) Subject to subclause (2), the cultivation of any plants for the production of fruit, vegetables or flowers and the use of land for the keeping or breeding of livestock (other than intensive

Wyong Local Environmental Plan 1991 (Amendment No 135)

Schedule 1 Amendments

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agriculture) may be carried out without the consent of the Council on any land to which this plan applies other than land within Zone No 1 (c), 7 (a), 7 (g) or 10 (a).

- (2) Buildings or works for the purposes of (or ancillary to) a permissible form of agriculture, other than buildings or works which, in the opinion of the Council, are of a minor nature, shall not be erected or carried out (as the case may be) without consent.

**[27] Clause 42D**

Omit the clause. Insert instead:

**42D Residential subdivision—minimum lot sizes**

The Council shall not consent to the subdivision of land within Zone No 2 (a) or 2 (e) to create two or more allotments one or both of which, or a number of which, have an area of less than 450 square metres unless the consent:

- (a) is for the subdivision of land on which a dual occupancy building or detached dual occupancy was erected with consent pursuant to a development application lodged with the Council prior to 5 November 1997, or
- (b) in the case of land within Zone No 2 (a), is granted concurrently with a development consent for a dual occupancy building or a detached dual occupancy on the same land and the subdivision will be carried out in conjunction with the dual occupancy development.

**[28] Clause 53**

Omit the clause. Insert instead:

**53 Development restrictions on certain land**

Notwithstanding any other provision of this plan, the Council must not grant consent for development on land referred to in Schedule 4:

- (a) if the development is specified as prohibited in relation to that land in that Schedule, or

Wyong Local Environmental Plan 1991 (Amendment No 135)

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Schedule 1

- 
- (b) if the development is not included in development specified as being the only development permissible with consent in relation to that land in that Schedule, or
  - (c) unless the Council is satisfied that any restriction specified in relation to that land in that Schedule will be met.

**[29] Clause 54 Development of certain land at Summerland Point**

Omit the clause.

**[30] Clause 55 Tourist facilities—Dooralong**

Omit the clause.

**[31] Clause 59 Local shopping centres—Blue Haven, Warnervale East and Wadalba**

Omit the words “Zone No 2 (b)” wherever occurring in clause 59 (1) and (2).

Insert instead “Zone No 2 (e)”.

**[32] Clause 61 Land at Elizabeth Bay Drive, Lake Munmorah—restriction on buildings**

Omit the clause.

**[33] Clause 63 Development on certain land within Zone No 7 (b) at Gwandalan**

Omit the clause.

**[34] Clause 63A Plant nursery—Sparks Road, Warnervale**

Omit the clause.

**[35] Clause 64 Prohibited development on certain land—Hue Hue Road, Jiliby**

Omit the clause.

## Wyong Local Environmental Plan 1991 (Amendment No 135)

## Schedule 1 Amendments

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**[36] Clause 65 Service station and convenience store—Wyong Road, Killarney Vale**

Omit the clause.

**[37] Clause 66 Development on certain land at Cherry Lane, Kulnura**

Omit the clause.

**[38] Clause 66A Development on certain lots in Cape Road, Wyong**

Omit the clause.

**[39] Clause 70 Prohibited development on certain land—Peach Orchard Road, Ourimbah**

Omit the clause.

**[40] Clause 71 Development of certain land—Margaret Street, Wyong**

Omit the clause.

**[41] Schedule 2 Development for certain additional purposes**

Insert at the end of the Schedule:

Lot 11, DP 841815, Lot 13, DP 841815 and Lots 101 and 102, DP 879795, Jilliby Road, Dooralong—tourist facility including a conference centre, recreation facilities and ancillary accommodation.

Lot 1, DP 125289, Sparks Road, Warnervale—plant nursery.

Lot 911, DP 834026, Wyong Road, Killarney Vale, as shown edged heavy black on the map marked “Wyong Local Environmental Plan 1991 (Amendment No 31)”—service station and convenience store.

Land shown on the map marked “Wyong Local Environmental Plan 1991 (Amendment No 126)”—wholesale travel agency, being a building or place used for preparing travel packages for supply to the retail travel industry.



Wyong Local Environmental Plan 1991 (Amendment No 135)

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Schedule 1

**[42] Schedule 3 Classification or reclassification of public land as operational land**

Insert in Part 2 in alphabetical order of locality:

**Ourimbah**

Burns Road

Lot 24, DP 816277

Nil.

**[43] Schedules 4 and 5**

Insert after Schedule 3:

**Schedule 4 Development restrictions on certain land**

(Clause 53)

<b>Land</b>	<b>Development restrictions</b>
Lot 3, DP 657514, Lot 87, DP 665635, Lot 17, DP 737217 and Lot 13, DP 874595, Manns Road, Fountaindale	The erection of a dwelling on any part of the land within Zone No 7 (a) is prohibited
Land within Zone No 7 (b) shown by distinctive edging on the map and identified as being within the Summerland Point Precinct	Only development for the purpose of dwelling-houses and agriculture may be carried out with consent
Land at Elizabeth Bay Drive, Lake Munmorah as identified on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 45)"	Buildings shall be erected only on the part of the land shown hatched on the map
Land within Zone No 7 (b) fronting Kanangra Drive and Parraween Road, Gwandalan as shown edged heavy black on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 13)"	Only development for the purpose of advertisements, agriculture, parks and gardens, plant nurseries, public or other reserves, utility installations (other than gas holders or generating works) may be carried out with consent

## Wyong Local Environmental Plan 1991 (Amendment No 135)

## Schedule 1 Amendments

Land	Development restrictions
Part Lot 3, DP 3391, Hue Hue Road, Jilliby as shown hatched on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 27)"	The erection of a dwelling-house and use of the land to dispose of effluent are prohibited
Part Lot 67, DP 755224, Cherry Lane, Kulnura as shown edged heavy black on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 29)"	Subdivision is prohibited
Lot 1, DP 615345 and so much of Lot 12, DP 620377, Cape Road, Wyong as are within Zone No 7 (c)	Development may be carried out only if practical methods of acoustic treatment can be applied to the siting, design and construction of dwellings and have been identified to the satisfaction of the Council by a qualified acoustic engineer
Part Lot 1034, DP 583331, Peach Orchard Road, Ourimbah as shown edged heavy black on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 92)"	Only development for the purpose of one dwelling-house and ancillary structures may be carried out with consent

### Schedule 5 Land not subject to lot amalgamation

(Clause 18 (1))

Locality	Street	Description
Bushells Ridge		Lot 193, DP 1032847
	Bushells Ridge Road	Lot 191, DP 1032847
	Bushells Ridge Road	Lots 107-111, DP 755245
	Tooheys Road	Lots 4 and 5, DP 260217

Wyong Local Environmental Plan 1991 (Amendment No 135)

Amendments

Schedule 1

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<b>Locality</b>	<b>Street</b>	<b>Description</b>
	Tooheys Road	Lots 102 and 103, DP 755245
	Tooheys Road	Lots 194 and 195, DP 1032847
<b>Hamlyn Terrace</b>		
	Pacific Highway	Lot 6, DP 201174
<b>Mardi</b>		
	Joseph Esplanade	Lot 160, DP 871748
	Louis Close	Lots 603–605, DP 1012140
	Woolmers Crescent	Lots 601 and 602, DP 1012140
<b>Tuggerah</b>		
	Gavenlock Road	Lot 87, DP 832850
<b>Wyong</b>		
	McDonagh Road	Lots 36 and 37, DP 4526

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## **Wyong Local Environmental Plan 1991 (Amendment No 151)**

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*. (N03/00062/S69)

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

Clause 1            Wyong Local Environmental Plan 1991 (Amendment No 151)

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## **Wyong Local Environmental Plan 1991 (Amendment No 151)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 151)*.

### **2 Aim of plan**

The aim of this plan is to amend *Wyong Local Environmental Plan 1991*:

- (a) to omit certain works from the definition of *exempt vegetation management works*, and
- (b) to narrow the classes of works that remain in the definition of *exempt vegetation management works*, and
- (c) to broaden the classes of tree management works that are prohibited without development consent, and
- (d) to narrow the classes of tree management works that consent is not required for.

### **3 Land to which plan applies**

This plan applies to all land within the local government area of Wyong under *Wyong Local Environmental Plan 1991*.

### **4 Amendment of Wyong Local Environmental Plan 1991**

*Wyong Local Environmental Plan 1991* is amended as set out in Schedule 1.

Wyong Local Environmental Plan 1991 (Amendment No 151)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 7 Definitions

Omit the definition of *exempt vegetation management works* from clause 7 (1).

Insert instead:

*exempt vegetation management works* includes any one or more of the following works:

- (a) the removal of any tree or native vegetation if, in the opinion of the Council, the tree or native vegetation is dangerous,
- (b) the removal of any tree or native vegetation to facilitate emergency access by the Council or another public authority,
- (c) the removal of any tree or native vegetation authorised under a bush fire hazard reduction certificate within the meaning of the *Rural Fires Act 1997*,
- (d) the removal of undesirable species.

### [2] Clause 28 Tree management

Omit clause 28 (2). Insert instead:

- (2) A person shall not:
  - (a) prune or trim (except in accordance with AS 4373—1996, *Pruning of amenity trees*), remove, clear, cut down, destroy, poison, ringbark, lop, top, injure or interfere with any tree or native vegetation without the prior development consent of the Council, or
  - (b) cause, permit or authorise the pruning or trimming (except in accordance with AS 4373—1996, *Pruning of amenity trees*), removing, clearing, cutting down, destroying, poisoning, ringbarking, lopping, topping, injuring or interfering with of any tree or native vegetation without the prior development consent of the Council.

Wyong Local Environmental Plan 1991 (Amendment No 151)

Schedule 1 Amendments

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**[3] Clause 28 (3)**

Omit clause 28 (3) (f) and (g). Insert instead:

- (f) the removal or clearing of native vegetation authorised (but not exempt) under the *Native Vegetation Conservation Act 1997*, any other Act or another environmental planning instrument, or
- (g) the removal of dead trees, except where the trees provide habitat for species listed in Schedule 1 or 2 to the *Threatened Species Conservation Act 1995*, or

## Department of Lands

### GOULBURN OFFICE

#### Department of Lands

159 Auburn Street (PO Box 748), Goulburn, NSW 2580

Phone: (02) 4828 6725 Fax: (02) 4828 6730

#### ROADS ACT 1993

##### ORDER

Transfer of Crown Road to a Council

IN pursuance of the provisions of Section 151 of the Act, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

##### SCHEDULE 1

*Parish – Cumbertine and Colo; County – Camden;  
Land District – Moss Vale; Shire – Wingecarribee.*

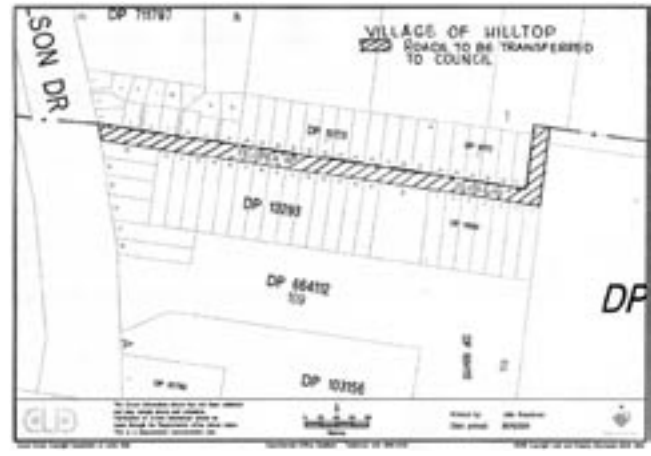
Description: Crown roads as shown hatched in the diagrams below in the Village of Hilltop. Crown roads include parts of Telopea Road, Denison Street and Pearce Street.

##### SCHEDULE 2

Roads Authority: Wingecarribee Shire Council.

File No.: GB03 H 396.

Council's Reference: 7624.



#### ROADS ACT 1993

##### ORDER

Transfer of Crown Road to a Council

IN pursuance of the provisions of section 151 of the Act, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

##### SCHEDULE 1

*Parish – Colo; County – Camden;  
Land District – Moss Vale; Shire – Wingecarribee.*

Description: Crown road south of Lot 1, DP 634813, part of road known as Springside Road and Crown roads as shown hatched in the diagram below in the Village of Colo Vale.





## SCHEDULE 2

Roads Authority: Wingecarribee Shire Council.

File No.: GB03 H 396 and GB03 H 434.

Council's Reference: TJS CO 06 and 7624.

**ROADS ACT 1993**

## ORDER

## Transfer of Crown Road to a Council

IN pursuance of the provisions of section 151 of the Act, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

## SCHEDULE 1

*Parish – Cumbertine; County – Camden;  
Land District – Moss Vale; Shire – Wingecarribee.*

Description: Crown roads as shown hatched in the diagram below in the Village of Hilltop.



## SCHEDULE 2

Roads Authority: Wingecarribee Shire Council.

File No.: GB03 H 396.

Council's Reference: 7624.

**NOTIFICATION OF CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the roads are extinguished.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

## Description

*Parish – Murrumbidgee; County – Harden;  
Land District – Young; Council – Harden Shire.*

Lot 1, DP 1058340.

File No.: GB99 H 291:MB.

Note: On closing the land in Lot 1, DP 1058340 remains land vested in the Crown as Crown Land.

**HAY OFFICE**  
**Department of Lands**  
**126 Lachlan Street (PO Box 182), Hay, NSW 2711**  
**Phone: (02) 6993 1306 Fax: (02) 6993 1135**

**RESERVATION OF CROWN LAND**

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is reserved as specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Land District: Deniliquin.  
 Local Government Area:  
 Berrigan Council.  
 Locality: Barooga.  
 Lot 10, DP No. 238537,  
 Parish Barooga,  
 County Denison.  
 Area: 1277 square metres.  
 File No.: HY81 R 47.

**COLUMN 2**

Reserve No.: 1005148.  
 Public Purpose: Community  
 purposes.

**REVOCATION OF RESERVATION OF CROWN  
 LAND**

PURSUANT to section 90 of the Crown Lands Act 1989, the reservation of Crown Land specified in Column 1 of the Schedule hereunder, is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Land District: Deniliquin.  
 Local Government Area:  
 Berrigan Council.  
 Locality: Barooga.  
 Reserve No.: 88034.  
 Public Purpose: Boy Scouts.  
 Notified: 4 December 1970.  
 File No.: HY81 R 47.

**COLUMN 2**

The whole being Lot 10,  
 DP No. 238537, Parish Barooga,  
 County Denison, of an area of  
 1277 square metres.

**MAITLAND OFFICE**  
**Department of Lands**  
**Newcastle Road (PO Box 6), East Maitland, NSW 2323**  
**Phone: (02) 4937 9300 Fax: (02) 4934 2252**

**DECLARATION OF LAND TO BE CROWN LAND**

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared to be Crown Land within the meaning of that Act.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

Description

*Land District – Newcastle; Council – Port Stephens;  
 Parish – Stowell; County – Gloucester.*

13.87 hectares being Lot 1 in Deposited Plan 847011 at Salt Ash, being the land in Certificate of Title 1/847011 in the name of Her Majesty Queen Elizabeth the Second (Department of Land and Water Conservation).

File No.: MD00 R 11.

**RESERVATION OF CROWN LAND**

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is reserved as specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Land District: Newcastle.  
 Local Government Area:  
 Port Stephens Council.  
 Locality: Salt Ash.  
 Lot 1, DP No. 847011,  
 Parish Stowell,  
 County Gloucester.  
 Area: 13.87 hectares.  
 File No.: MD00 R 11.

**COLUMN 2**

Reserve No.: 1005328.  
 Public Purpose: Public recreation.

**ESTABLISHMENT OF RESERVE TRUST**

Pursuant to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Salt Ash Sports Ground and  
 Equestrian Centre Trust.

**COLUMN 2**

Reserve No.: 1005328.  
 Public Purpose: Public recreation.  
 Notified: This day.  
 File No.: MD00 R 11.

**APPOINTMENT OF CORPORATION TO  
 MANAGE RESERVE TRUST**

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder, is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Port Stephens  
 Council.

**COLUMN 2**

Salt Ash Sports  
 Ground and  
 Equestrian Centre  
 Trust

**COLUMN 3**

Reserve No.: 1005328.  
 Public Purpose: Public  
 recreation.  
 Notified: This day.  
 File No.: MD00 R 11.

For a term commencing this day

**APPOINTMENT OF ADMINISTRATOR TO  
 MANAGE A RESERVE TRUST**

PURSUANT to section 117, Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder, is appointed as administrator for the term also specified thereunder, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for  
 Natural Resources (Lands)

SCHEDULE

**COLUMN 1**

Edwin Alfred  
 LEWIS.

**COLUMN 2**

East Lambton  
 Memorial Hall  
 Trust.

**COLUMN 3**

Dedication No.: 570097.  
 Purposes: Public hall.  
 Notified: 27 July 1956.  
 File No.: MD80 R 20.

For a term commencing 28 November 2003 and expiring  
 27 May 2004

**ORANGE OFFICE**  
**Department of Lands**  
**92 Kite Street (PO Box 2146), Orange NSW 2800**  
**Phone: (02) 6393 4300 Fax: (02) 6362 3896**

**APPOINTMENT OF TRUST BOARD  
MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedules hereunder are appointed, for the terms of office specified thereunder, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedules.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Thomas James BROWN (new member), Murray Neville BROWN (new member), Kenneth Charles NOAKES (new member).	Bedgerebong Cemetery Trust.	Dedication No.: 1004228. Public Purpose: Cemetery. Notified: 6 November 1895. Reserve No.: 23069. Public Purpose: Plantation to cemetery. Notified: 6 November 1895. File No.: OE02 R 2/1

Term of Office

For a term commencing this day and expiring 27 November 2008.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Susan Brenda FISHER-SMITH (new member), Mary Annette BYRNES (new member), Thelma Violet May YOUNG (re-appointment), Frank BYRNES (re-appointment), Graham FISHER-SMITH (re-appointment), Ian Warwick ARMSTRONG (re-appointment), Barry Irvine WEBB (re-appointment).	Edith Recreation Reserve Trust.	Reserve No.: 44182. Public Purpose: Public recreation. Notified: 28 July 1909. File No.: OE81 R 1/3.

Term of Office

For a term commencing this day and expiring 27 November 2008.

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
Donald Robert McIntYRE (re-appointment), William Alfred GREEN (re-appointment), William Arthur SKINNER (re-appointment).	Gunningbland Recreation Reserve.	Reserve No.: 41974. Public Purpose: Public recreation. Notified: 4 September 1907. File No.: OE81 R 69/2.

Term of Office

For a term commencing this day and expiring 27 November 2008.

SCHEDULE 4

COLUMN 1	COLUMN 2	COLUMN 3
David James WALKER (re-appointment), Primrose RAINE (new member), Olly FORMAN (re-appointment).	Mount Rankin (R1001055) Reserve Trust.	Reserve No.: 1001055. Public Purpose: Environmental protection. Notified: 20 February 1998. File No.: OE98 R 5/1.

Term of Office

For a term commencing this day and expiring 27 November 2008.

SCHEDULE 5

COLUMN 1	COLUMN 2	COLUMN 3
Peter Thomas REILLY (re-appointment), Thomas John FREEMAN (re-appointment), Leslie Owen BARNES (new member).	Nelungaloo Public Hall and Recreation Reserve Trust.	Reserve No.: 65805. Public Purpose: Public hall. Notified: 7 February 1936. Reserve No.: 81422. Public Purpose: Public recreation. Notified: 27 February 1959. File No.: OE80 R 307/2.

Term of Office

For a term commencing this day and expiring 27 November 2008.

SCHEDULE 6

COLUMN 1	COLUMN 2	COLUMN 3
Ian Stanley PRICE (re-appointment), Murray Ian PRICE (re-appointment), Vera Jean TOMLINSON (re-appointment), Patrick Brian TOMLINSON (re-appointment), Denise SLATTERY (re-appointment), Nella PRICE (re-appointment).	Sally's Flat Recreation Ground Trust.	Reserve No.: 50094. Public Purpose: Public recreation. Notified: 29 July 1914. File No.: OE81 R 82/3.

## Term of Office

For a term commencing this day and expiring  
27 November 2008.

## SCHEDULE 7

COLUMN 1	COLUMN 2	COLUMN 3
Christine Mary McSHANE (new member).	Tarana Public Recreation Reserve Trust.	Reserve No.: 60138. Public Purpose: Public recreation. Notified: 25 November 1927. File No.: OE80 R 171/2.

## Term of Office

For a term commencing this day and expiring 20 August  
2004.

**REVOCATION OF RESERVATION OF CROWN  
LAND**

Pursuant to section 90 of the Crown Lands Act 1989, the  
reservation of Crown Land specified in Column 1 of the  
Schedule hereunder, is revoked to the extent specified  
opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

## SCHEDULE

COLUMN 1	COLUMN 2
Land District: Lithgow. Local Government Area: Lithgow City Council. Locality: Cullen Bullen. Reserve No.: 79697. Public Purpose: Future public requirements. Notified: 28 June 1957. File No.: OE03 H 118.	The whole being Lot 253, DP No. 755769, Parish Cullen Bullen, County Roxburgh; Lot 252, DP No. 755769, Parish Cullen Bullen, County Roxburgh; Lot 249, DP No. 755769, Parish Cullen Bullen, County Roxburgh; Lot 250, DP No. 755769, Parish Cullen Bullen, County Roxburgh; Lot 251, DP No. 755769, Parish Cullen Bullen, County Roxburgh, of an area of 2.432 hectares.

**SYDNEY METROPOLITAN OFFICE**

**Department of Lands**

**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**

**(PO Box 3935), Parramatta, NSW 2124**

**Phone: (02) 9895 7657 Fax: (02) 9895 6227**

**NOTIFICATION OF CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the roads cease to be public roads and the rights of passage and access that previously existed in relation to the roads are extinguished.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

—————  
Descriptions

*Land District – Picton; L.G.A. – Campbelltown.*

Lot 1, DP 1059718 at Ruse, Parish St Peter (Sheet 4), County Cumberland.

File No.: MN03 H 26.

Notes: 1] On closing, title for the land in Lot 1 remains vested in Campbelltown City Council as operational land.

2] The road is closed subject to the easement for underground cables as shown in DP 1059718.

—————  
*Land District – Metropolitan; L.G.A. – Blacktown.*

Lots 1 and 2, DP 1061387 at Seven Hill, Parish Prospect (Sheet 2), County Cumberland.

File No.: MN99 H 203.

Note: On closing, titles for the land in Lots 1 and 2 remain vested in Blacktown City Council as operational land.

—————  
*Land District – Metropolitan; L.G.A. – Pittwater.*

Lot 201, DP 1061906 at Newport, Parish Narrabeen (Sheet 2), County Cumberland.

File No.: MN03 H 14.

Notes: 1] On closing, title for the land in Lot 14 remains vested in Pittwater Council as operational land.

2] The road is closed subject to the easement for electricity purposes as shown in DP 1061906.

**PLAN OF MANAGEMENT FOR A CROWN RESERVE  
PART BRONTE PARK (D500025; D500024; R58879;  
D500508 AND R84785) AT WAVERLEY UNDER  
PART 5, DIVISION 6, OF THE CROWN LANDS  
ACT 1989 AND CROWN LANDS REGULATION  
2000.**

A DRAFT plan of management has been prepared for the reserves that comprises Part Bronte Park (D500025; D500024; R58879; D500508 and R84785), described hereunder which are under the trust management of Waverley Council.

Inspection of the draft plan can be made at Waverley Council Building, 2nd Floor, Bondi Road, Bondi Junction 2022 and at Waverley Library, Denison Street, Bondi Junction 2022.

Representations are invited from the public on the draft plan. The plan will be on exhibition for a period of 57 days. Submissions will be received up until 19 January 2004 and should be sent to The General Manager, Waverley Council, PO Box 9, Bondi Junction 2022.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

—————  
Descriptions of Reserves

(for D500025; D500024; R58879; D500508; and  
R84785)

*Land District – Metropolitan; Parish – Alexandria;  
L.G.A. – Waverley; County – Cumberland.*

Part Bronte Park (D500025), dedicated for public recreation on 18 October 1935, being Lots 1 to 7, DP 15134.

Part Bronte Park (D500024), dedicated for public recreation on 25 January 1887, being Crown Plan 1071-2030.

Part Bronte Park (R58879), reserve for public recreation on 14 May 1926, being Lots 64 to 75 and 32, DP 1033.

Part Bronte Park (D500508), dedicated for public recreation on 21 August 1931 and proclaimed as part of Bronte Park on 23 October 1931, being Lot 1479, DP 752011 and Lot 7090, DP 93737 and on 2 October 1970, being Lot 7091, DP 93737 and Lot 1613, DP 752011.

Part Bronte Park (R84785), reserved for public recreation on 6 March 1964, being Crown Plan 3920-3000.

Crown Reserve part of 100 ft reservation Crown Plan C30-2063.

Licence No. 14300 for the purpose of swimming pool.

Location: Bronte.

File No.: MN83 R 79.

### APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the term of Office specified thereunder, as members of the trust Board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

#### SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Ross Bernard FOWLER (re-appointment), Stephen Richard HACKETT (re-appointment), Duncan Geoffrey McDONALD (re-appointment), Phillip Marsden MOREHEAD (re-appointment).	Blaxland Crossing and Rest Ground Trust.	Dedication No. 500350, dedicated for the purpose of public recreation and resting place on 26 June 1931 and Reserve No. 81721, notified for the purpose of public recreation and resting place on 19 June 1959, Parish Bringelly, County Cumberland.

#### Term of Office

For a period of five years commencing on 8 May 2003.

File No.: MN80 R 197/4.

### ADDITION TO RESERVED CROWN LAND

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

#### SCHEDULE

COLUMN 1	COLUMN 2
Land District: Metropolitan. Local Government Area: Sutherland. Parish: Holsworthy. County: Cumberland. Locality: Lucas Heights. Lot Pt 1, DP 1027216, Area: 25.14 hectares. File No.: MN96 R 100.	Reserve No. 1003608 for the public purpose of public recreation, notified on the 21 June 2002.

Note: Shown by hatching (in 4 parts) on the diagram hereunder.



### APPOINTMENT OF TRUST BOARD MEMBER

PURSUANT to section 14 of the Necropolis Act 1901 and section 93 of the Crown Lands Act 1989, the person whose name is specified in Column 1 of the Schedules hereunder, is appointed for the term of office specified, as a member of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedules.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

#### SCHEDULE 1

#### Member Appointed

COLUMN 1	COLUMN 2	COLUMN 3
Susan Sophie KLEINER.	Jewish Cemetery Trust, Necropolis.	The Jewish portions of Rookwood Necropolis, dedicated 7 April 1868 and 2 December 1887, as cemetery and extension thereto. Dedication No. D500903.

#### Term of Office

For a period expiring 31 March 2008.

File No.: MN84 R 89.

## SCHEDULE 2

## Member Appointed

COLUMN 1	COLUMN 2	COLUMN 3
Peter GOUDA.	Liverpool General Cemetery Presbyterian Portion Trust, Uniting Church Portion Trust and Baptist Portion Trust.	The Presbyterian, Uniting Church and Baptist Portions of the area at Liverpool, dedicated for the public purpose of general cemetery in the <i>Government Gazette</i> of 29 April 1884. Dedication Nos: 500703, 500705 and 500701.

## Term of Office

For a period expiring on 18 July 2004.

File Nos. MN84R225, MN84R93 and MN84R91.

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**WAGGA WAGGA REGIONAL OFFICE**
**Department of Lands**

**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650**

**Phone: (02) 6937 2700 Fax: (02) 6921 1851**

**ERRATA**

THE notice appearing in the *Government Gazette* of 17 October 2003 (Folio 10102), under the heading of "Roads Act 1993" is hereby amended by deleting the word "west" from the description.

ALL notices appearing in the *Government Gazette* of 24 October 2003 (Folio 10216), under the headings "Roads Act 1993", "Declaration of Land to be Crown Land" and "Erratum" should be deleted.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for  
Natural Resources (Lands)

**SCHEDULE**

COLUMN 1	COLUMN 2
Land District: Tumbarumba. Local Government Area: Tumbarumba Shire Council. Locality: Tumbarumba. Lot 1, DP No. 1051347, Parish Tumbarumba, County Selwyn. Area: 7380 square metres. File No.: WA98 H 76/1.	Reserve No.: 81211. Public Purpose: Access and public recreation. Notified: 31 October 1958. Lot 7010, DP No. 96856, Parish Tumbarumba, County Selwyn. New Area: 1.034 hectares.



## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T03-0969)

No. 2227, CONARCO MINERALS PTY LTD (ACN 102 750 890), area of 201 units, for Group 1, dated 14 November, 2003. (Wagga Wagga Mining Division).

(T03-0970)

No. 2228, AGRICULTURAL EQUITY INVESTMENTS PTY LIMITED (ACN 064 646 108), area of 67 units, for Group 1, dated 17 November, 2003. (Orange Mining Division).

(T03-0971)

No. 2229, AGRICULTURAL EQUITY INVESTMENTS PTY LIMITED (ACN 064 646 108), area of 84 units, for Group 1, dated 17 November, 2003. (Orange Mining Division).

(T03-0972)

No. 2230, SAVANNAH RESOURCES PTY LTD (ACN 096 358 735), area of 92 units, for Group 1, dated 20 November, 2003. (Cobar Mining Division).

(T03-0973)

No. 2231, SAVANNAH RESOURCES PTY LTD (ACN 096 358 735), area of 13 units, for Group 1, dated 21 November, 2003. (Cobar Mining Division).

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T03-0081)

No. 2123, now Exploration Licence No. 6149, PEAK GOLD MINES PTY LIMITED (ACN 001 533 777), County of Mouramba, Map Sheet (8134), area of 8 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0082)

No. 2124, now Exploration Licence No. 6150, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8133), area of 42 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0083)

No. 2125, now Exploration Licence No. 6151, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8133), area of 5 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0084)

No. 2126, now Exploration Licence No. 6152, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8133, 8134), area of 9 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0085)

No. 2127, now Exploration Licence No. 6153, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Blaxland, Map Sheet (8132), area of 15 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0086)

No. 2128, now Exploration Licence No. 6154, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8133), area of 21 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0087)

No. 2129, now Exploration Licence No. 6155, TRIAKO RESOURCES LIMITED (ACN 008 498 119), Counties of Blaxland and Mouramba, Map Sheet (8033), area of 64 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005. As a result of the grant of this title, Exploration Licence No. 5774 has ceased to have effect.

(T03-0088)

No. 2130, now Exploration Licence No. 6156, TRIAKO RESOURCES LIMITED (ACN 008 498 119), Counties of Blaxland and Mouramba, Map Sheet (8032, 8033, 8133), area of 126 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005. As a result of the grant of this title, Exploration Licence No. 5734 has ceased to have effect.

(T03-0089)

No. 2131, now Exploration Licence No. 6157, TRIAKO RESOURCES LIMITED (ACN 008 498 119), Counties of Blaxland and Dowling, Map Sheet (8131), area of 134 units, for Group 1, dated 17 November, 2003, for a term until 16 November, 2005.

(T03-0100)

No. 2139, now Exploration Licence No. 6158, DAVID ROY CARSTEIN AND BERT JOSEPH ROBERTS, Counties of Farnell and Mootwingee, Map Sheet (7234), area of 3 units, for Group 1, dated 18 November, 2003, for a term until 17 November, 2005.

(T03-0104)

No. 2143, now Exploration Licence No. 6161, HIBERNIA GOLD PTY LTD (ACN 103 295 521), Counties of Canbelego and Cowper, Map Sheet (8135), area of 45 units, for Group 1, dated 21 November, 2003, for a term until 20 November, 2005. As a result of the grant of this title, Exploration Licence No. 5659 has ceased to have effect.

(T03-0117)

No. 2155, now Exploration Licence No. 6160, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Roxburgh, Map Sheet (8831), area of 7 units, for Group 1, dated 18 November, 2003, for a term until 17 November, 2005.

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### MINING LEASE APPLICATION

(C02-0228)

Singleton No. 204, now Mining Lease No. 1542 (Act 1992), CENTENNIAL NEWSTAN PTY LIMITED (ACN 101 508 865), Map Sheet (9231.4.N), area of 400 square metres, for the purpose of any drillhole or shaft for ventilation, drainage, access, dated 18 October, 2003, for a term until 17 October, 2008. As a result of the grant of this title, Exploration Licence No. 4443 has partly ceased to have effect.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following applications for renewal have been received:

(T87-0330)

Exploration Licence No. 2984, CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598), area of 16 units. Application for renewal received 17 November, 2003.

(T93-1013)

Exploration Licence No. 4632, ANGLOGOLD AUSTRALIA LIMITED (ACN 008 737 424) and TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 70 units. Application for renewal received 18 November, 2003.

(T01-0090)

Exploration Licence No. 5906, PYRMONT RAW MATERIALS PTY LTD (ACN 054 267 846), area of 9 units. Application for renewal received 17 November, 2003.

(T01-0134)

Exploration Licence No. 5911, GREENSHIRE PTY LIMITED (ACN 006 790 325), area of 18 units. Application for renewal received 17 November, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

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### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(M81-0400)

Authorisation No. 287, ANGLO COAL (BYLONG) PTY LTD (ACN 075 361 769), County of Phillip, Map Sheet (8933), area of 6588 hectares, for a further term until 27 July, 2008. Renewal effective on and from 17 November, 2003.

(M84-0071)

Authorisation No. 342, ANGLO COAL (BYLONG) PTY LTD (ACN 075 361 769), County of Phillip, Map

Sheet (8932, 8933), area of 3700 hectares, for a further term until 27 July, 2008. Renewal effective on and from 17 November, 2003.

(T92-0457)

Exploration Licence No. 4556, ALKANE EXPLORATION LTD (ACN 000 689 216) AND KIWI AUSTRALIAN RESOURCES PTY LTD (ACN 008 963 700), Counties of Kennedy and Narromine, Map Sheet (8532), area of 7 units, for a further term until 13 July, 2005. Renewal effective on and from 20 November, 2003.

(T00-0014)

Exploration Licence No. 5784, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Yancowinna, Map Sheet (7234), area of 50 units, for a further term until 5 October, 2005. Renewal effective on and from 17 November, 2003.

(T00-0042)

Exploration Licence No. 5861, MULGA RESOURCES PTY LTD (ACN 091 985 429), County of Gunderbooka, Map Sheet (8038), area of 15 units, for a further term until 23 May, 2005. Renewal effective on and from 17 November, 2003.

(T01-0086)

Mining Lease No. 975 (Act 1973), AUSTRALIAN DIATOMITE MINING PTY LIMITED (ACN 002 129 713), Parish of Piedmont, County of Murchison, Map Sheet (9037-3-N), area of 106 hectares, for a further term until 30 March, 2024. Renewal effective on and from 11 November, 2003.

(T01-0088)

Mining Lease No. 976 (Act 1973), AUSTRALIAN DIATOMITE MINING PTY LIMITED (ACN 002 129 713), Parish of Piedmont, County of Murchison, Map Sheet (9037-3-N), area of 31.58 hectares, for a further term until 30 March, 2024. Renewal effective on and from 11 November, 2003.

(T91-0386)

Mining Purposes Lease No. 70 (Act 1973), LIGHTNING RIDGE MINERS' ASSOCIATION LTD (ACN 001 204 726), Parish of Mebea, County of Finch, Map Sheet (8439-2-S), area of about 48.57 hectares, for a further term until 7 September 2006. Renewal takes effect from the date of this notice.

(T94-0200)

Mining Purposes Lease No. 243 (Act 1973), LIGHTNING RIDGE MINERS' ASSOCIATION LTD (ACN 001 204 726), Parish of Mebea, County of Finch, Map Sheet (8439-2-S), area of 13.5 hectares, for a further term until 15 April, 2006. Renewal effective on and from 17 November, 2003.

(T95-0101)

Mining Purposes Lease No. 280 (Act 1973), LIGHTNING RIDGE MINERS' ASSOCIATION LTD (ACN 001 204 726), Parish of Mebea, County of Finch, Map Sheet (8439-2-S), area of 41.81 hectares, for a further term until 13 February, 2006. Renewal effective on and from 17 November, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**REFUSAL OF APPLICATION FOR RENEWAL**

(T03-0791)

NOTICE is given that the application for renewal in respect of the following authority has been refused:

(T93-0914)

Mining Lease No. 1145 (Act 1973), JOHN BARRIE AND NAL CAPITAL LTD (ACN 055 127 243), Parish of Tomaga, County of St Vincent, Map Sheet (8926-3-N), area of 160 hectares. The authority ceased to have effect on 17 November, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

Exploration Licence No. 6089, formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to TRIAKO RESOURCES LIMITED (ACN 008 498 119). The transfer was registered on 10 October, 2003.

(T03-0719)

Mining Lease No. 158 (Act 1973), formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to COBAR OPERATIONS PTY LTD (ACN 103 555 853). The transfer was registered on 16 September, 2003.

(T03-0719)

**TRANSFERS**

(T03-0791)

Exploration Licence No. 5591, formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to TRIAKO RESOURCES LIMITED (ACN 008 498 119). The transfer was registered on 10 October, 2003.

(T03-0791)

Exploration Licence No. 5734, formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to TRIAKO RESOURCES LIMITED (ACN 008 498 119). The transfer was registered on 10 October, 2003.

(T03-0791)

Exploration Licence No. 5774, formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to TRIAKO RESOURCES LIMITED (ACN 008 498 119). The transfer was registered on 10 October, 2003.

(T03-0719)

Exploration Licence No. 5785, formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to COBAR OPERATIONS PTY LTD (ACN 103 555 853). The transfer was registered on 16 September, 2003.

Mining Lease No. 159 (Act 1973), formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to COBAR OPERATIONS PTY LTD (ACN 103 555 853). The transfer was registered on 16 September, 2003.

(T03-0719)

Mining Lease No. 160 (Act 1973), formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to COBAR OPERATIONS PTY LTD (ACN 103 555 853). The transfer was registered on 16 September, 2003.

(T03-0719)

Mining Lease No. 161 (Act 1973), formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to COBAR OPERATIONS PTY LTD (ACN 103 555 853). The transfer was registered on 16 September, 2003.

(T03-0719)

Mining Lease No. 930 (Act 1973), formerly held by PASMINGO AUSTRALIA LIMITED (ACN 004 074 962) has been transferred to COBAR OPERATIONS PTY LTD (ACN 103 555 853). The transfer was registered on 16 September, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

## Roads and Traffic Authority

### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Gwynneville  
in the Wollongong City Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

T D Craig  
Manager, Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

#### SCHEDULE

ALL that piece or parcel of land situated in the Wollongong City Council area, Parish of Wollongong and County of Camden, shown as Lot 2 Deposited Plan 131401, being part of the land in Certificate of Title Volume 5484 Folio 3.

The land is said to be in the possession of the estate of the late Roger Rosser Chester.

(RTA Papers FPP 3M5181; RO F6/497.1176)

### ROADS ACT 1993

#### Order – Section 31

Fixing or Varying of Levels  
of part of the Newell Highway south of Forbes  
in the Forbes Shire Council area

The Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes or varies the levels of part of State Highway No 17 – Newell Highway 24.8km south of Forbes, as shown on Roads and Traffic Authority Plan No 0017.157.RC.3673.

P.DEARDEN  
Project Services Manager  
Roads and Traffic Authority of New South Wales  
51-55 Currajong Street  
Parkes NSW 2870

(RTA Papers: FPP 157.5357; RO 17/157.1153)

### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of a Lease of Land at  
Bullaburra in the Blue Mountains City Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the interest in land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

T D Craig  
Manager, Compulsory Acquisition and Road Dedication  
Roads and Traffic Authority of New South Wales

#### SCHEDULE

A lease, as described in Memorandum 8584711 recorded at the Land and Property Information New South Wales, of all that piece or parcel of land situated in the Blue Mountains City Council area, Parish of Jamison and County of Cook, shown as the land coloured green and containing an area of about 2.1 hectares on RTA Sketch SW0602, being part of land dedicated for Public Recreation notified in Government Gazette of 29 October 1880 on page 5583.

The land is said to be in the possession of the Crown and Blue Mountains City Council (trust manager).

(RTA Papers FPP 3M4204; RO 03M5269-1)

### ROADS ACT 1993

Notice of Dedication of Land as Public Road  
at Wallerawang in the Lithgow City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

T D Craig  
Manager, Compulsory Acquisition & Road Dedication,  
Roads and Traffic Authority of New South Wales.

#### SCHEDULE

All those pieces or parcels of land situated in the Lithgow City Council area, Parish of Lidsdale and County of Cook, shown as Lots 5 to 10 inclusive Deposited Plan 1018958.

(RTA Papers: FPP M4113; RO 18/258.150)

## Roads Act 1993

### Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulations, 1996

Parkes Shire Council, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulations 1996*, by this Notice, specify the roads and road areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the schedule.

Alan McCormack  
**General Manager**  
**Parkes Shire Council**  
 (by delegation from the Minister for Roads)

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#### Schedule

##### 1. Citation

This Notice may be cited as the Parkes Shire Council B-Doubles Notice No 4/2003.

##### 2. Commencement

This Notice takes effect on the date of Gazettal.

##### 3. Effect

This Notice remains in force until 31 December 2005 unless it is amended or repealed earlier.

##### 4. Application

This Notice applies to the B-Doubles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulations 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

##### 5. Routes

###### B-Double routes within the Parkes Shire Council

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25	000	Harwood Street	Newell Highway	Fahy Road	Daylight Hours Only
25	000	Fahy Road	Harwood Street	Access to Depot of A & R Magill Pty Ltd	Daylight Hours Only

## Roads Act 1993

### Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996

Wollongong City Council, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

**Rod Oxley**  
**General Manager**  
**Wollongong City Council**  
**(by delegation from the Minister for Roads)**

### Schedule

#### 1. Citation

This Notice may be cited as the Wollongong City Council B-Doubles Notice No 4/2003.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 31 December 2008 unless it is amended or repealed earlier.

#### 4. Application

4.1 This Notice applies to B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

#### 5. Routes

##### B-Double routes within the Wollongong City Council

Type	Rd No	Road Name	Starting point	Finishing point	Conditions
25	000	Berkeley Rd, Unanderra	Investigator Dr	Unanderra Coil Processing (UCP)	1. The <b>only</b> place of access permitted for B-Doubles on this route is the UCP works 2. Eastbound exit along Berkeley Rd <b>must turn right</b> at Investigator Dr

**Title: Revised Fees for Special Plates**

Update number	Date of issue	Effective date
RU-XXX	dd-11-2003	00-11-2003

**Background:**

Registry Update 03-024 announced the introduction of new Coloured and Wallaby Supporter number plates and the introduction of Annual fees for Coloured and Wallaby Supporter plates.

**Policy:**

From 24 November 2003, yellow plates are no longer available in a personalised format. While the fees applicable for number plates have been streamlined, Annual fees have also been introduced for some plate products. Importantly for RSOs, the new fees provide a consistency in pricing previously not applied to plate fees.

A revised pricing schedule is attached. It is suggested that a copy of this Fee Schedule be placed in each Motor Registry workstation for the information of RSOs.

Also, it will no longer be necessary to collect Annual Style fees as Miscellaneous transactions, as advised in RU03-24. DRIVES has been programmed to calculate all plate fees automatically.

Those customers who order personalised or personalised plus plates prior to 24 November will not be subject to annual fees, unless the plates already incur annual fees. That is, if a customer orders a personalised plate that does not have an annual fee attached and the plate is delivered and collected after an annual fee is applied to that product, the customer does not incur the annual fee.

The attached table outlines some typical scenarios.

Clarification: Orders for special plates made at the Call Centre or motor registries may be fully refunded if the customer cancels the order on the same working day. Orders made via the Internet may be refunded if the order is cancelled on the same working day, or next working day if the order is made outside working hours.

The above policy will be updated on Frontline to reflect this clarification.

**Amendment:**

The following section of Frontline Help are affected:

- Number plate fees
- Ordering plates
- Ordering special plates

Current Plate	New Plate	\$	Comment
Black plate SP-901 (owned before 23/11/03)	SP-901 – remake in same content and style after 23/11/03	\$50 remake fee	Customer has the same content and style. Therefore, there is no change to their existing fees.
Black plate SP-901 (owned before 23/11/03)	Changed to coloured plate SP-901 after 23/11/03	\$50 order fee and \$70 annual fee	Customer is having the same content, but a new style. Therefore, annual style fees apply. As they already had the right to display SP-901 they are exempt the \$60 annual content fee.
	New order of Black plate SP-901 (ordered on or after 23/11/03)	\$50 order fee and \$100 annual fee	Full fees apply as this is a new order. The annual fee is \$100 (comprising \$60 Content and \$40 Style fees).
	New order of Black plate SP9-901 (order made before 23/11/03 but plate not issued until after 23/11/03)	\$174 one-off fee	Annual fees do not apply as the order was made before 23/11/03. DRIVES will automatically calculate the correct charges
Coloured plate SP-901 (owned before 23/11/03)	Black plate SP-901	\$50 order fee and \$40 annual fee	The customer has the same content, but a new style. Therefore, annual fees apply. As they already ha the right to display SP-901, they are exempt the \$60 annual content fee.

Style	Standard			Personalised			Personalised Plus		
	Order Fee	Annual Style Fee	Annual Content Fee	Order Fee	Annual Style Fee	Annual Content Fee	Order Fee	Annual Style Fee	Annual Content Fee
Yellow	32	NA	NA	NA	NA	NA	NA	NA	NA
Custom Yellow	NA	NA	NA	NA	NA	NA	50	70	400
White	63	0	0	50	40	60	50	40	400
Black	NA	NA	NA	50	40	60	NA	NA	NA
Coloured	50	70	0	50	70	60	50	70	400
ARU	50	90	0	50	90	60	Auction	NA	NA
Euro	185	0	0	50	70	60	NA	NA	NA
New England	153	0	0	50	70	60	NA	NA	NA



<b>Changes to Other Plate Fees</b>		
<b>Fee Type</b>	<b>Current</b>	<b>Proposed</b>
<b>Hold</b>	23	50
<b>Exchange</b>	23	50
<b>Remake</b> Black, Pressed Metal Numeral-only	32	50
<b>Remake</b> Custom yellow, White	45	50

## Other Notices

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

#### Notice Of Making Of A Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001 has made the following Vocational Training Order in relation to the recognised trade vocation of Electricity Supply Industry – Distribution (Power Line).

#### CITATION

The Order is cited as the Electricity Supply Industry – Distribution (Power Line) Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

Training shall be given for a nominal period of 48 months or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

##### (b) Competency Outcomes

Apprentices will be trained in and learn the relevant competencies in accordance with the packaging guidelines contained in the endorsed Electricity Supply Industry – Transmission and Distribution Training Package (UTT98).

##### (c) Courses of Study to be undertaken

**Apprentices will undertake the following certificate from the Electricity Supply Industry – Transmission and Distribution Training Package (UTT98)**

**Certificate III in Electricity Supply Industry – Distribution (Power Line) UTT30101**

#### AVAILABILITY TO INSPECT

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

### APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

#### Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised traineeship vocation of General Construction.

#### CITATION

The order is cited as the General Construction Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

###### (i) Full-time

Training shall be given for a nominal term of:

12 months for Certificate II, 24 months for Certificate III or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

##### (ii) Part-time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44				
17	14	28	42				
18	14	27	41				
19	13	26	39				
20	13	25	38				
21	12	24	36	48			
22	12	23	35	46			
23	11	22	33	44	55		
24	11	21	32	42	53		
25	10	20	30	40	50	60	
26	10	19	29	38	48	57	
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

##### (b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National General Construction Competency Standards.

##### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

**Certificate II in General Construction BCG20198**

**Certificate III in Boral Interior Lining ZBE30102**

#### AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

### APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

#### Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised trade vocation of Automotive Mechanical (Forklift Maintenance).

#### CITATION

The order is cited as the Automotive Mechanical (Forklift Maintenance) Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

###### (i) Full-time

Training shall be given for a nominal term of four years or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

###### (b) Competency Outcomes

Apprentices will be trained in and achieve competence in the relevant endorsed National Competency Standards.

###### (c) Courses of Study to be undertaken

Apprentices will undertake the following courses of study:

**Certificate III in Automotive Mechanical (Forklift)  
TAFE NSW Course No. 3123**

#### AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

### APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

#### Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised traineeship vocation of Extractive Industries.

#### CITATION

The order is cited as the Extractive Industries Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

###### (i) Full-time

Training shall be given for a nominal term of:

#### Qualification

Certificate II

#### Nominal Term

12 months

Certificate III

– includes completion of  
Certificate II in Extractive  
Industries Operations

12 months

– by direct entry

24 months

Certificate IV

30 months

or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

##### (ii) Part-Time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44				
17	14	28	42				
18	14	27	41				
19	13	26	39				
20	13	25	38				
21	12	24	36	48			
22	12	23	35	46			
23	11	22	33	44	55		
24	11	21	32	42	53		
25	10	20	30	40	50	60	
26	10	19	29	38	48	57	
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

##### (b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Extractive Industries Competency Standards.

##### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

**Certificate II in Extractive Industries Operations  
MNQ20103**

**Certificate III in Extractive Industries Operations  
MNQ30103**

**Certificate IV in Extractive Industries Operations  
MNQ40103**

**AVAILABILITY FOR INSPECTION**

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

**APPRENTICESHIP AND TRAINEESHIP ACT**

**ORDER**

I, PAM CHRISTIE, Commissioner for Vocational Training, in pursuance of section 5 of the Apprenticeship and Traineeship Act 2001, make the Order set forth hereunder.

PAM CHRISTIE,  
Commissioner for Vocational Training

**Commencement**

1. This Order takes effect from the date of publication in the NSW *Government Gazette*.

**Amendment**

2. The Apprenticeship and Traineeship Orders are amended by:

a) inserting in Schedule 2 in appropriate alphabetical order the following vocation which is designated as a recognised trade vocation for the purpose of the Apprenticeship and Traineeship Act 2001:

*Automotive Mechanical (Forklift Maintenance)*

**DIRECTOR OF PUBLIC PROSECUTIONS  
ACT 1986**

**ORDER**

PURSUANT to section 11 (2) of the Director of Public Prosecutions Act 1986 by this Order I authorise the Director of Public Prosecutions to consent to prosecutions for offences in respect of which my consent is required under section 20D of the Anti-Discrimination Act 1977.

Dated this 25th day of November 2003.

BOB DEBUS, M.P.,  
Attorney General

**DIRECTOR OF PUBLIC PROSECUTIONS  
ACT 1986**

**ORDER**

PURSUANT to section 11 (2) of the Director of Public Prosecutions Act 1986 by this Order I authorise the Director of Public Prosecutions to consent to prosecutions for offences in respect of which my consent is required under section 38T of the Anti-Discrimination Act 1977.

Dated this 25th day of November 2003.

BOB DEBUS, M.P.,  
Attorney General

**DIRECTOR OF PUBLIC PROSECUTIONS  
ACT 1986**

**ORDER**

PURSUANT to section 11 (2) of the Director of Public Prosecutions Act 1986 by this Order I authorise the Director of Public Prosecutions to consent to prosecutions for offences in respect of which my consent is required under section 49ZTA of the Anti-Discrimination Act 1977

Dated this 25th day of November 2003

BOB DEBUS, M.P.,  
Attorney General

**DIRECTOR OF PUBLIC PROSECUTIONS  
ACT 1986**

**ORDER**

PURSUANT to section 11 (2) of the Director of Public Prosecutions Act 1986 by this Order I authorise the Director of Public Prosecutions to consent to prosecutions for offences in respect of which my consent is required under section 49ZXC of the Anti-Discrimination Act 1977.

Dated this 25th day of November 2003

BOB DEBUS, M.P.,  
Attorney General

**EDUCATION ACT 1990**

**LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for  
Public School

**ERRATA**

THE Notification of Compulsory Acquisition appearing in the *Government Gazette* of 6 November, 1998, Folio 8731 under the heading "Goolma Public School" is amended by the deletion of "Lot 2" and the insertion of "Lot 162" in lieu thereof.

The Notification of Compulsory Acquisition appearing in the *Government Gazette* of 20 February, 1998, Folio 922 under the heading "Umina Public School" is amended by the deletion of "DP 755241" and the insertion of "DP 755251" in lieu thereof.

Dated at Sydney, this 8th day of November 2003.

Under Delegation  
A. REFSHAUGE, M.P.,  
Minister for Education and Training

**GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of section 14 and section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to discontinue the name *Homebush Bay Ferry Terminal* and assign in its place the geographical name *Sydney Olympic Park Ferry Terminal* for a wharf which is located on the Parramatta River near the northern extremity of Bennelong Road at Homebush Bay.

Any person objecting to this proposal may within one (1) month of the date of this notice give to the Secretary of the Board, notice in writing of that objection, setting out the grounds of the objection.

The position and extent of this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

WARWICK WATKINS,  
Chairman

Geographical Names Board  
P O Box 143, Bathurst 2795

## GREYHOUND RACING ACT 2002

### ORDER

I, GRANT ANTHONY MCBRIDE, M.P., Minister for Gaming and Racing, pursuant to section 39 (2) of the Greyhound Racing Act 2002, do by this my Order hereby set out below the relevant bodies that may nominate members of the Greyhound Racing Industry Participants Advisory Committee under section 39 (1) (a) of the Act, and the manner in which persons are to be nominated by those bodies, including the time at which nomination is taken to have effect.

- |  |   |
|--|---|
| (i) Owners representative                                      | By the Department of Gaming and Racing  |
| (ii) Breeders representative                                   | advertising in the press and in a greyhound industry periodical for expressions of interest from persons involved with the greyhound racing industry wishing to be considered for appointment to these positions. |
| (iii) Licensed Trainers representative                         |   |
| (iv) Licensed Bookmakers and Bookmakers' Clerks representative | By inviting a nomination in writing by the NSW Bookmakers Co-operative Ltd  |

In the event that there is more than one expression of interest for the positions of (i), (ii) and (iii) respectively, a panel comprising 2 or more members of the executive committee of the Registered Greyhound Participants Association Inc and an independent Chairperson approved by the Minister for Gaming and Racing shall nominate representatives as appropriate from the expressions of interest received.

Nominations are to be taken to have effect on and from 19 September 2003.

GRANT MCBRIDE, M.P.,  
Minister for Gaming and Racing

### EXPLANATORY NOTE

The Greyhound Racing Act 2002 provides, inter alia, that the Minister is to determine, by order published in the *Government Gazette*, the relevant bodies that may nominate members of the Greyhound Racing Industry Participants

Advisory Committee, the manner in which persons are to be nominated by those bodies, and the time at which nomination is taken to have effect.

## HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (A)  
To List An Item on the State Heritage Register  
Millers Point and Dawes Point Village Precinct  
SHR No. 1682

IN pursuance of section 34 (1) (a) of the Heritage Act, 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

DIANE BEAMER,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)  
Sydney, 18th Day of November, 2003

### SCHEDULE "A"

The item known as the "Millers Point & Dawes Point Village Precinct" situated on the land described in Schedule "B".

### SCHEDULE "B"

All those pieces or parcels of land in the Parish of St Phillip, County of Cumberland shown edged heavy black on the plan catalogued HC 1921 in the office of the Heritage Council of New South Wales.

## HERITAGE ACT 1977

Order Under Section 57(2)  
Millers Point and Dawes Point Village Precinct  
SHR No. 1682

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the Heritage Act, 1977, do, by this my order, grant an exemption from section 57 (1) of the said Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the owner, mortgagee or lessee of the land described in Schedule "B" on the item described in Schedule "A".

DIANE BEAMER,  
Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)  
Sydney, 18th Day of November, 2003

### SCHEDULE "A"

The item known as the "Millers Point and Dawes Point Village Precinct", situated on the land described in Schedule "B".

## SCHEDULE "B"

All those pieces or parcels of land in the Parish of St Phillip, County of Cumberland shown edged heavy black on the plan catalogued HC 1921 in the office of the Heritage Council of New South Wales.

## SCHEDULE "C"

1. All works and activities set out in any site-specific exemptions developed by Sydney City Council to the satisfaction of the Director of the Heritage Office.

2. All works and activities in accordance with any current development application approval from Sydney City Council in force at the date of gazettal of the listing of Millers Point & Dawes Point Village Precinct on the SHR.

3. All works and activities in accordance with any Department of Housing Protocol endorsed by the Heritage Council.

4. All works and activities, within the existing building envelopes, for The Observatory Hotel, 85-113 Kent Street; Imperial House 65-69 Kent Street, and the terrace at 45a, 45b and 45c Lower Fort Street, except: (a) complete demolition; and (b) works affecting the external appearance and form of these buildings, where such works would materially affect the significance of the precinct.

5. All works and activities by the Roads & Traffic Authority for the maintenance and ongoing use of the roadway and sandstone walls of the Cahill Expressway circular cutting in Observatory Park.

### INDEPENDENT PRICING AND REGULATORY TRIBUNAL OF NEW SOUTH WALES

Factors for Determining Greenhouse Gas Benchmarks for 2004 (Reference: 02/371)

IN accordance with section 97BF of the Electricity Supply Amendment (Greenhouse Gas Emission Reduction) Act 2002, the Tribunal has determined the following factors for the purpose of determining greenhouse gas benchmarks for benchmark participants for 2004:

(a) NSW pool coefficient for greenhouse gas emissions = 0.906

(b) total State electricity demand = 65,671 GWh

(c) total State population = 6,752,100 people

(d) electricity sector benchmark = 56,109,951 tonnes of CO<sub>2</sub> equivalent

These factors may also be viewed on the NSW Greenhouse Gas Abatement Scheme website at [www.greenhousegas.nsw.gov.au](http://www.greenhousegas.nsw.gov.au) and at [www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au).

Inquiries to Mr Gary Drysdale (02) 9290 8477.

THOMAS G PARRY,  
Chairman

Level 2, 44 Market Street, SYDNEY NSW 2000  
PO Box Q290, QVB Post Office, NSW 1230  
21 November 2003

## NATIONAL PARKS AND WILDLIFE ACT 1974

Sydney Harbour National Park

Amendments to Plan of Management

IN pursuance of section 73B of the National Parks and Wildlife Act 1974 it is hereby notified that amendments to the plan of management Sydney Harbour National Park were adopted by the Minister for the Environment on 17th November 2003.

Copies of the amendments may be obtained from the NPWS Central Region office, Level 1, 10 Valentine Avenue, Parramatta, NSW 2124; and The National Parks Centre, 102 George Street, The Rocks, NSW 2655. The amendments are also available on the NPWS web site: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

## PESTICIDES ACT 1999

Notice Under Section 48 (4)

NOTICE is hereby given, pursuant to Section 48(4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,  
Manager Dangerous Goods  
Environment Protection Authority  
by delegation

## SCHEDULE

*Pilot (Pesticide Rating) Licence*

Name and address of Licensee	Date of Granting of Licence
Mr SHANE HALDANE THRUPP 820 Cawdor Road Camden NSW 2570	24 November 2003

## PESTICIDES ACT 1999

Notice under Section 48 (4)

NOTICE is hereby given, pursuant to section 48 (4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,  
Manager Dangerous Goods  
Environment Protection Authority  
by delegation

## SCHEDULE

*Pilot (Pesticide Rating) Licence*

Name and address of Licensee	Date of Granting of Licence
Mr MARKUS EDWARD BREAR 83 Witt Street Yarrawonga VIC 3730	26 November 2003

**SAFER COMMUNITY COMPACT - ORDER**

I, the Honourable BOB DEBUS Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Mt Druitt Community Safety Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 5 December 2003 and remains in force until 4 December 2006.

Signed at Sydney, this 25th day of November 2003.

BOB DEBUS,  
Attorney General

**SPORTING INJURIES INSURANCE ACT 1978****Order of Declaration Under Section 5**

IN pursuance of section 5 of the Sporting Injuries Insurance Act, 1978, I declare by this order the Youlooe-Ta Indigenous Development Association Incorporated to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Rugby League.

JON BLACKWELL,  
Chairperson

Sporting Injuries Committee  
Sydney, 4 November, 2003

**STATE EMERGENCY AND RESCUE  
MANAGEMENT ACT 1989****Erratum****Emergency Management Districts**

NOTE: Changes Have Occured To The Following Districts. These Changes Effect Murray, Northern Rivers, Peel And Sydney Mid West District And Are Current As Of 26 November 2003.

FOR the purposes of the State Emergency and Rescue Management Act, 1989, as amended, the following are to be the Emergency Management Districts in accordance with section 21 of that Act.

**Central West Emergency Management District** comprises the Bathurst City Council, Blayney Council, Cabonne Council, Cowra Council, Evans Council, Forbes Council, Greater Lithgow City Council, Lachlan Council, Oberon Council, Orange City Council and Parkes Council.

**Far West Emergency Management District** comprises the Bogan Council, Bourke Council, Brewarrina Council, Broken Hill City Council, Central Darling Council, Cobar Council and the Unincorporated Area of NSW.

**Georges River Emergency Management District** comprises the Auburn City Council, Bankstown City Council, Hurstville City Council, Kogarah Council, Rockdale Council, Sutherland Council, Botany Bay and Port Hacking.

**Hunter Emergency Management District** comprises the Cessnock City Council, Dungog Council, Gosford City Council, Lake Macquarie City Council, Maitland

City Council, Merriwa Council, Murrurundi Council, Muswellbrook Council, Newcastle City Council, Port Stephens Council, Scone Council, Singleton Council and the areas of and Port Hunter and Port Stephens, Wyong Council.

**Illawarra Emergency Management District** comprises the Kiama Council, Shellharbour Council, Shoalhaven City Council, Wollongong City Council and Jervis Bay.

**Mid North Coast Emergency Management District** comprises the Bellingen Council, Coffs Harbour City Council, Gloucester Council, Greater Taree City Council, Great Lakes Council, Hastings Council, Kempsey Council, Nambucca Council and Lord Howe Island.

**Monaro Emergency Management District** comprises the Bega Valley Council, Bombala Council, Cooma-Monaro Council, Eurobodalla Council, Queanbeyan City Council, Snowy River Council, Tallaganda Council and Yarrowlunla Council.

**Murray Emergency Management District** comprises the Albury City Council, Balranald Council, Berrigan Council, Conargo Council, Corowa Council, Culcairn Council, Deniliquin Council, Holbrook Council, Hume Council, Jerilderie Council, Murray Council, Tumbarumba Council, Urana Council, Wakool Council and Wentworth Council.

**Northern Rivers Emergency Management District** comprises the Ballina Council, Byron Council, Copmanhurst Council, Grafton City Council, Kyogle Council, Lismore City Council, Maclean Council, Pristine Waters Council, Richmond Valley Council and Tweed Council.

**Peel Emergency Management District** comprises the Armidale Dumaresq Council, Barraba Council, Bingara Council, Dumaresq Council, Glen Innes Council, Gunnedah Council, Guyra Council, Inverell Council, Manilla Council, Moree Plains Council, Narrabri Council, Nundle Council, Parry Council, Quirindi Council, Severn Council, Tamworth City Council, Tenterfield Council, Uralla Council, Walcha Council and Yallaroi Council.

**Riverina Emergency Management District** comprises the Bland Council, Carrathool Council, Coolamon Council, Griffith City Council, Hay Council, Junee Council, Leeton Council, Lockhart Council, Murrumbidgee Council, Narrandera Council, Temora Council and Wagga Wagga City Council.

**Southern Highlands Emergency Management District** comprises the of Boorowa Council, Cootamundra Council, Crookwell Council, Goulburn City Council, Gundagai Council, Gunning Council, Harden Council, Mulwaree Council, Tumut Council, Weddin Council, Yass Council and Young Council.

**Sydney Eastern Emergency Management District** comprises the Botany Bay City Council, Randwick City Council, Sydney City Council, South Sydney City Council, Waverley Council, Woollahra Council, Port Jackson and Parramatta River up to the Parramatta Weir.

**Sydney Mid West Emergency Management District** comprises the Ashfield Council, Burwood Council, Canterbury Council, City of Canada Bay Council, Leichhardt Council, Marrickville Council and Strathfield Council.

**Sydney North Emergency Management District** comprises the Hornsby Council, Hunters Hill Council, Ku-ring-gai Council, Lane Cove Council, Manly Council, Mosman Council, North Sydney Council, Pittwater Council, Ryde Council, Warringah Council, Willoughby City Council, and all navigable waters of Brisbane Waters, Broken Bay, Cowan Waters, The Pittwater and the Hawkesbury River upstream to Wisemans Vehicle Ferry.

**Sydney South West Emergency Management District** comprises the Camden Council, Campbelltown City Council, Fairfield City Council, Liverpool City Council, Wingecarribee Council and Wollondilly Council.

**Western Slopes Emergency Management District** comprises the Coolah Council, Coonabarabran Council, Coonamble Council, Dubbo City Council, Gilgandra Council, Mudgee Council, Narromine Council, Rylstone Council, Walgett Council, Warren Council and Wellington Council.

**Western Sydney Emergency Management District** comprises the Baulkham Hills Council, Blacktown City Council, Blue Mountains City Council, Hawkesbury City Council, Holroyd Council, Parramatta City Council and Penrith City Council.

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#### SYDNEY WATER ACT 1994

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Parramatta in the Local Government Area of Parramatta City

SYDNEY Water Corporation declares, with the approval of Her Excellency, the Governor, that the land described in the First Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 for the purpose of the Sydney Water Act 1994.

Dated at Sydney this 4th day of November, 2003.

Signed for Sydney Water Corporation by its Attorneys

Who hereby state at the time of executing this instrument have no notice of the revocation of the Power of Attorney Registered No. 687 Book 4296 under the Authority of which this instrument has been executed.

Warren Frederich WATKINS, and  
Jeffrey Francis COLENZO

#### SCHEDULE 1

All that piece or parcel of land in the Local Government Area of Parramatta City, Parish of St. John, County of Cumberland, and State of New South Wales, being:

Lot 1 in Deposited Plan 128540  
Lot 1 in Deposited Plan 209425  
Lot 1 in Deposited Plan 511141  
Lot 2 in Deposited Plan 511141  
Lot 2 in Deposited Plan 207682  
Lot 3 in Deposited Plan 207682  
Lot A in Deposited Plan 323787  
Lot A in Deposited Plan 324342

Said to be owned by State Rail Authority of New South Wales.

Sydney Water reference: 2003//06549F

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#### THREATENED SPECIES CONSERVATION ACT

Notice of Preliminary Determination

Rejection of a Proposal

THE Scientific Committee, established by the Threatened Species Conservation Act, has made a Preliminary Determination to reject a proposal to list Camphor laurel *Cinnamomum camphora* most toxic chemotypes as a KEY THREATENING PROCESS in Schedule 3 of the Act.

Notice of Preliminary Determinations

Proposed Additions to the Schedules

The Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following in the relevant Schedules of the Act.

#### Endangered Species (Part 1 of Schedule 1)

*Carex archeri* Boott, a herb  
*Lindernia alsinoides* R.Br., an annual herb  
*Mitrasacme pygmaea* R.Br., an annual herb

#### Endangered Ecological Community

(Part 3 of Schedule 1)

Coastal Saltmarsh in the NSW North Coast, Sydney Basin and South East Corner Bioregions

#### Vulnerable Species (Schedule 2)

*Genoplesium baueri* R.Br., an orchid  
*Hygrocybe rubronivea* A. M. Young, an agaric fungus  
*Rhynchosia acuminatissima* Miq., a climbing herb

Any person may make a written submission regarding these Preliminary Determinations, which should be forwarded to:

Scientific Committee  
PO Box 1967, Hurstville NSW 2220  
Attention: Suzanne Chate, Executive Officer

Submissions must be received by 30th January, 2004.

Copies of these Determinations, which contain the reasons for the determinations, may be obtained free of charge:

On the Internet [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),

By contacting the Scientific Committee Support Unit, C/- Department of Environment and Conservation, PO Box 1967 Hurstville 2220. Tel: (02) 9585 6940 or Fax (02) 9585 6606,

In person at The National Parks Centre 102 George Street, The Rocks, Sydney.

Copies of the determinations may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

The National Parks and Wildlife Service is part of the Department of Environment and Conservation.

Associate Professor PAUL ADAM,  
Chairperson  
Scientific Committee



# TENDERS

## Department of Commerce

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

#### cmSolutions

Printing Tender No. 41017

Tenders are invited for the production of Reference Rolls for the NSW Local Government Elections to be held in 2004.

The Rolls are required for each of the 394 Local Government Bodies and Wards. Each Roll will have varying number of leaves printed 2 sides in black ink with systems board covers.

The criteria for the tender evaluation will carefully scrutinise all tender responses for the following:

- Capacity to produce all in-house
- Security (whilst in production and distribution)
- Implementation of quality procedures
- Being located close to the Sydney CBD

For full details and tender documentation, and to view sample, contact Phil Dobson Tel: 97438777.

Tenders close 9.30am on Monday 15<sup>th</sup> December 2004, and must be lodged in the Tender Box situated in the foyer cmSolutions Unit 5, Block V, 391 Park Rd, Regents Park NSW 2143

**cmSolutions**

Printing Tender No. 41017

Tenders are invited for the production of Reference Rolls for the NSW Local Government Elections to be held in 2004.

The Rolls are required for each of the 394 Local Government Bodies and Wards. Each Roll will have varying number of leaves printed 2 sides in black ink with systems board covers.

The criteria for the tender evaluation will carefully scrutinise all tender responses for the following:

- Capacity to produce all in-house
- Security (whilst in production and distribution)
- Implementation of quality procedures
- Being located close to the Sydney CBD

For full details and tender documentation, and to view sample, contact Phil Dobson Tel: 97438777.

Tenders close 9.30am on Monday 15<sup>th</sup> December 2004, and must be lodged in the Tender Box situated in the foyer cmSolutions Unit 5, Block V, 391 Park Rd, Regents Park NSW 2143

A non refundable fee of \$ 100 is applicable.

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**TENDERNO: 38947W**

**ISSUE DATE: Friday the 21<sup>st</sup> November 2004**

Tenders are invited for the supply of the following goods for the period specified against each item. Such provision of goods is subject to and in accordance with the Terms and Conditions of Tender and Contract T1 as set out within this document.

**COMPUTER SKILLS ASSESSMENT 2004**  
Written Component of the Assessment  
and  
Reporting of Both Components

**BRIEF DESCRIPTION**

Tenders are invited on the behalf of the NSW Department of Education and Training, for the production and implementation of the Computer Skills Assessment project. The Tenderer must provide proper security facilities and resources to undertake all tasks as specified in the tender document. The Computer Skills Assessment is in two sections. The first assessment is a written test administered to Year 6 students in schools throughout NSW. The second assessment is a practical test. This tender is for the Written Assessment and Reporting.

The Tender is broken down into two parts.

These parts are:

- Part A Production, pack, distribution and return of test material and electronic data capture (including scanning and editing)
- Part B Reporting the results from Written Test and the Practical Test and pack and distribution of Reports

**Enquiries : Phil Dobson (02) 9743 8777**

**CLOSING DATE: 9.30am Monday 15<sup>th</sup> December 2004**

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### BALLINA SHIRE COUNCIL

#### Adoption of Lennox Head Vegetation Management Order

NOTICE is hereby given that Ballina Shire Council has adopted a Vegetation Management Order which applies to the locality of Lennox Head and the development known as "Headlands Estate" in the locality of Skennars Head. The Order comes into effect on 6th December, 2003. The Order has been prepared and adopted in accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, which are adopted for the purpose of the Ballina Local Environmental Plan 1987. STUART McPHERSON, General Manager, Ballina Shire Council, PO Box 450, Ballina, NSW 2478. [0887]

### BLACKTOWN CITY COUNCIL

#### Roads (General Regulation) 1994

#### Renaming of Public Road – Pacer Street

NOTICE is hereby given that Blacktown City Council, in pursuance of Division 2 of the abovementioned Regulation, has changed the name of the severed northern part of the road known as Berkshire Road, Riverstone, to Pacer Street. Authorised by resolution of Council on 10th September, 2003. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148. [0891]

### BLACKTOWN CITY COUNCIL

#### Roads Act 1993, Section 162

#### Naming of Public Road – Gig Way

NOTICE is hereby given that Blacktown City Council, in pursuance of section 162 of the Roads Act 1993, has named the unnamed lane which runs between Denmark Road and Berkshire Road, Riverstone, as 'Gig Way'. Authorised by resolution of Council on 10th September, 2003. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148. [0892]

### BLUE MOUNTAINS CITY COUNCIL

#### Notice of Land Vested in Council

#### Lot 1 in 721806 (presently comprised within Certificate of Titles, Volume 393, Folios 87 and 88)

Notice is hereby given in pursuance of section 50 of the Local Government Act 1993, that applies to a subdivision of land that was approved by Council before 15th June, 1964 and which set aside land for public garden or recreation space. The land being Lot 1 in Deposited Plan 721806 (as amended) and is presently comprised within Certificate of Titles Volume 393, Folios 87 and 88, is vested in the Council of the City of the Blue Mountains. Authorised by resolution of Council, dated 18th November, 2003. General Manager, Locked Bag 5, Katoomba, NSW 2780. [0878]

### HASTINGS COUNCIL

#### Roads Act 1993, Section 10

#### Dedication of Land as Public Road

NOTICE is hereby given that the land described in the Schedule below is dedicated as public road pursuant to section 10 of the Roads Act 1993. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie, NSW 2444.

#### Schedule

All those pieces or parcels of land being Lots 2 and 3 in Deposited Plan 1049640, Parish of Ballengarra, County of Macquarie and situated on Ballengarry-Bransdon Road at Gum Scrub. [0897]

### KYOGLÉ COUNCIL

#### Roads Act 1993, Section 162

#### Naming of Public Roads

NOTICE is hereby given that the Kyogle Council, in pursuance of section 162 of the Roads Act 1993 and the Roads (General) Regulation 2000, has resolved to make the road name changes as shown in Table 1, and to name the unnamed roads as shown in Table 2.

Road No.	Current Road Name or Description of Route	Road Name
293	Un-named road off Glen Road runs in south easterly direction through Lot 32, DP 751059, ends at Lot 244, DP 806714.	Hereford Road.
294	Un-named road off Tunglebung Creek Road, east through Lot 12, DP 752365.	Windfield Road.
297	Un-named road off Hillyards Road runs in a northerly direction between Lots 25 and 23, DP ending at boundary of Lot 26 DP.	Grass Tree Road.
301	Un-named road off Ryans Creek Road heads north, then west 300m from Bingebeebebra Creek Road intersection.	Bunya Road.
302	Un-named road off Roseberry Creek Road head in a north west direction between Lot 3, DP 113611 and Lot 4, DP 113611 ending southern side of river then onto a Right of Carriageway.	Leadbeatters Road.
303	Un-named road off Roseberry Creek Road heads north through Lot 6, DP 843729.	Plantation Road.
1097	Un-named lane off Merrigan Street to Willow Lane.	Hurley Lane.
1013	Colin Lane.	Gardner Lane.

Authorised by Council Resolution No. 210703/1. KEN DAVIES, General Manager, Kyogle Council, PO Box 11, Kyogle NSW 2474. [0881]

**LEETON SHIRE COUNCIL**

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Leeton Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in those lands is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of residential development and resale. Dated at Leeton this 26th day of November, 2003. R. C. PLUIS, General Manager, Leeton Shire Council, 23-25 Chelmsford Place (PO Box 394), Leeton, NSW 2705, tel.: (02) 6953 2611. [0884]

**THE OBERON COUNCIL**

Roads Act 1993, Section 10

Dedication of Lands as Public Road

NOTICE is hereby given that the Oberon Council dedicates the land described in the Schedule hereunder as public road under the Roads Act 1993. BRUCE FITZPATRICK, General Manager, 137-139 Oberon Street (PO Box 84), Oberon, NSW 2787, tel.: (02) 6336 1100.

Schedule

Brennan Crescent, Dulce Drive and Pathways within DP 848153. [0877]

**QUEANBEYAN CITY COUNCIL**

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Queanbeyan City Council declares, with the approval of Her Excellency the Governor, that the lands described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of an extension of Queanbeyan Park and a Historic Working Printing Presses Museum. Dated at Queanbeyan this 20th day of November, 2003. HUGH A. PERCY, General Manager, Queanbeyan City Council, 257 Crawford Street (PO Box 90), Queanbeyan, NSW 2620, tel.: (02) 6298 0211.

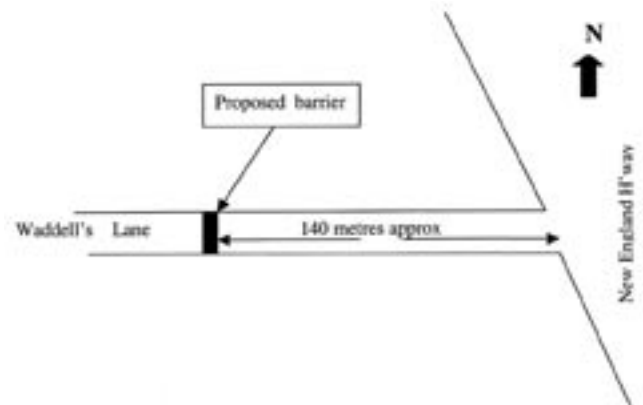
Schedule

Lots 122 and 123, DP 1011230. [0882]

**SINGLETON COUNCIL**

Road Closure — Waddells Lane, Singleton

NOTICE is hereby given that, as part of their proposal to establish a motor vehicle dealership and service centre on the corner of the New England Highway and Waddell's Lane the firm of H E Lancaster Pty Ltd has



lodge an application with Council to close Waddell's Lane to through motor vehicle traffic by the installation of permanent barriers. The proposed closure will be located as indicated in the drawing below.

The aim of the proposed closure is to protect residences in Ellen Avenue and the school that has a frontage to Waddell's Lane from the effects of the anticipated increase in through traffic that the proposed motor dealership on the corner of the New England Highway and Waddell's Lane is likely to produce. Interested parties are invited to comment in writing on this road closure application. Written comments will be accepted up to the 19th of December, 2003. Further details are available from Councils Traffic Coordinator (Phone: [02] 6578 7272), at the Singleton Civic Centre, Queen Street, Singleton. S. McGrath, General Manager, Singleton Council, PO Box 314, Singleton, NSW 2330. [0886]

**BALLINA SHIRE COUNCIL**

Local Government Act 1993, Section 713

## Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons named hereunder that the Council of the Shire of Ballina has resolved, in accordance with section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and of which the amount of rates and charges stated as at 18th August, 2003, are due:

Owners (a)	Description of land (b)	Total payable as at 18 August 2003 (c)
The Estate of Joseph STAINES	727 Teven Road, Teven, NSW 2478	\$3919.43 **
The Estate of John ANDREWS	Lot 1, section 1, DP 758964	** Total amount consists of;
The Estate of Richard BARLOW		\$1214.00 unpaid for more than
The Estate of Albert Ernest BIGGS		5 years
The Estate of George Michael WOOD		\$1762.00 unpaid for less than
		5 years
		Interest Charges \$943.43

In default of payment to the Council of the amount stated in Column (c) above, together with any other rates and extra charges becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates and extra charges being entered into by the rateable persons, before the time fixed for the sale, the said land will be offered for sale by public auction by Wilson Cregan auctioneer at the offices of LJ Hooker Real Estate, 87-89 River Street, Ballina on Thursday, 18th March, 2004, at 5:30 p.m. Stuart McPherson, General Manager, Ballina Shire Council, 38 Cherry Street, Ballina, NSW 2478. [0876]

**BLAYNEY SHIRE COUNCIL**

Local Government Act 1993, Section 713

## Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Blayney Shire Council has resolved, in pursuance of S713 of the Local Government Act 1993, to sell the land described hereunder, of which the persons named appear to be the owners or in which they appear to have an interest, and on which the rates in each case, as at 2nd September, 2003, are due.

Assess. No./Owner or persons having an interest in the land	Description of Land	Amount of Rates (including extra charges) overdue for more than 5 years	Amount of all other Rates (including extra charges) due and in arrears	Total
(a)	(b)	(c) \$	(d) \$	(e) \$
1697-02100-2 - D. L. RYAN and K. M. RYAN-LOWE	Lot 2, DP 1043813, 65 Forest Reefs Road, Millthorpe	29.69	1293.72	1323.41
1697-02200-0 - Edwin EZZY	Lot 2, DP 982644, 65 Forest Reefs Road, Millthorpe	72.68	1341.72	1414.37
1050-02000-5 - Robert Allen KEEN and Janette Madaline KEEN	Lot 1, DP 256591, 51a Orange Road, Blayney	72.68	1915.27	1987.95
1507-00000-6 - Carina Marianne BETTLES	Lot 1, DP 962283, 2 Toomey Street, Newbridge	4.85	3720.90	3725.75
2277-00000-2 - Edward Laurence MENERE	Lot 11, section 21, DP 732908, 8 Iron Street, Mandurama	352.79	1966.01	2318.80
2357-00000-5 - Estate of W. J. SMITH	Lot 6, section 10, DP 978887, 28 Olive Street, Mandurama	352.79	1966.01	2318.80
1879-00100-4 - William Thomas DEATH	Lot 1, DP 131647, 7422 Mid Western Highway, Lyndhurst	319.94	1837.96	2157.90
2923-00000-0 - Vanessa Wendy SIMPSON and Browynne Leone MONTGOMERY	Lot 1, section 10, DP 758426, 680 Gallymont Road, Mandurama	127.83	1749.22	1877.05
2767-00000-9 - Alfred Wynther HAWTHORNE	Lot 10, DP 130250, 226 Mount Macquarie Road, Carcoar	329.83	1837.96	2167.79

In default of payment to Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after the publication of this notice, or any arrangements satisfactory to Council for payment of all such rates being entered into by the rateable person, before the time fixed for sale, the said land will be offered for sale by public auction at Blayney Shire Council Chambers, Blayney by Council's agent: PR Master Stephens Real Estate, Blayney on Saturday, 6th March, 2004, commencing at 10:00 a.m. A. B. ROACH, General Manager, PO Box 62, Blayney, NSW 2799.

[0880]

**MERRIWA SHIRE COUNCIL**

## Sale of Land for Overdue Rates

NOTICE is hereby given to the person(s) named hereunder that the Council of the Shire of Merriwa has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder (of which the person(s) named appear to be the owners or in which they appear to have an interest) and on which the amount of rates and charges stated in each case, as at 30th November, 2003, is due:

Owners or Persons having interest in the land	Description of land	Amount of rates and charges unpaid for more than 5 years from date on which they became payable and amount of interest accrued		Amount of other rates and charges payable and unpaid and amount of interest accrued		Total
		Rates & Charges Accrued	Interest	Rates & Charges Accrued	Interest	
(a)	(b)	(c)		(d)		(e)
F. HERMITAGE	Lot 1, section 25, DP 758141	\$1,137.81	\$220.92	\$205.44	\$35.95	\$1,600.12
C. J MURRAY and Thomas ADAMS	Lot 2, section 25, DP 758141	\$1,137.81	\$220.48	\$205.44	\$35.95	\$1,599.68
F. HERMITAGE	Lot 3, section 25, DP 758141	\$1,137.81	\$220.92	\$205.44	\$35.95	\$1,600.12
D. M. MacKENZIE	Lot 1, DP 750927	\$1,675.23	\$408.77	\$308.48	\$54.17	\$2,446.65
P. and S. SCARICAMAZZA	Lots 3 and 4, section 10, DP 758141	\$1,552.11	\$140.99	\$205.44	\$29.10	\$1,927.64
G. C. ELDRIDGE	Lot 1, DP 250311	\$3,089.46	\$538.42	\$496.60	\$89.57	\$4,214.05

In default of payment to the Council of the total amount stated in Column (e) above and any other rates and charges and interest becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for sale, the said land will be offered for sale by public auction by G M Llewellyn & Co., Auctioneer, at Merriwa Shire Council Chambers on Saturday, 7th February, 2004, at 10:00 a.m. NEIL BALDWIN, General Manager, Vennacher Street (PO Box 111), Merriwa, NSW 2329, tel.: (02) 6548 2109. [0883]

**MULWAREE SHIRE COUNCIL**

Local Government Act 1993, Section 713

Sale of Land for Unpaid Rates and Charges

NOTICE is hereby given to the persons named hereunder that the Mulwaree Shire Council has resolved, in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named below appear to be the owners or in which they appear to have an interest and on which the amount of rates stated in each case as at 21st November, 2003, is due:

Owner(s) or person(s) having an interest in the land	Description of Subject Land	Amount of Rates and charges (including extra charges) overdue for more than five (5) years (c)	Amount of all other rates and charges (including extra charges) payable and unpaid (d)	Total (e)
(a)	(b)	(c)	(d)	(e)
Carmelo Antonio COLONNA and Australia and New Zealand Banking Group Limited	Rate Assessment 268-13, Lot 102 and 107, DP 757044 and Lot 9, DP 114312	\$303.39	\$2,504.64	\$2,808.03
Nicolin ROWAN and St George Bank Limited	Rate Assessment 1102-11, Lots 40, 41 and 42, DP 976708	\$398.90	\$3,587.17	\$3,986.07
Peter HANNA and Mary HANNA (Caveat)	Rate Assessment 1946-015, Lot 3, DP 561615 and Lot 1 DP 559473	\$4,625.30	\$4,196.51	\$8,821.81
Daniel NEWBOLD	Rate Assessment 2425-38, Lot 38, DP 732623	\$282.50	\$2,781.85	\$3,064.35
Henry LEWIS and Eileen Maude LEWIS	Rate Assessment 3683-4, Lot 14, DP 10243	\$2,785.71	\$3,828.12	\$6,613.83
Jeanette Maree BARLING and IMB Limited	Rate Assessment 3765-525, Lot 25, DP 790735	\$7.42	\$2,605.29	\$2,612.71

In default of payment to the Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after the publication of this notice, or arrangement satisfactory to the Council for payment of all rates being entered into by the rateable person, before the time fixed for sale, the said land will be offered for sale by public auction at 12:00 p.m., 13th March, 2004, at the Goulburn Soldiers Club, 15 Market Street, Goulburn, NSW 2580. R. F. Mowle, General Manager, 56 Clinton Street (PO Box 148), Goulburn, NSW 2580, tel.: (02) 4821 1933. [0879]



## NARRANDERA SHIRE COUNCIL

Local Government Act 1993, Section 713

## Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons(s) and company named hereunder that the Council of the Shire of Narrandera has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the person(s) or company named appear to the Council to be the registered owner(s) or to have interest in the land on which the amount of rates and charges stated in each case, as at 31st August, 2003, is due:

Registered Owner(s) or Person(s) or Company appearing to have interest in the land	Description of subject land	Amount of rates and charges (including extra charges) overdue for more than five (5) years (\$)	Amount of all other rates and charges (including extra charges) payable and unpaid (\$)	Total Due (\$)
(a)	(b)	(c)	(d)	(e)
James William Gregory DURNAN	Lot 15, sec 6, DP 2398, 5 Racecourse Road, Narrandera, NSW 2700, Parish of Narrandera in the County of Cooper	\$1,202.04	\$6,259.23	\$7,461.27
TILLERS FORGE PTY. LTD.	Lot 11, sec 48, DP 758757, 116/120 Douglas Street, Narrandera, NSW 2700, Parish of Narrandera in the County of Cooper	\$167.75	\$6,818.53	\$6,986.28
Allan Henry WHITE	Lot 2, sec 28, DP 758052, 30 Yapunyah Street, Barellan, NSW 2665, Parish of Barellan in the County of Cooper	\$465.13	\$1,703.74	\$2,168.87
James PLATTER	Lot 6, sec 32, DP 758477, Brookong Street, Grong Grong, NSW 2652, Parish of Lupton in the County of Bourke	\$19.60	\$891.13	\$1,025.51
Thomas CARR	Lot 5, sec 59, DP 758477, Balaro Street, Grong Grong, NSW 2652, Parish of Berrembed in the County of Bourke	\$30.85	\$862.17	\$893.02
William RYAN	Lots 2/3, sec 31, DP 758477, Brookong Street, Grong Grong, NSW 2652, Parish of Lupton in the County of Bourke	\$95.34	\$736.27	\$831.61
Thomas Walter KLIPPERT	Lot 2, sec 1, DP 758551, Train Street, Kamarah, NSW 2665, Parish of North Bolaro in the County of Cooper	\$19.60	\$800.38	\$819.98
Beatrice HEATH and Douglas John Laurence Richard HEATH	Lot 84, DP 661333, Cnr Dobells Road and Burley Griffin Way, Kamarah, NSW 2665, Parish of North Bolaro in the County of Cooper	\$19.60	\$702.97	\$722.57

In default of payment to the Council of the Shire of Narrandera of the amount stated in Column (e) above and any other rates and charges (including extra charges) becoming due and payable after 31st August, 2003, or an arrangement satisfactory to the Council for the payment of such rates and charges including any other rates and charges (including extra charges) becoming due and payable after 31st August, 2003, being entered into by the Registered Owner(s), interested Person(s) or Company before the time fixed for the sale, the said land will be offered for sale by public auction by Mark Flagg Livestock & Property Pty Ltd at the Narrandera Shire Council Chambers, 141 East Street, Narrandera, NSW 2700, on Friday, 5th March, 2004, at 10:00 a.m. K. M. Murphy, General Manager, Narrandera Shire Council, 141 East Street, Narrandera, NSW 2700. [0875]

**WARREN SHIRE COUNCIL**

Local Government Act 1993

Sale of Land for Overdue Rates

NOTICE is hereby given to persons named hereunder that the Council of the Shire of Warren has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of rates stated in each case, as at 30th November, 2003.

Owner or persons having an interest in the land (a)	Description of Land (b)	Amount of Rates overdue for more than 5 years (c)	Amount of all other rates due in arrears (d)	Rates Payable to 30.6.2004 (e)	Total (f)
1. Est Karl Peder PETERSEN	Lot 4, sec 4, DP 758264, Parish Collie, County Ewenmar	602.25	551.87	133.00	1,287.12
2. Ronald Malcome ORCHARD	Lots 2/3, sec 13, DP758264, Parish Collie, County Ewenmar	488.25	509.01	133.00	1,130.26
3. Daniel Roy CLARK and Linda Jane CLARK and Commonwealth Bank of Australia	Lots 1/3 and 21, sec 5, DP 758264, Parish Collie, County Ewenmar	488.25	2,971.07	133.00	3,592.32
4. Troy Robert DICKERSON	Lot 7, sec 12, DP 758264, Parish Collie, County Ewenmar	658.25	690.24	133.00	1,481.49
5. Oliver Thomas CARPENTER	Lot 17, sec 4, DP758264, Parish Collie, County Ewenmar	602.25	229.51	133.00	964.76
6. Mark SONNEVELD and George DAABOUL	Lot 7/8, sec 13, DP 758264, Parish Collie, County Ewenmar	1,092.80	3,847.07	133.00	5,072.87

In default of payment to the Council of the amount stated in column (e) above and any other rates including extra charges becoming due and payable after publication of this notice before the time fixed for the sale, the said land will be offered for sale by public auction by DALGETY WILSON & RUSS, Actioneers, in the Council Chambers, Warren Shire Council, 115 Dubbo Street, Warren on Friday, 12th March 2004, at 10:00 a.m. [0872]

**ESTATE NOTICES**

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GRAHAM ALAN MAIER, late of Umina, in the State of New South Wales, retired, who died on 29th June, 2003, must send particulars of his claim to the administrator, Alan James Maier, c.o. Peninsula Law, Solicitors, 103-105 Blackwall Road, Woy Woy, NSW 2256, or their agents Turner Whelan, Solicitors, Level 2, 162 Goulburn Street, Sydney, NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims which at the time of distribution they have notice. Letters of Administration with the Will annexed were granted in New South Wales on 15th October, 2003. PENINSULA LAW, Solicitors, 103-105 Blackwall Road (PO Box 162), Woy Woy, NSW 2256 (DX8806, Woy Woy), tel.: (02) 4342 1277. [0874]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LESLIE MALCOLM JULEFF, late of Wamberal, in the State of New South Wales, retired, who died on 20th May, 2003, must send particulars of their claim to the executors, Leone Margaret Hughes and Lorna Joy Joyce, c.o. Truman Hoyle, Lawyers, Level 18, 68 Pitt Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 12th November, 2003. Truman Hoyle, Lawyers, Level 18, 68 Pitt Street, Sydney NSW 2000 (DX263, Sydney), tel.: (02) 9232 5588. Reference: DLS(SR)3210. [0888]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ALBERT ARTHUR WILLS, late of Wingham, in the State of New South Wales, who died on 14th August, 2003, must send particulars of the claim to the executrices, Joan Alice Wills and Katherine Marjorie Small, c.o. McKerns, Lawyers, 43 Isabella Street, Wingham, NSW 2429, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution the trustees has notice. Probate was granted in New South Wales on 12th November, 2003. McKerns, Lawyers, 43 Isabella Street (PO Box 34), Wingham, NSW 2429 (DX7021, Taree), tel.: (02) 6557 0922. [0890]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of TRAVIS CHARLES SMITH, late of Coleambally, in the State of New South Wales, labourer, who died on 20th December, 2002, must send particulars of his claim to the administrators, Margaret Ivy Smith and Kevin Thomas Smith, c.o. Messrs Olliffe & McRae, Solicitors, PO Box 874, Griffith, NSW 2680, within one (1) calendar month from publication of this notice. After that time the administrators may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Letters of Administration were granted in New

South Wales on 26th September, 2003. Messrs Olliffe & McRae, Solicitors, PO Box 874, Griffith, NSW 2680 (DX5901, Griffith), tel.: (02) 6962 1744. [0893]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of KEITH LESLIE GOW, late of Griffith, in the State of New South Wales, retired bookmaker, who died on 21st June, 2003, must send particulars of his claim to the executrix, Mavis Lillian Gow, c.o. Messrs Olliffe & McRae, Solicitors, PO Box 874, Griffith, NSW 2680, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 6th November, 2003. Messrs Olliffe & McRae, Solicitors, PO Box 874, Griffith, NSW 2680 (DX5901, Griffith), tel.: (02) 6962 1744. [0894]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOSEPH KENNY, late of Unit 53, Brentwood Village, Evans Road, Toukley, in the State of New South Wales, labourer, who died on 2nd August, 2002, must send particulars of his/her claim to the executors, Gerard Patrick Kenny and Marie Jackson, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, NSW 2148, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executors have notice. Probate was granted in New South Wales on 11th November, 2003. Low Doherty & Stratford, Solicitors, 9 Campbell Street (PO Box 147), Blacktown, NSW 2148 (DX8109, Blacktown), tel.: (02) 9622 4644. [0895]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of WILLIAM VICTOR SCARFE, late of Strathfield, in the State of New South Wales, who died on 26th May, 2003, must send particulars of his claim to the executors, Arthur Knight and Robert George Eccles, c.o. Kencalo & Ritchie, Solicitors, 96 Moore Street, Liverpool, NSW 2170, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 18th November, 2003. Kencalo & Ritchie, Solicitors, 96 Moore Street, Liverpool, NSW 2170 (DX5003, Liverpool), tel.: (02) 9602 8333. [0896]

**COMPANY NOTICES**

NOTICE of voluntary winding up.—S.M.A.R.T. CENTRE PTY LIMITED, ACN 080 391 644.—Notice is hereby given in accordance with section 491(1) of the Companies and Securities Legislation, that at a general meeting of the company duly commenced and held at 22 Bridge Street, Moree, on Wednesday, 26th November, 2003, the following special resolution was duly passed: "That the company be wound up voluntarily and that Mark Henry Johnson be appointed liquidator". M. H. JOHNSON, Liquidator, c.o. Cummins & Wallace, Chartered Accountants 22 Bridge Street, Moree, NSW 2400, tel.: (02) 6752 1433. [0885]

NOTICE of members voluntary winding up.—SCOTRICK PTY LTD, ACN 008 449 385 (in liquidation).—Notice is hereby given that in accordance with section 495 of the Corporations Law at an extraordinary general meeting of the abovenamed company held at Level 16, 14 Martin Place, Sydney, on the 13th November, 2003, the following was passed as a special resolution: "That the company be wound up voluntarily and that Keith Lindsay Hope, Accountant, of First Floor, 34 Slade Road, Bardwell Park, be appointed liquidator for the purpose of winding up". Dated this 13th day of November, 2003. KEITH LINDSAY HOPE, Liquidator, c.o. K L Hope, Accountant, First Floor, 34 Slade Road, Bardwell Park, NSW 2207, tel.: (02) 9597 2511. [0889]

## OTHER NOTICES

NOTICE under section 42 of the Anglican Church of Australia Trust Property Act 1917.—ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY, by the Katoomba Trust Ordinance 2003, passed on 17th November, 2003, under section 19 of the Anglican Church of Australia Trust Property Act 1917, the Standing Committee of the Synod of the Diocese of Sydney consented to the vesting of land comprised in Certificate of Title Volume 9472, Folio 144, situated at Katoomba in the corporate trustees of the Diocese, Anglican Church Property Trust Diocese of Sydney. P. F. JENSEN, Archbishop of Sydney, St Andrews House, Sydney Square, NSW 2000, tel.: (02) 9265 1555.

[0873]